

REGULAR MEETING – FEBRUARY 20, 2020

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

MOMENT OF SILENCE/PRAAYER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

None

PROCLAMATIONS & PRESENTATIONS

1. Business of the Month: M&C Productions
2. Roselle Park Youth Cheerleaders – National Recognitions

APPROVAL OF MEETING MINUTES, PENDING ANY CORRECTIONS

1. Special Meeting of January 2, 2020

MOTION BILLS & PAYROLLS BE NOT READ AND PASSED FOR PAYMENT

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

ORDINANCES FOR 2ND READING

ORD. No. 2609 A BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$1,425,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$730,000 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

ORD. No. 2610 AN ORDINANCE AMENDING CHAPTER VII, SECTION 40, SUBSECTION 40.1, PARAGRAPH G OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED, “WEST WEBSTER AVENUE COMMUTER PARKING LOT (MUNICIPAL PARKING LOT NO. 5)”

ORDINANCES FOR INTRODUCTION

None

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:

* #68-20: Accepting the Resignation of Jackie Nolot from the Roselle Park Green Team

* #69-20: Co-Sponsoring a 2020 Arts Festival with Roselle Park Loves Arts

- * **#70-20:** Requesting Permission from the County of Union to Close Chestnut Street from Charles Street to Webster Avenue on Saturday, September 26, 2020 from 7:00 a.m. to 9:30 p.m. for the 2020 Arts Festival
- * **#71-20:** Requesting Permission from the County of Union to Hang a Banner over Chestnut Street Advertising the 2020 Arts Festival
- * **#72-20:** Authorizing the Tax Collector to Issue a Reduction and/or Refund in the Total Amount of \$12,840.22 on Block 913, Lot 18 (236 East Westfield Avenue) as Ordered by the State Tax Court of New Jersey
- * **#73-20:** Appointing Alexander Balaban to the Roselle Park Green Team
- * **#74-20:** Requesting Permission from the County of Union to Close Chestnut Street from Grant Avenue to Webster Avenue on Monday, May 25, 2020 from 8:00 a.m. to 3:00 p.m. for the 2020 Memorial Day Parade
- * **#75-20:** Requesting Permission from the County of Union to Hang a Banner over Chestnut Street Advertising the 2020 Summer Kick-Off Picnic
- * **#76-20:** Requesting Permission from the County of Union to Hang a Banner over Chestnut Street Advertising the 2020 Independence Day Fireworks Display
- * **#77-20:** Requesting Permission from the County of Union to Close Chestnut Street from Westfield Avenue to Grant Avenue on Friday, December 4, 2020 from 12:00 p.m. to 9:00 p.m. for the 2020 Christmas Celebration
- * **#78-20:** Requesting Permission from the County of Union to Hang a Banner over Chestnut Street Advertising the 2020 Christmas Celebration
- * **#79-20:** Authorizing the Donation of a Piano to the Occupational Center of Union County
- * **#80-20:** Authorizing the Qualified Purchasing Agent to Cancel Orders Authorized by Resolutions Nos. 341-19 and 342-19 for Items Associated with the Purchase of a Department of Public Works Forestry Apparatus
- * **#81-20:** Awarding a Professional Services Contract to Matrix New World Engineering, PC for Licensed Site Remediation Professional Services Associated with the Creation of a Remedial Action Work Plan, Remedial Action Design, and Remedial Action Procurement Support for the Roselle Park Department of Public Works Yard in an Amount Not to Exceed \$84,850.00
- * **#82-20:** Authorizing an Extension of the Conditional Lease of Borough Property with Cicariello Brothers, Inc.
- * **#83-20:** Authorizing an Extension of the Conditional Lease of Borough Property with Roselle Park Wines & Spirits
- * **#84-20:** Authorizing Notice of Intent to Award a Contract via a National Cooperative Purchasing Agreement Pursuant to Local Finance Notice No. 2012-10 for a Forestry Apparatus

REPORTS OF DEPARTMENTS (Time Limit 3 Minutes)

Written Reports Received:

1. Fire Chief's Report for January 2020
2. Construction Official's Report for January 2020
3. Animal Control Officer's Report for January 2020
4. Treasurer's Report for January 2020
5. Court Administrator's Report for January 2020
6. Community Center Director's Report for January – February 2020

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

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

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 MARCH 5, 2020**

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2609

A BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$1,425,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$730,000 IN BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey, with not less than two-thirds of all members thereof affirmatively concurring, that the following be enacted:

SECTION 1. The improvements or purposes described in Section 3 of this Bond Ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Roselle Park, in the County of Union, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of \$1,425,000, which sum includes (a) \$240,000 available in the Capital Surplus Fund (the "Surplus Fund"), (b) a grant in the amount of \$390,000 expected to be received from the State of New Jersey Department of Transportation (the "Grant"), and (c) a down payment in the amount of \$65,000 now available for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,425,000 appropriation not provided for by application hereunder of said Surplus Fund, Grant or down payment, negotiable bonds of the Borough are hereby authorized to be issued in a principal amount not exceeding \$730,000 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$730,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3.

(a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued include, but are not limited to, the resurfacing of various streets in the Borough, including, but not limited to, Camden Street from Route 28 to East Grant Avenue, Prospect Street from East Roselle Avenue to the Roselle Park border, Seaton Avenue from Faitoute Avenue to Laurel Avenue, Bender Avenue from East Lincoln Avenue to Westfield Avenue, Sheridan Avenue from East Colfax Avenue to Westfield Avenue and Sherman Avenue from East Colfax Avenue to Westfield Avenue.

(b) The improvements or purposes set forth in Section 3(a) above shall also include, but are not limited to, as applicable, all engineering and design work, consulting, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto and all in accordance with the plans and specifications on file in the Office of the Clerk of the Borough and available for public inspection.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$730,000.

(d) The estimated cost of said improvements or purposes is \$1,425,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the \$240,000 available in the Surplus Fund, the Grant in the amount of \$390,000 and the down payment in the amount of \$65,000 available for such improvements or purposes.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Union make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Union. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Union shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this Bond Ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Borough. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this Bond Ordinance, and the signature of the Chief Financial Officer of the Borough upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer of the Borough is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer of the Borough is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this Bond Ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget or budgets of the Borough are hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or budgets and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk of the Borough and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this Bond Ordinance are not current expenses and are improvements or purposes which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this Bond Ordinance by \$730,000 and the said bonds or notes authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this Bond Ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the principal of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this Bond Ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Borough other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$730,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all federally tax exempt bonds and notes issued under this Bond Ordinance.

SECTION 11. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough, which are authorized herein, and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer of the Borough is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

ORDINANCE NO. 2610

**AN ORDINANCE AMENDING CHAPTER VII, SECTION 40, SUBSECTION 40.1,
PARAGRAPH G OF THE CODE OF THE BOROUGH OF ROSELLE PARK,
ENTITLED, "WEST WEBSTER AVENUE COMMUTER PARKING LOT (MUNICIPAL
PARKING LOT NO. 5)"**

WHEREAS, the Borough of Roselle Park has implemented no operational use of Municipal Parking Lot No. 5 as a commuter parking lot in recent history; and,

WHEREAS, the Borough of Roselle Park has recently utilized Municipal Parking Lot No. 5 for parking by municipal employees assigned to the Department of Public Works; and,

WHEREAS, the governing body recognizes that on-street parking in and around the West Webster Avenue corridor can be difficult for residents particularly during snow emergencies as defined by the Municipal Code; and,

WHEREAS, after consideration of its usage, the governing body wishes to amend the Municipal Code so as to allow more flexible usage of Municipal Lot No. 5 by Borough of Roselle Park residents during snow emergencies.

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 VII, Section 40, Subsection 40.1, Paragraph G of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Title

7-40.1g. ~~West Webster Avenue Commuter Parking Lot (Municipal Lot No. 5.)
Municipal Parking Lot Number 5~~

SECTION 2. Parking Lot Regulations

~~1. Centralized Meter Established in Municipal Lot Number 5.~~

~~(a) Upon placing a vehicle in a numbered parking space, the operator shall immediately deposit or cause to be deposited in the parking lot metering system the posted fee required for the numbered space occupied by their vehicle.~~

~~(b) In accordance with this section the following parking area is hereby designated as a metered zone:~~

~~(1) West Webster Avenue Commuter Parking Lot, Municipal Parking Lot No. 5, located on the south side of West Webster Avenue, adjacent to the D.P.W. Yard.~~

~~(c) The following fee is hereby established, effective April 1, 2002:~~

~~(1) West Webster Avenue Commuter Parking Lot (Municipal Lot No. 5)~~

~~[i] All parking stalls shall have a fee of two (\$2.00) dollars per day.~~

~~(d) Metered parking shall be in effect between the hours of 5:00 a.m. and 6:00 p.m. from Monday through Friday, specifically excepting Saturdays, Sundays and legal holidays.~~

1. **The location of Municipal Parking Lot Number 5 shall be understood as the designated off-street municipal property on the south side of West Webster Avenue directly adjacent to the Roselle Park Department of Public Works facility located at 180 West Webster Avenue in a westerly direction.**
2. **Parking shall be permitted in delineated parking spots of Municipal Parking Lot Number 5 as follows:**
 - i. **By employees of the Borough of Roselle Park; and,**
 - ii. **By residents of the Borough of Roselle Park only during times of an emergency as defined by Section 7-10 of the Municipal Code whereas snow has fallen and such accumulation covers the street. Residential parking in Municipal Lot Number 5 during any other time shall constitute a violation of this paragraph.**
3. **Any person who violates any provision of this paragraph shall be subject to the penalty set forth in Section 7-4 of this chapter. In addition, any person who violates any provision of this paragraph may be subject to their vehicle being towed at the owner's expense.**

SECTION 3. Invalidity

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

SECTION 4. Inconsistent Ordinances Repealed.

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

SECTION 5. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. 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.

ORDINANCES FOR INTRODUCTION

RESOLUTIONS

RESOLUTION NO. 68-20

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 Jackie Nolot from the Roselle Park Green Team effective February 10, 2020.

RESOLUTION NO. 69-20

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 extends its support in co-sponsoring an Arts Festival with “Roselle Park Loves Arts” to be held along the Chestnut Street corridor on Saturday, September 26, 2020 with a rain date of Sunday, September 27, 2020.

RESOLUTION NO. 70-20

WHEREAS, the Borough of Roselle Park will host an Arts Festival on Saturday, September 26, 2020, or Sunday September 27, 2020 in the event of inclement weather; and,

WHEREAS, the aforementioned Arts Festival will be principally held on Chestnut Street from Charles Street to Webster Avenue.

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 approval from the Union County Board of Chosen Freeholders to close Chestnut Street, from Charles Street to Webster Avenue, on Saturday, September 26, 2020, from 7:00 a.m. to 9:30 p.m. in order to hold an Arts Festival; and,

BE IT FURTHER RESOLVED that the governing body requests further approval from the Union County Board of Chosen Freeholders to close Chestnut Street, from Charles Street to Webster Avenue, on Sunday, September 27, 2020, from 7:00 a.m. to 9:30 p.m. in order to hold the same Arts Festival in the event of inclement weather that would preclude event operations on Saturday, September 26, 2020.

RESOLUTION NO. 71-20

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby request permission of the County of Union to hang a banner advertising the Borough’s 2020 Arts Festival from September 8, 2020 until September 28, 2020; and,

BE IT FURTHER RESOLVED that the Borough Clerk is authorized to execute a Hold Harmless Agreement with the County of Union for the hanging of the above referenced banner.

RESOLUTION NO. 72-20

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 per the State Tax Court of the State of New Jersey to issue a reduction and/or refund totaling \$12,840.22 for an appeal granted on Block 913, Lot 18 (236 East Westfield Avenue, Roselle Park, New Jersey 07204) and assessed in the name of 236 Westfield Ave. East, LLC:

Block	Lot	Year	Original Assessment	New Assessment	Reduction x Rate	=	Refund
913	18	2019	\$ 1,886,700.00	\$ 1,568,400.00	\$ 318,300 x 4.034/100		\$ 12,840.22

Total: \$ 12,840.22

BE IT FURTHER RESOLVED that the provisions of the Freeze Act shall not apply; and,

BE IT FURTHER RESOLVED that the check associated with the forgoing action shall be issued to Michael I. Schneck as Trustee.

RESOLUTION NO. 73-20

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 2-34.2c of the Code of the Borough of Roselle Park; and,

WHEREAS, Mayor Joseph Signorello III has filed his appointment of Alexander Balaban to 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 Alexander Balaban, Animal Control Officer of the Borough of Roselle Park, of 2535 Audrey Terrace, Union, New Jersey 07083 be appointed to the Roselle Park Green Team to fill the unexpired term of Jackie Nolot set to expire on December 31, 2021.

RESOLUTION NO. 74-20

WHEREAS, the Borough of Roselle Park will host its annual Memorial Day Parade on Monday, May 25, 2020; and,

WHEREAS, the aforementioned event will be held, in part, on Chestnut Street from Grant Avenue to Webster Avenue.

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 approval from the Union County Board of Chosen Freeholders to close Chestnut Street, from Grant Avenue to Webster Avenue, on Monday, May 25, 2020, from 8:00 a.m. to 3:00 p.m. in order to hold its 2020 Memorial Day Parade.

RESOLUTION NO. 75-20

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby request permission of the County of Union to hang a banner advertising the Borough's 2020 Summer Kick-Off Picnic from May 4, 2020 until May 29, 2020; and,

BE IT FURTHER RESOLVED that the Borough Clerk in authorized to execute a Hold Harmless Agreement with the County of Union for the hanging of the above referenced banner.

RESOLUTION NO. 76-20

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby request permission of the County of Union to hang a banner advertising the Borough's Independence Day Fireworks Display from June 15, 2020 until July 6, 2020; and,

BE IT FURTHER RESOLVED that the Borough Clerk in authorized to execute a Hold Harmless Agreement with the County of Union for the hanging of the above referenced banner.

RESOLUTION NO. 77-20

WHEREAS, the Borough of Roselle Park will host its annual Christmas Celebration on Friday, December 4, 2020; and,

WHEREAS, the aforementioned event will be held, in part, on Chestnut Street from Westfield Avenue to Grant Avenue.

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 approval from the Union County Board of Chosen Freeholders to close Chestnut Street, from Westfield Avenue to Grant Avenue, on Friday, December 4, 2020, from 12:00 p.m. to 9:00 p.m. in order to hold its 2020 Christmas Celebration.

RESOLUTION NO. 78-20

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby request permission of the County of Union to hang a banner advertising the Borough's Christmas Celebration from November 16, 2020 until December 7, 2020; and,

BE IT FURTHER RESOLVED that the Borough Clerk in authorized to execute a Hold Harmless Agreement with the County of Union for the hanging of the above referenced banner.

RESOLUTION NO. 79-20

WHEREAS, the Borough of Roselle Park currently has a piano at the Casano Community Center that is underutilized and otherwise not needed for public use; and,

WHEREAS, in consideration of its lack of utilization, the governing body wishes to dispose of said item as a donation to a 501(c)(3) non-profit organization for charitable purposes; and,

WHEREAS, upon vetting by the Community Center Director, the Occupational Center of Union County, Inc. has been verified as a 501(c)(3) non-profit organization recognized by the Internal Revenue Service (IRS) that assists individuals living with mental illness; and,

WHEREAS, based upon the aforementioned organization's musical therapy program, they are being recommended as a viable recipient of such a donation; and,

WHEREAS, the governing body is in agreeance with this donation and the recommendation of the Community Center Director and would like to formally approve the aforesaid donation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorizes the donation of a piano from the Borough of Roselle Park to the Occupational Center of Union County, Inc., doing business as "Inroads to Opportunities," of 301 Cox Street, Roselle, New Jersey 07203, for use as part of their music therapy program; and,

BE IT FURTHER RESOLVED that said donation is made without any explicit and implied

guarantees or warranties, the item be donated in as-is condition, and without any costs whatsoever assumed by the Borough of Roselle Park; and,

BE IT FURTHER RESOLVED that the donation be effectuated upon adoption of this Resolution, the Borough Clerk's transmittal of this Resolution to the receiving organization, and the full execution of a "Bill of Sale" memorializing the donation.

RESOLUTION NO. 80-20

WHEREAS, Borough Resolution No. 341-19 was adopted by the governing body at the Regular Meeting of December 19, 2019 and authorized the purchase of an ALTEC Industries, Inc. Model LR-7-60E70 Aerial Lift with a Forestry Truck and Chip Dump Body for the Department of Public Works forestry apparatus from W.E. Timmerman Co., Inc. pursuant to Educational Services Commission of New Jersey Contract No. 17/18-30 in an amount not to exceed \$150,474.16; and,

WHEREAS, Borough Resolution No. 342-19 was adopted by the governing body at the Regular Meeting of December 19, 2019 and authorized the purchase of a 2020 International Model MV607 Truck Chassis for the Department of Public Works forestry apparatus from Mid-Atlantic Truck Centre, Inc. pursuant to Educational Services Commission of New Jersey Cooperative Pricing System Contract No. 17/18-30 in an amount not to exceed \$91,926.75; and,

WHEREAS, upon ordering the aforesaid equipment it was found that delivery of the same would be delayed to the extent that it would substantially and adversely affect municipal operations; and,

WHEREAS, the Superintendent of Public Works, upon conferring with the Chief Administrative Officer and Chief Financial Officer, is recommending the cancellation of the above stated purchases and intends to recommend a new course of action in the immediate future with regard to the procurement of a forestry apparatus; and,

WHEREAS, the governing body is in agreeance with this recommendation and would like to formally authorize the cancellation of the stated purchases.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorizes the Qualified Purchasing Agent to execute any and all documentation to cancel the purchases authorized by Borough Resolutions Nos. 341-19 and 342-19; and,

BE IT FURTHER RESOLVED that this Resolution be effective immediately and forwarded to W.E. Timmerman Co., Inc., Mid-Atlantic Truck Centre, Inc., and the Borough's Chief Financial Officer.

RESOLUTION NO. 81-20

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for Licensed Site Remediation Professional services associated with the creation of a Remedial Action Work Plan, a Remedial Action design, and the rendering of Remedial Action procurement support for the Roselle Park Department of Public Works Yard be awarded to Matrix New World Engineering, PC of 26 Columbia Turnpike, Florham Park, New Jersey 07932, for the sum not to exceed eighty-four thousand eight-hundred fifty dollars and zero cents (\$84,850.00); and,

BE IT FURTHER RESOLVED that this Resolution shall take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available for stated purpose; 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. 27-20.

RESOLUTION NO. 82-20

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the extension of the Conditional Lease between Cicariello Brothers, Inc. and the Borough of Roselle Park in the amount of \$1,500.00 per month for the calendar year 2020 as per the Conditional Lease attached hereto as Exhibit A.

**Exhibit A
of Resolution No. 82-20**

EXTENSION OF CONDITIONAL LEASE

This Lease is made on the 20th day of February, 2020, between Cicariello Brothers Inc., located at address at 412 Laurel Avenue, Roselle Park, New Jersey 07204, hereinafter referred to as Lessee, and the Borough of Roselle Park, County of Union, State of New Jersey, located at 110 East Westfield Avenue, Roselle Park, New Jersey 07204, hereinafter referred to as Lessor.

1. The Lessee agrees to rent from the Lessor, the property located at Block 3000, Lot 14.01, in the Borough of Roselle Park, for a period of time commencing on January 1, 2020 through December 31, 2020. The rent to be paid by the Lessee to the Lessor will be in the amount of \$1,500.00 per month for the remainder of 2020. In addition, the rent is to be paid by the Lessee to the Lessor on the 1st of each month, for a total amount of \$18,000.00 for the year 2020.

2. The Lessee will supply to the Lessor a copy of his fleet insurance or such other insurance as he may have for his vehicles and equipment. In addition, the Lessee shall also provide to the Lessor a copy of any and all general liability insurance, including any insurance regarding pollution coverage.

3. The Lessee shall be responsible for any and all vehicles and equipment, including any and all containers located on the leased premises.

4. The Lessee shall indemnify the Lessor and hold harmless the Lessor for any and all damages, including legal fees and/or injuries resulting from the use and occupancy of the leased premises during the length of this Lease.

5. The Lessee agrees to maintain the premises in a clean and orderly manner and respond to any complaints by the Lessor concerning the status of the leased premises, including any and all requests to clean the leased property.

6. It is further agreed that the Lease shall run until December 31, 2020 and that said Lease may be between the Lessor and Lessee in January of the subsequent year.

7. It is further agreed and understood that each party has the right to cancel this Lease upon giving sixty (60) days notice, in writing, to the other party by certified and regular mail.

8. The parties further agree that this Lease is governed by the laws of the State of New Jersey and that any disputes regarding this Lease will be resolved by binding mediation/arbitration, at which time each party will select a representative and they in turn will select a mediator to mediate/arbitrate the disputes as soon as practicable.

RESOLUTION NO. 83-20

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize an Extension of the Conditional Lease with Roselle Park Wines & Spirits in the amount of \$4,000.00 per annum for the calendar year 2020 as per the extension of Conditional Lease attached hereto as Exhibit A.

**Exhibit A
of Resolution No. 83-20**

EXTENSION OF CONDITIONAL LEASE

It is on this 20th day of February, 2020, agreed between **Roselle Park Wines & Spirits**, hereinafter referred to as Lessee, and the **Borough of Roselle Park**, County of Union, State of New Jersey, hereinafter referred to as Lessor, as follows:

Both parties (Lessor and Lessee) agree to extend the Conditional Lease, dated December 30, 2004 for the calendar year 2020 on the same terms and conditions except the following:

- The annual rent to be charged by the Lessor to the Lessee for six (6) parking spaces is \$4,000.00 for the calendar year 2020.

RESOLUTION NO. 84-20

WHEREAS, the Borough of Roselle Park intends to participate in the Sourcewell National Cooperative Purchasing System (formerly the National Joint Powers Alliance) for Contract No. 012418-TER to purchase a Freightliner XT Pro 70 Inline Forestry Elevator; and,

WHEREAS, information regarding the contract may be found at the Office of the Borough Clerk during regular business hours, 8:30 a.m. to 4:30 p.m., as well as on the Sourcewell National Cooperative Purchasing System website at: <https://www.sourcewell-mn.gov/>; and,

WHEREAS, the Borough of Roselle Park joined the National Joint Powers Alliance Cooperative Purchasing System on December 21, 2017 which was then reorganized and succeeded by the Sourcewell National Cooperative Purchasing System; and,

WHEREAS, the Borough of Roselle Park anticipates participating in Sourcewell National Cooperative Purchasing System Contract No. 012418-TER on March 5, 2020, with a contract delivery term of ten (10) to twelve (12) weeks; and,

WHEREAS, it is the intent of the Borough of Roselle Park to make a contract award to Custom Truck One Source of 12660 East Lynchburg Salem Turnpike, Forest, Virginia 24551 as the authorized dealer/distributor for Terex Utilities, Inc. pursuant to the proposal submitted by Terex Utilities, Inc. in response to the Sourcewell National Cooperative Purchasing System's request for proposals; and,

WHEREAS, the Borough of Roselle Park is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the Qualified Purchasing Agent to advertise a "Notice of Intent to Award Contract Under a National Cooperative Purchasing Agreement" pursuant to New Jersey Local Finance Notice 2012-10; and,

BE IT FURTHER RESOLVED that such notice shall have a comment period terminating upon the close of Borough business on Thursday, March 5, 2020.