

REGULAR MEETING – MARCH 5, 2020

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

MOMENT OF SILENCE/PRAAYER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

PROCLAMATIONS & PRESENTATIONS

1. Arts Recognition: Bevastyles
2. Roselle Park's 2020 First Born: Louis Fass
3. Proclamation: Women's History Month

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 2ND READING

None

ORDINANCES FOR INTRODUCTION

ORD. No. 2611 AN ORDINANCE AMENDING ORDINANCE NO. 2695, FIXING THE SALARY RANGES OF NON-UNION EMPLOYEES AND OFFICIALS OF THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY

ORD. No. 2612 AN ORDINANCE AMENDING ORDINANCE NO. 2596 AND PROVIDING FUNDING FOR THE ACQUISITION OF A TREE BUCKET TRUCK, A WOOD CHIPPER, RECREATIONAL EQUIPMENT, AND TREES FOR THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$340,000.00 FOR SUCH PURPOSES

ORD. No. 2613 AN ORDINANCE AMENDING CHAPTER XIX, INSERTING SECTION 19-7 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, TO BE ENTITLED "MAINTENANCE AND REGISTRATION OF VACANT AND ABANDONED STOREFRONTS"

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:

* #85-20: Authorizing the Purchase of a 2020 Freightliner XT Pro Inline Forestry Elevator for the

Department of Public Works from Custom Truck One Source, LP as Dealer/Distributor for Terex Utilities, Inc. Pursuant to Sourcewell National Cooperative Purchasing System Contract No. 012418-TER in an Amount Not to Exceed \$169,273.00

- * #86-20: Authorizing the Auction of Property No Longer Needed for Public Use via an Online Auction Website
- * #87-20: Authorizing the Execution of a Lease Renewal Agreement for the Roselle Park Historical Society
- * #88-20: Accepting the Resignation of Heriberta Estrella Castro from the Position of Part-Time Custodian
- * #89-20: Awarding a Contract to D’Onorfio & Son, Inc. for Lawn and Grounds Maintenance Services in an Amount Not to Exceed \$25,980.00
- * #90-20: Awarding a Contract to Suburban Disposal, Inc. for 2020 Bulk Waste Collection Services in an Amount Not to Exceed \$60,000.00
- * #91-20: Awarding a Contract to Louis Barbato Landscaping, Inc. for the 2020 Tree Program in an Amount Not to Exceed \$24,280.00
- * #92-20: Appointing Christopher J. Cimilluca to the Position of Probationary Patrolman within the Roselle Park Police Department
- * #93-20: Amending the By-Laws of Mayor and Council
- * #94-20: Memorializing the Automatic Renewal of the Shared Service Agreement with the Town of Westfield for Public Health Services
- * #95-20: Authorizing Application for the 2020 Union County Infrastructure and Municipal Aid Grant

REPORTS OF DEPARTMENTS (Time Limit 3 Minutes)

Written Reports Received:

1. EMS Report for January 2020
2. Police Chief’s Report for February 2020

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

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

1. Appointing Rod Thomas of 415 Spruce Street, Roselle Park, New Jersey 07204 from the Community United Methodist Church of Roselle Park as a member and “faith based representative” of the Census 2020 Complete Count Committee pursuant to Resolution No. 61-20.

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 19, 2020

ORDINANCES FOR SECOND READING

None

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 2611

AN ORDINANCE AMENDING ORDINANCE NO. 2695, FIXING THE SALARY RANGES OF NON-UNION EMPLOYEES AND OFFICIALS OF THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY

WHEREAS, the governing body adopted Ordinance No. 2695 on November 21, 2020 which fixed the salary ranges of non-union employees and officials of the municipality; and,

WHEREAS, the governing body wishes to adopt the forgoing Ordinance amending Ordinance No. 2695 toward the same purpose of fixing the salary ranges of non-union employees and officials.

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

SECTION 1. Classifications/Titles and Salary Ranges

The following non-union positions shall be entitled to an annual salary or salary rate as hereinafter set forth opposite each respective classification:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Mayor	\$ 5,000.00	\$ 14,000.00
Councilmember	\$ 3,500.00	\$ 11,000.00
Borough Clerk	\$ 50,000.00	\$ 100,000.00
Chief Administrative Officer	\$ 20,000.00	\$ 130,000.00
Qualified Purchasing Agent	\$ 15,000.00	\$ 50,000.00
Assessment Search Officer	\$ 2,000.00	\$ 4,500.00
Deputy Borough Clerk	\$ 31,000.00	\$ 70,000.00
Community Center Director	\$ 30,000.00	\$ 61,000.00
Chief Financial Officer	\$ 45,000.00	\$ 140,000.00
Assistant Treasurer	\$ 40,000.00	\$ 90,000.00
Tax Assessor	\$ 9,000.00	\$ 25,000.00
Tax Collector	\$ 10,000.00	\$ 90,000.00
Tax Search Officer	\$ 2,000.00	\$ 4,500.00
Municipal Land Use Board Clerk	\$ 900.00	\$ 10,000.00
Fire Chief	\$ 6,000.00	\$ 15,000.00
Deputy Fire Chief	\$ 2,000.00	\$ 6,000.00
Fire Captain	\$ 700.00	\$ 2,300.00
Fire Lieutenant	\$ 700.00	\$ 2,300.00
Fire Engineer	\$ 700.00	\$ 2,300.00
Fire Prevention Official	\$ 2,500.00	\$ 12,100.00
Fire Prevention Chief Inspector	\$ 1,500.00	\$ 12,000.00
Fire Prevention Inspector	\$ 850.00	\$ 2,300.00
Fire Prevention Arson Investigator	\$ 850.00	\$ 2,300.00
Fire Prevention Clerk	\$ 1,800.00	\$ 4,500.00
Police Chief	\$ 75,000.00	\$ 160,000.00
Police Captain	\$ 58,000.00	\$ 140,000.00

Class II Special Officer	\$ 15.00 per hour	\$ 50.00 per hour
Part Time Clerk	\$ 11.00 per hour	\$ 25.00 per hour
Emergency Management Coordinator	\$ 2,000.00	\$ 10,000.00
Deputy Emergency Management Coordinator	\$ 1.00	\$ 8,000.00
Superintendent of Public Works	\$ 48,000.00	\$ 100,000.00
Assistant Superintendent of Public Works	\$ 40,000.00	\$ 90,000.00
Part Time Custodian	\$ 11.00 per hour	\$ 25.00 per hour
Recycling Coordinator	\$ 2,000.00	\$ 15,000.00
Registrar of Vital Statistics	\$ 2,000.00	\$ 10,000.00
Deputy Registrar of Vital Statistics	\$ 1,000.00	\$ 5,000.00
Recreation Secretary/Clerk	\$ 900.00	\$ 3,000.00
Recreation Registration Collector	\$ 1,000.00	\$ 5,000.00
Community Center Clerk	\$ 11.00 per hour	\$ 25.00 per hour
Community Center Events and Activities Staff (up to 5 hours)	\$ 60.00 per event	\$100.00 per event
Community Center Events and Activities Staff (over 5 hours)	\$ 11.00 per hour	\$ 25.00 per hour
Construction Code Official/Building Subcode Official/Inspector	\$ 15,000.00	\$ 120,000.00
Electrical Subcode Official	\$ 15,000.00	\$ 30,000.00
Electrical Inspector	\$ 35.00 per hour	\$ 60.00 per hour
Fire Subcode Official/Inspector	\$ 12,000.00	\$ 30,000.00
Plumbing Subcode Official/Inspector	\$ 35.00 per hour	\$ 60.00 per hour
Covering Inspectors	\$ 35.00 per hour	\$ 60.00 per hour
Multi-Dwelling Administrator	\$ 4,000.00	\$ 15,000.00
Control Person	\$ 20,000.00	\$ 50,000.00
Control Person and Zoning Clerk	\$ 20,000.00	\$ 50,000.00
Zoning Officer	\$ 500.00	\$ 15,000.00
Farmers Market Manager	\$ 2,500.00	\$ 4,000.00
Municipal Judge	\$ 15,000.00	\$ 50,000.00
Court Administrator	\$ 25,000.00	\$ 95,000.00
Deputy Court Administrator	\$ 25,000.00	\$ 60,000.00
Violations Clerk	\$ 25,000.00	\$ 60,000.00
Part Time Civilian Court Officer	\$ 11.00 per hour	\$ 30.00 per hour
Clean Communities Coordinator	\$ 1,500.00	\$ 3,000.00
Part Time Bus Driver	\$ 11.00 per hour	\$ 30.00 per hour
Municipal Housing Liaison – COAH	\$ 5,000.00	\$ 10,000.00
Municipal Alliance Coordinator	\$ 4,400.00	\$ 16,000.00
Animal Control Officer	\$ 5,000.00	\$ 20,000.00
Wastewater Collection System Operator	\$ 4,000.00	\$ 5,000.00

SECTION 2. Manner of Wage Payment

The salaries and wages fixed pursuant to the foregoing shall be payable in twenty-six (26) equal installments or in such installments as may hereinafter be determined by Resolution of the governing body. Said salaries shall be in lieu of all fees which may be collected by said officer or employee.

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.

ORDINANCE NO. 2612

AN ORDINANCE AMENDING ORDINANCE NO. 2596 AND PROVIDING FUNDING FOR THE ACQUISITION OF A TREE BUCKET TRUCK, A WOOD CHIPPER, RECREATIONAL EQUIPMENT, AND TREES FOR THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$340,000.00 FOR SUCH PURPOSES

WHEREAS, on November 21, 2019 the governing body adopted Ordinance No. 2596 which provided funding in the amount of \$340,000.00 for the acquisition of a tree bucket truck, recreational equipment, and trees for the Borough of Roselle Park; and,

WHEREAS, based upon project budgetary and procurement efficiencies the governing body wishes to extend said funding for additional items; and,

WHEREAS, the additional item under consideration is a wood chipper which shall be used to replace and/or supplement current apparatus owned and operated by the municipality; and,

WHEREAS, the governing body wished to amend Ordinance No. 2596 to effectuate the extension of funding.

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 Ordinance No. 2596 be amended so as to read and be in effect as follows:

SECTION 1. Acquisitions.

The Borough of Roselle Park, in the County of Union, New Jersey, authorizes the acquisition of a tree bucket truck, **a wood chipper**, recreational equipment, and trees for the Borough of Roselle Park to be funded from the sources specified in Section 2 of the Ordinance.

SECTION 2. Funding Sources.

The amount of \$340,000.00 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from a grant from the 2019 Union County Kids Recreation Trust Fund Grant in the amount of \$42,000.00, another grant from the 2019 Union County Greening Union County Grant in the amount of \$5,000.00 and from Capital Surplus in the amount of \$293,000.00.

SECTION 3. Type of Expense.

In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose(s) described in Section 1 hereof is not a current expense and is an improvement which the Borough of Roselle Park may lawfully make as a general improvement.

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

SECTION 7. Effective Date.

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

ORDINANCE NO. 2613

AN ORDINANCE AMENDING CHAPTER XIX, INSERTING SECTION 19-7 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, TO BE ENTITLED “MAINTENANCE AND REGISTRATION OF VACANT AND ABANDONED STOREFRONTS”

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

SECTION 1. Section Established

19-7 MAINTENANCE AND REGISTRATION OF VACANT AND ABANDONED STOREFRONTS.

SECTION 2. Legislative Intent

19-7.1 Purpose.

The purpose of this Section shall be to create regulation regarding the registration and maintenance of vacant and/or abandoned non-residential properties.

SECTION 3. Definitions Established

19-7.2 Definitions

The following terms and definitions shall be established and in effect for this Section:

- a. **“Owner” shall mean the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of C. 46:10B-51 (P.L. 2008, c.127, Sec. 17 as amended by P.L. 2009, c. 296), or any other entity determined by the Borough of Roselle Park to have authority to act with respect to the property.**
- b. **“Vacant Storefront” shall mean any area within a building or structure that may be individually leased or rented for any purposes other than residential use which is not occupied or at which all lawful business or construction operations or other occupancy have substantially ceased for a period of six (6) months.**

SECTION 4. Registration Required

19-7.3 Registration Requirements.

The owner of any vacant storefront as defined herein shall, within thirty (30) calendar days after the building becomes a vacant or within thirty (30) calendar days after assuming ownership of the vacant storefront, whichever is later, or within ten (10) calendar days of receipt of notice by the municipality, file a registration statement for such vacant storefront with the Municipal Clerk on such forms as provided by the Borough for such purposes. Failure to receive notice by the municipality shall not constitute grounds for failing to register the storefront.

- a. Each storefront having a separate and distinct mailing address as designated in official records of the municipality shall be registered separately.
- b. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceedings on behalf of such owner or owners in connection with the enforcement of any applicable code; and the name, street address, telephone number, and email (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a twenty-four hour per day, seven day per week basis. The two (2) entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey as applicable.
- c. The registration shall remain valid for one (1) year from the date of registration, except for the initial registration which shall expire December 31st regardless of when it is filed. The owner shall be required to renew the registration annually as long as the building remains a vacant and abandoned property and shall pay a registration or renewal fee in the amount prescribed in this Section for each vacant storefront registered.
- d. The annual renewal shall be completed by January 31st each year.
- e. The owner shall notify the Municipal Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement.
- f. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the owner or owners of the building.

SECTION 5. Access

19-7.4 Access to Vacant Storefronts.

The owner of any vacant storefront registered under this Section shall provide access to the Borough to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 8:30 a.m. to 4:30 p.m., or such other time as may be mutually agreed upon between the owner and the Borough.

SECTION 6. Responsible Parties

19-7.5 Responsible Owner or Agent.

- a. An owner who meets the requirements of this Section with respect to the location of his or her residence or workplace in the State of New Jersey may designate himself or herself as agent or as the individual responsible for maintaining the property.

- b. By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant storefront and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered property by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the Borough of Roselle Park in writing of a change of authorized agent or until the owner files a new annual registration statement.
- c. Any owner who fails to register a vacant storefront under the provisions of this Section shall further be deemed to consent to receive, by posting on the building, in plain view, and by service of notice at the last known address of the owner of the property on record within the Borough of Roselle Park by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

SECTION 7. Fees

19-7.6 Registration Fee Schedule.

- a. The initial registration fee for each vacant storefront shall be \$500.00. The fee for the first renewal is \$1,500.00 and the fee for the second renewal is \$3,000.00. The fee for any subsequent renewal beyond the second renewal is \$5,000.00. In the event that a property meets the definition of both a "vacant property" and "vacant storefront," and it contains the same block and lot number as designated in official records of the municipality, there shall only be one registration fee applied.

SECTION 8. Penalties and Fines

19-7.7 Violations and Penalties.

- a. An owner subject to this Section that is found by the Roselle Park Municipal Court or by any other court of competent jurisdiction, to be in violation of the requirement to correct, care, maintenance, secure, or upkeep violation cited in a notice issued pursuant to this chapter shall be subject to a fine of one thousand five hundred (\$1,500.00) dollars for each day of the violation. Any violation imposed pursuant to this paragraph shall commence thirty-one (31) days following the receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any violation shall commence eleven (11) days following receipt of the notice.
- b. The duty of administering and enforcing the provisions of this chapter is conferred upon the Municipal Clerk, Director of Code Enforcement, Zoning Officer, Deputy Code Enforcement Officer, or their respective designees.

SECTION 9. No Accommodation of Preexisting Conditions

19-7.8 Grandfathering.

- a. **No properties and/or buildings shall be grandfathered for the purposes of enforcement of this Section.**

SECTION 10. Inconsistent Ordinances Repealed.

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

SECTION 11. 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 12. Effective Date.

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

RESOLUTIONS

RESOLUTION NO. 85-20

WHEREAS, the Borough of Roselle Park desires and requires to purchase equipment necessary for the acquisition of a new forestry apparatus for Department of Public Works; and,

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has researched and recommended the procurement of one (1) Freightliner XT Pro 70 Inline Forestry Elevator from an authorized vendor under the Sourcewell National Cooperative Purchasing System pursuant to statute and Local Finance Notice 2012-10; and,

WHEREAS, Custom Truck One Source of 12660 East Lynchburg Salem Turnpike, Forest, Virginia 24551 is an authorized dealer/distributor of Terex Utilities, Inc. who has been awarded Contract No. 012418-TER as part of the Sourcewell National Cooperative Purchasing System for the provision of certain goods and services inclusive of a Freightliner XT Pro 70 Inline Forestry Elevator.

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 purchase of one (1) Freightliner XT Pro 70 Inline Forestry Elevator be and is hereby authorized from Custom Truck One Source of 12660 East Lynchburg Salem Turnpike, Forest, Virginia 24551 pursuant to the Sourcewell National Cooperative Purchasing System Contract No. 012418-TER in an amount not to exceed \$169,273.00.

RESOLUTION NO. 86-20

WHEREAS, the Borough of Roselle Park is the owner of certain property which it no longer needs for public use; and,

WHEREAS, the Borough of Roselle Park desires to auction said surplus property in an “as is” condition without express or implied warranties.

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 sale of the surplus property through Municibid pursuant to NJ Local Finance Notice 2008-9 and State Contract T2581 / Vendor ID V00018618 expiring April 30, 2022 in accordance with the terms and conditions of the State Contract (terms and conditions of the agreement entered into with Municibid are available online at municibid.com and also available from the Roselle Park Borough Website); and,

BE IT FURTHER RESOLVED that the auction will be conducted online March 20, 2020 to March 31, 2020 at the web address of the auction site www.municibid.com; and,

BE IT FURTHER RESOLVED that a list of the surplus property to be sold is as follows:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>VIN / SERIAL #</u>	<u>Minimum Bid</u>	<u>Location</u>
2012	International	7400	1HTWCAZRXCJ444352	\$40,000.00	DPW

BE IT FURTHER RESOLVED that the surplus property shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Bill of Sale concerning acquisition of said property; and,

BE IT FURTHER RESOLVED that the Borough of Roselle Park reserves the right to accept or reject any bid submitted.

RESOLUTION NO. 87-20

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the Mayor and Borough Clerk to execute a lease renewal agreement for the Roselle Park Historical Society, 204 Chestnut Street, Unit D1, Roselle Park, New Jersey 07204 for May 1, 2020 through April 30, 2021 at the monthly rate of \$800.00, not to exceed a total cost of \$9,600.00 for the term of the agreement.

RESOLUTION NO. 88-20

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 Heriberta Estrella Castro from the Position of Part-Time Custodian effective February 27, 2020.

RESOLUTION NO. 89-20

WHEREAS, the Qualified Purchasing Agent received sealed bids at 10:30 a.m. on Tuesday, February 25, 2020 for 2020 Bulk Waste Collection Services pursuant to the specifications advertised beginning on Thursday, January 9, 2020.

NOW, THEREFORE, BE IT RESOLVED that upon the recommendation of the Qualified Purchasing Agent, the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to D’Onofrio & Son, Inc. of 47 Van Ness Terrace, Maplewood, New Jersey 07040, pursuant to the Base Bid of the advertised specifications for the project, “Lawn and Grounds Maintenance Services,” in an amount not to exceed twenty-five thousand nine-hundred eighty dollars and zero cents (\$25,980.00); and,

BE IT FURTHER RESOLVED that the term of said contract shall be understood as to commence on April 1, 2020 and expire on December 31, 2020; and,

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 90-20

WHEREAS, the Qualified Purchasing Agent received sealed bids at 10:30 a.m. on Tuesday, February 25, 2020 for 2020 Bulk Waste Collection Services pursuant to the specifications advertised beginning on Thursday, January 9, 2020.

NOW, THEREFORE, BE IT RESOLVED that upon the recommendation of the Qualified Purchasing Agent, the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to Suburban Disposal, Inc. of 54 Montesano Road, Fairfield, New Jersey 07004 pursuant to Optional Bid B of the advertised specifications for the project, “2020 Bulk Waste Collection Services,” in an amount not to exceed sixty thousand dollars and zero cents (\$60,000.00); and,

BE IT FURTHER RESOLVED that the term of said contract shall be understood as to commence

on June 18, 2020 and expire on October 23, 2020; and,

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 91-20

WHEREAS, the Qualified Purchasing Agent received sealed bids at 10:00 a.m. on Tuesday, February 25, 2020 for 2020 Tree Program pursuant to the specifications advertised beginning on Thursday, January 9, 2020.

NOW, THEREFORE, BE IT RESOLVED that upon the recommendation of the Qualified Purchasing Agent, the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to Louis Barbato Landscaping, Inc. of 1600 Railroad Avenue, Holbrook, New York 11741 pursuant to the Base Bid, Optional Bid A, and Optional Bid B of the advertised specifications for the project, "2020 Tree Program," in an amount not to exceed twenty-four thousand two-hundred eighty dollars and zero cents (\$24,280.00); and,

BE IT FURTHER RESOLVED that the term of said contract shall be understood as to commence on April 1, 2020 and expire on May 31, 2021; and,

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 92-20

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Christopher J. Cimilluca of 180 West Street, Colonia, New Jersey 07067 be and is hereby appointed to the position of Probationary Patrolman in the Roselle Park Police Department, at an annual salary of \$58,500.00 effective April 6, 2020, for a twelve (12) month period ending April 5, 2021.

RESOLUTION NO. 93-20

WHEREAS, the Mayor and Council of the Borough of Roselle Park re-adopted its By-Laws at a Special Meeting held on January 2, 2020; and,

WHEREAS, the Mayor and Council wish to amend said By-Laws pursuant to the procedure set forth in Article V included therein.

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 By-Laws of the Mayor and Council of the Borough of Roselle Park be and are hereby amended in accordance with Exhibit A attached hereto and made a part hereof; and,

BE IT FURTHER RESOLVED that all strikethrough text indicates deletions, and bolded text indicates additions; and,

BE IT FURTHER RESOLVED that the Borough Clerk is directed to provide each member of the governing body with a version of the By-Laws fully incorporating all forgoing amendments; and,

BE IT FURTHER RESOLVED that the changes effectuated by the foregoing Resolution shall be considered effective at the next Special or Regular Meeting of Mayor and Council, whichever occurs first.

**Exhibit A
of Resolution No. 93-20**

Roselle Park is governed by a Mayor and Council form of government.

BY-LAWS

ARTICLE I
MEETINGS

The Annual Reorganization Meeting of the Governing Body is held on January 1st at twelve o'clock noon, or during the first seven days of January in any year.

Section 1. All regular meetings of the Council of the Borough of Roselle Park, shall be held in accordance with the provisions of Chapter 231, P.L. 1975, known as THE OPEN PUBLIC MEETING ACT. Unless otherwise advertised, the regular meeting of Council shall be held at the Council Chambers on the FIRST and THIRD Thursday of each month at 7:00 p.m. Special meetings may be called as provided by law. Regular meetings of Mayor and Council shall conclude by 10:00 p.m. unless continued by a majority vote of Council.

Section 2. When any special meeting is called it shall be the duty of the Clerk to notify all members of the Council thereof, in writing, at least two days in advance of the time fixed for holding same.

Section 3. A quorum shall be as provided by law, to wit: Three (3) Councilmembers and the Mayor, or four (4) Councilmembers in the Mayor's absence. No business shall be transacted at any meeting in the absence of a quorum.

Section 4. Except at the Annual Reorganization Meeting, the order of business shall be as follows:

Regular Meeting:

1. Roll Call;
2. Moment of Silence/Prayer;
3. Pledge of Allegiance;
4. Communications;
5. Approval of Minutes;
6. Payment of Bills;
7. Public Portion (Agenda Items Only 45 Minute limit)
- 8. Reports of Departments (3 Minute limit, extension of time may be granted by Chair);**
- 9. Passage of Ordinances;**
- 10. Consent Agenda for Resolutions;**
- ~~8. Reports of Departments (3 Minute limit, extension of time may be granted by Chair);~~
11. Council/Committee Reports (7 Minute limit, extension of time may be granted by Chair);
12. Mayor's Report and Appointments (7 Minute limit);
13. Public Portion (On Any Subject ~~34~~ Minute limit);
14. Executive (Closed) Session, only if appropriate; and,
15. Adjournment

Section 5. The consent agenda shall include all resolutions, which have the unanimous support of the Mayor and Council and a vote to approve the consent agenda shall be deemed to be a vote approving all of the resolutions and matters contained therein. Any member of Council may, if they so choose prior to the adoption of the consent agenda, request that an item contained therein be deleted for independent consideration. Under such a circumstance, the requested item shall be deleted from the consent agenda and shall be voted upon separately after adoption of the consent agenda.

Section 6. Resolutions offered shall be in writing, a copy of which shall be given to the Mayor and each Councilmember prior to its introduction. Members of Council shall be seated at the Council dais for Council meetings as designated by the Mayor.

Section 7. The meetings of the Council shall be governed by these by-laws but where the by-laws are silent, the meetings of the Council shall be governed by Robert's Rules of Order.

Section 8. Absence from meetings policy shall be:

Whenever the Mayor or a member of the Governing Body fails to attend and participate in any meeting of the Governing Body for a period of eight (8) consecutive weeks, unless excused from attendance by a majority of the members of the Governing Body, at the conclusion of such period, the office of said member shall be deemed vacant. (N.J.S.A. 40a:16-3)

Section 9. The deadline for submission of agenda items to the Borough Clerk and Mayor shall be the close of Borough business on the Monday immediately prior to a Regular Meeting held pursuant of Section 1 of this Article.

Two general exemptions shall exist to this deadline as follows: (1) Matters and items which affect the health, safety, and welfare of the public-at-large; and, (2) Matters affecting the financial operation of Borough.

ARTICLE II RULES OF PROCEDURE

Section 1. For the purpose of this section, the "Chair" shall be defined as the Mayor, or in his absence the Council President. The Chair shall preside, maintain order and decorum at all meetings, and shall use the guidelines established in these by-laws when ruling on a points of order. The Chair shall decide all questions of parliamentary procedure, subject to an appeal by Council. Rules of Procedure are governed by these by-laws. Where the by-laws are silent, the Rules of Procedure are governed by Robert's Rules of Order. The question on appeal shall be put to vote by the President of Council. In the event of the President not being present, or if the President shall be the Chair, then the question shall be put by the Borough Clerk in the following form: "Shall the decision stand as a decision of the Council?" A decision to stand as a decision of Council shall require two-thirds (2/3) vote of Council as a while to overrule the decision made by the Chair.

Section 2. All matters requiring consideration by a committee shall, upon introduction, be referred by the Mayor to the appropriate committee subject to the right of Council to make any other reference or disposition of the same, which they deem best.

Section 3. Roll call of members of the Council shall be according to seniority of service; that is, the member of Council serving the longest number of consecutive years on the Council shall be called first, then to be followed by those members serving next in number of years. If members on the Council have served the same number of years, the call shall be in alphabetical order. Although it is the duty of every

member who has an opinion on a question to express it by his vote, he can abstain or recuse, since he cannot be compelled to vote. No member of Council shall be required by any person to explain or justify a particular position or vote. Once the call of roll is ordered, no member of Council shall discuss or explain their vote until the conclusion of voting on that item.

Section 4. There will be two (2) public portions consisting of ~~four (4)~~ **five (5)** minutes for the first public portion and ~~three (3)~~ **four (4)** for the second public portion. Any response made by the Governing Body shall be included in the speaker's ~~four (4)~~ **five (5)** minute and ~~three (3)~~ **four (4)** minute allotted time period. All statements, comments, questions and/or dialogue from a speaker shall be directed to the Chair.

A member of the Public may only speak once at each of the public portions. The initial public portion will be limited to agenda items only. During the second public portion, the public will be able to speak on any topic.

Section 5. A member of public shall be called to order and given a warning for certain actions, including but not limited to: speaking without first being recognized, vulgarity or obscenity, hostile gestures or threatening or intimidating language, interruptions other than calls to order, or other violations as the Chair deems appropriate. After receiving a warning, the member of the public will be subject to removal by the Chair for any subsequent violations.

Section 6. Whenever the President of Council is called upon to preside at an official meeting of the Governing Body, the President shall be entitled to retain the right to vote as a member of Council on all issues brought before the Governing Body at the time the President of Council is so presiding.

Section 7. A Council member may be called to order for conduct violative of the Rules of Procedure. A Council member called to order shall immediately cease speaking, unless the Chair permits the member to explain their actions. The decision of the Chair shall be final, subject to an appeal by Council requiring 2/3 vote to veto the Chair's decision. A member of Council shall be called to order for certain actions, including but not limited to: interruptions other than calls to order, calls to order made in bad faith or lacking merit, discussion of any issue beyond the scope of the question under consideration, discussion not germane to the question under consideration, discussion primarily intended to cause undue delay, or other violations as the Chair deems appropriate.

Section 8. Every member of the Council shall address all statements, motions, and comments to the Chair. The member of Council, upon addressing the statement, motion, or comment to the Chair, shall await recognition before speaking. Upon recognition, the speaking member of Council shall confine themselves to the issue under consideration addressed by the statement, motion, or comment.

Section 9. No member of Council shall speak a second time on the same question until every other member of Council desiring to speak shall have spoken at least once.

Section 10. No member of Council shall retire from the Council chamber while the Council is in session without the permission of the Chair.

Section 11. The Governing Body's use of electronic communication devices during Borough Meetings may lead to the public's perception that a member of the Governing Body is not paying attention to the subject matter at hand and/or that such member is receiving information relative to the subject matter at hand that other Councilmembers and members of the public are not receiving, either of which does not further good government and transparency. Therefore, the Governing Body's use of electronic communication devices, other than for the purpose of accessing agenda

materials and/or personal notes that are on a Councilmember's tablet, cell phone, or laptop computer, is prohibited during Borough Meetings.

Notwithstanding the foregoing, the Governing Body may, in each member's own sole discretion, use electronic communication devices for limited personal use such as, family or professional emergencies and/or other pressing personal issues.

ARTICLE III BOROUGH CLERK

Section 1. In addition to the duties imposed by law, the Borough Clerk shall record a summary of the proceedings of the Council, furnishing to the Mayor, each Councilmember and the Borough Attorney, a copy of the minutes of each regular and special session. The pages of these minutes shall be consecutively numbered commencing with the report of the first meeting and ending with the last meeting of the calendar year. One copy of all such minutes shall be retained by the Clerk as of the official record of the Mayor and Council, and at the end of the calendar year, shall be permanently bound and retained with the Borough records. The Borough Clerk shall also keep an Ordinance Book containing a signed copy of all ordinances, an appointment book containing a record of all appointments to office, the term to which each is appointed, and his or her salary, if any. The Clerk shall make a monthly report in such form as the Council may decide.

Section 2. The Borough Clerk shall have custody of the Official Seal of the Borough.

ARTICLE IV COMMITTEES

Section 1. In addition to such special committees as the Mayor shall from time to time create and appoint, there shall be four standing committees, each to consist of Sub-Committees, the Chairperson of each to be appointed by the Mayor. Each Sub-Committee Chairperson shall submit such reports of their committee to the Mayor as the Mayor shall from time to time request or require. Each Sub-Committee chairperson shall limit their respective report to three (3) minutes. Whenever a major decision, as determined by the Mayor, is needed to be made by a particular chairperson, it shall be brought up to the other members of the same standing committee, and a standing committee decision and recommendation shall be made to Mayor and Council. In any case, the Mayor shall serve as an ex-officio member of all committees and shall make amendments concerning policy, as he/she shall deem necessary. Reports of the committee chairman shall be made at each meeting of Council under committee reports. Each committee chairman shall receive notice of meeting dates of each standing committee.

Section 2. It shall be a requirement that each member of the Council serve as a member of at least one (1) of the governing body's standing committees and serve as a liaison to at least one (1) of the various committees or entities established by the Borough.

Section 3. The standing committees of the Council and such special committees as may from time to time be created by the Mayor, shall be appointed as set forth in Section 1 of Article IV as follows:

STANDING COMMITTEES

When a committee member is absent, the Mayor may appoint a temporary committee member to serve as needed.

PUBLIC SAFETY

A Chairperson selected from one of the Sub-Committees will be named by the Mayor to oversee the Public Safety Committee. It is the responsibility of the Public Safety Chairperson to report on Public Safety Meetings to the Mayor and Council.

The Public Safety Standing Committee shall consist of three Sub-Committee Chairpersons who will address issues concerning the safety of the Borough and its residents. The Public Safety Chairperson shall be responsible for scheduling, conducting and, when necessary, canceling meetings of the Public Safety Committee. The Public Safety Committee shall be comprised of a Sub-Committee Chairperson for Police, Fire, and First Aid as stated herein:

Police Committee:

The Chair of the Police Committee will report and make recommendations to the Mayor and Council with regard to all police activity as set by Ordinance and law. This activity will include, but not exclusively, personnel, sick time, overtime, crime and other types of violations, grievances, litigation, equipment, and any other activity pertaining to the department. With this position, all activity pertaining to Emergency Management, Special Police, Crossing Guards, Auxiliary Police, and Municipal Court will be under the oversight function of the Police Chair.

Fire Committee:

The Chair of the Fire Committee will report and make recommendations to the Mayor and Council with regard to all fire safety activity. This activity will include, but not exclusively, personnel (including volunteers), equipment, litigation, and any other activity pertaining to the department. With this position, all activity pertaining to Fire Prevention will be under the oversight function of the Fire Chair.

First Aid Committee:

The Chair of the First Aid Committee will report and make recommendations to the Mayor and Council with regard to all first aid activity. This activity will include, but not exclusively, personnel (including volunteers), equipment, grievances, violations and any other activity pertaining to the department.

MUNICIPAL SERVICES

A Chairperson selected from one of the Sub-Committees will be named by the Mayor to oversee the Municipal Services Committee. It is the responsibility of the Municipal Services Chairperson to report on Municipal Services Meetings to the Mayor and Council.

The Municipal Services Standing Committee shall consist of three Sub-Committee Chairpersons of DPW, Construction and Transportation, and Code Enforcement and shall address issues concerning Public Works and Engineering for the betterment of the Borough and its residents as stated herein:

DPW Committee:

The Chair of the DPW Committee will report and make recommendations to the Mayor and Council with regard to all department activity. This activity will include, but not exclusively, personnel, sick time, overtime, grievances, and any other activity pertaining to the department.

Construction and Transportation Committee:

The Chair of Construction and Transportation Committee will report and make recommendations to the Mayor and Council with regard to all construction and engineering activity. This activity will include, but not exclusively, personnel, sick time, construction permits and any type of violations with respect to the construction code, all activity pertaining to

construction of the Borough Infrastructure, i.e. streets, sidewalks, sewers, buildings, etc. and any other activity within the Construction and Engineering Department.

Code Enforcement:

The Chair of Code Enforcement Committee shall oversee residential property maintenance, multi-family unit enforcement, general Code compliance and amendments, and issues concerning the upkeep of all property in the Borough.

FINANCE AND ADMINISTRATION

A Chairperson selected from one of the Sub-Committees will be named by the Mayor to oversee the Finance and Administration Committee. It is the responsibility of the Finance and Administration Chairperson to report on Finance and Administration Meetings to the Mayor and Council.

The Finance and Administration Standing Committee shall consist of three Sub-Committee Chairpersons of Municipal Budget and Finance, Public Buildings and Facilities and Commerce and shall address issues concerning Finance and Administration as stated herein:

Municipal Budget and Finance Committee:

The Chair of the Municipal Budget and Finance Committee will report and make recommendations to the Mayor and Council with regard to the municipal budget. The Chair will also report to Mayor and Council on activity within the Finance Department and Tax Assessor's Office (i.e. personnel, sick time, etc.) All claims and bills against the Borough shall be referred to this committee. In addition, said Chair will set policy as to the dollar amount required to approve purchase orders with the advice and consent of the Mayor. In addition, it will be the responsibility of the Municipal Budget Chair to assist in the preparation of the Borough's Annual Municipal Budget. The Chair will report and make recommendations to the Mayor and Council with regard to grants available to the Borough of Roselle Park.

Public Buildings and Facilities Committee:

The Chair of the Public Buildings and Facilities Committee will report and make recommendations to the Mayor and Council with regard to all public buildings and facilities owned by the Borough and the buildings and grounds budget.

Commerce Committee:

The Chair of the Commerce Committee shall address concerns or questions from within the business community and forward them to the overall Committee for discussion.

PUBLIC SERVICES AND ADMINISTRATION COMMITTEE

A Chairperson selected from one of the Sub-Committees will be named by the Mayor to oversee the Public Services and Administration Committee. It is the responsibility of the Public Services and Administration Committee Chairperson to report on Public Services and Administration Committee Meetings to the Mayor and Council.

The Public Services and Administration Standing Committee shall consist of three Sub-Committee Chairpersons of Technology, Human Resources and Legislative and shall address issues concerning Public Services and Administration as stated herein:

Technology Committee:

The Chair of the Technology Committee shall investigate the need for and implement improved technology through the Borough.

Human Resources Committee:

The Chair of the Human Resources Committee will report and make recommendations to the Mayor and Council with regard to human resources and personnel issues. The responsibility of the Chair shall include, but not limited to a review of past and present personnel issues, identifying existing personnel policies adopted by the Borough, as well as training and education of personnel. The Chair shall make recommendations to improve the effectiveness of management and thereby improve the deliveries of services to the public.

Legislative Committee:

The Chair of the Legislative Committee will report and make recommendations to the Mayor and Council with regard to the effect of pending or existing legislation introduced or enacted by county, state and federal level government on the municipality. The intent of the Legislative Committee is to review legislation on the merits of its impact to the Borough's finances (i.e. taxes, municipal budget, grants) and overall public safety.

ARTICLE V
AMENDMENT TO BY-LAWS

These By-Laws may be amended provided the amendment be proposed at a regular meeting and considered and adopted by a majority of members of Council at the next succeeding regular meeting, the Mayor to cast the deciding vote in cases of a tie-vote; but any one of these By-Laws may be suspended temporarily with the concurrence of four members of the Council, or with the concurrence of three members, in case of a tie, with the Mayor casting the affirmative vote to suspend same.

~~February 7, 2019~~ **March 5, 2020**

#

RESOLUTION NO. 94-20

WHEREAS, at the request of the Town of Westfield (hereinafter the "Town") the governing body of the Borough of Roselle Park (hereinafter the "Borough") desires to memorialize the automatic renewal of the existing shared service agreement with the Town for the purpose of the Town providing health services of a technical and professional nature to the Borough; and,

WHEREAS, pursuant to the existing Shared Service Agreement, the Town has agreed to provide the Borough with such aforementioned health related services for a renewal period of two (2) years commencing on January 1, 2020 until December 31, 2021.

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 Mayor and Borough Clerk are hereby authorized to execute a contract on behalf of the Borough, wherein the Borough agrees to pay the Town, the sum of \$145,605.00 for the year 2020, payable quarterly, with certain allowable adjustments in the year 2021 pursuant to Section 4, "Compensation," of the existing Shared Service Agreement.

RESOLUTION NO. 95-20

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the application of the following 2020 Union County Infrastructure and Municipal Aid Grant Applications; and,

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

Priority #1: Road Work – Improvements to West Sumner Avenue

Construction improvements and engineering associated with the rehabilitation of West Sumner Avenue between Chestnut Street and Larch Street, including but is not limited to milling, paving, new curbs, spot full depth pavement replacement, sidewalk/concrete replacement, drainage structures retrofit, ADA ramp compliance, and further restoration work.

Priority #1 Grant Request:	\$ 65,000.00
Priority #1 Local Match:	\$ 65,000.00
Total Anticipated Project Cost:	\$ 130,000.00

Priority #2: Facility Improvements – ADA Improvements at Municipal Complex

Planned improvements include installation of stabilized base course, hot mix course, ADA compliant handicap ramps, sidewalk, and curbs. These improvements will greatly improve the overall safety and accessibility of the municipal complex and associated services, particularly for senior citizens and those who need walk/drive-up access to the complex.

Priority #2 Grant Request:	\$ 62,400.00
Priority #2 Local Match:	\$ 62,400.00
Total Anticipated Project Cost:	\$ 124,800.00

Grand Totals: Summary of Priorities #1 and #2

Total 2020 Grant Request Amount:	\$ 127,400.00
Total 2020 Local Match Amount:	\$ 127,400.00
Total Anticipated Cost of Projects:	\$ 254,800.00