

Regular Meeting of Mayor and Council February 15, 2007

PRESENT: Mayor DeIorio; Councilmembers Harms, Matarante, Rubilla, and Yakubov;
Borough Attorney Bill Lane and Borough Engineer Nick Villano

ABSENT: Councilmembers Badillo and Dinardo

Mayor DeIorio called the meeting to order at 7:30 p.m. and said it is being held in accordance with the Open Public Meetings Act and adequate notice of this meeting has been recorded as required by law.

All contracts awarded by Mayor and Council must comply with the affirmative action requirements of P.L. 1975, C.172. (NJAC 17:27).

As required by the Fire Prevention Code, he indicated the fire exits and the procedure to be followed in case of fire.

Borough Clerk Doreen Cali read a short prayer followed by the Pledge of Allegiance.

COMMUNICATIONS

Letter from the Roselle Park High School Marching Band requesting No Parking signs be placed on W. Webster Avenue between Laurel Avenue and Larch Street from 10:00 a.m. to 11:00 p.m. for a Winterguard Competition on Saturday, February 18th. They are also requesting the use of the DPW lot to assist with parking of buses.

Councilman President Harms moved to accept the request, seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

REPORT AND RECOMMENDATION OF MAYOR

- The NJ State League of Municipalities will be sponsoring a support of the troops pancake breakfast that will be held on Sunday, April 15th from 7:00 a.m. to 1:00 p.m. in Lawrenceville at the National Guard Armory. The League of Municipalities has asked that all towns in New Jersey make this announcement to the public. Also tax free donations may be made to the National Guard State Family Readiness Council; the information will be available on the internet and in the Clerk's Office.
- We have received notice that the State of New Jersey Economic Development Authority awarded the Borough \$158,522.00 to offset the cost involved with the investigative process of the Roselle Park Little League Ballfield. It is grant money that will go towards investigating the soil tests at the ballfield.
- He has received the reports for the Code Enforcement Department for the months of January and February and the Code Official, Carl Pluchino has been very diligent and active. There are many trailers parked on business properties and residential properties. It causes an eyesore when left there for an extensive period of time and that extra facility used for storage is not taxable as any addition to a house would be.

Carl has also been addressing the issue of overcrowding in apartments, as well as illegally converted homes.

Councilman Matarante asked about the code for snow removal.

- He thanked the Keystone Group from the Roselle Park Boys and Girls Club for their participation in helping senior citizens in shoveling their walkways.
- He received the report from Police Chief Wielgus and in the month of January the Department issued 108 speeding summonses. The Police Department is also working with grant writers to obtain overtime money for this issue.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Council President Harms

- No formal report.

Councilman Matarante

- He spoke about the website goodsearch.com and that if it is used as the search engine on the computer, for every click they will donate a penny to an organization. The Roselle Park High School Band and Sherman School are both registered as recipients.

Councilman Rubilla

- He reported on his meeting with the Joint Meeting of the Essex and Union County Wastewater Commission. There is a break in one of the wastewater pipes underneath the Garden State Parkway between Union and Irvington which is a \$90,000 job. The Joint Meeting has negotiated a settlement with Garden State Parkway Authority. We will pay \$16,000 to repair the pipe and they will pay \$90,000 to open the parkway and make the repair. He said we will be reimbursed the \$16,000 in 45 days, and this will not impact Roselle Park at all.

Councilman Yakubov

- He wished everyone a Happy Valentine's Day.
- He met with the Mayor, Carl Pluchino and the owner the Webster/Woodside Gardens and set some deadlines to resolve some of the major issues that burden those two complexes. He said by June or July we should be able to accomplish some of those goals.
- He said the old railroad tracks piled up on Valley Road have been removed between 6:00 to 7:30 p.m.

Councilman Matarante

- He reported budget meetings have been scheduled for February 26, 27 and 28 and possibly on March 1st before the Council Meeting between 6:00 to 7:30 p.m.

REPORTS OF DEPARTMENTS

Borough Engineer – Nick Villano

- He reported that at the Reorganization Meeting, they were given five projects to begin as follows and he updated them as follows:

Chester Avenue Reconstruction between Lincoln and Colfax Avenues, and Elm Street and Lincoln Avenue Drainage Improvements. The survey work has been completed and turned over to the design staff. He anticipated that would be done within two weeks and at that point, we will have plans and specifications and can set a bid date with Borough Clerk.

Madison Avenue Reconstruction between Magie and Sheridan Avenues. The survey work is complete and we are in the process of preparing the preliminary plans. Then it will be given to an engineer and the design can be done. It will take at least two to three weeks for that to be finalized and have a set of plans and specifications.

Westbrook – from E. Grant Avenue to E. Clay Avenue, which is about a 400 foot stretch of open brook. He met with the DPW Superintendent and his surveyors and they know what needs to be done. He said they will begin the cross sections, which will take a little longer than the rest because a DEP permit must be prepared and once we get the okay, we can proceed.

Regarding Webster Avenue, there was a meeting with the owner and primarily the problem in that area to Laurel Avenue is that it appears to be somewhat flat and they will have to put a sufficient slope there to control the flow. He spoke with Mr. Sawicki and told him this is part of our project and would take care of the ongoing problem. The sewer work is about 60% complete and is anticipated to be done early next week, and then plans can be generated and put out to bid.

He said an emergency generator is being installed at the First Aid Squad and we are scheduled to do that survey next week. We will then prepare a plot plan and proceed with the sizing and design of the generator.

They also looked into the FEMA map revisions and had several conversations with them and residents. Councilman Badillo is still working with that with the former Borough Engineer.

He looked at the drainage issue at 821 Larch Street in the section of the roadway. The DPW tried putting asphalt along the curbline to deflect the water but it must be reconstructed in that area and pitched to the north and direct it to an inlet on W. Sumner. That is a \$100,000 project and perhaps we could apply from some grants.

He met with NJ Transit regarding the Lincoln Avenue Train Station Enhancement project and has been in contact with Conrail. He said it is a sizable project and he has a proposal that he would like to present to the Borough Clerk. There are two options: one is to get the plans and okay from the previous Engineer to allow us to use those plans to finalize the design, or to start from scratch, in which we have to do everything over, and would roughly double the cost.

At the Reorganization Meeting he was appointed as the Collection Systems Operator, and he has submitted all the necessary paperwork, which has been finalized.

Councilman Harms asked if we are planning to meet with the Captain of the First Aid Squad to go over the location of the generator, so we know that when it is separated we don't hurt the Fire Department, because that has happened in the past.

Borough Engineer Villano said that is one of the first things they plan to do in sizing the generator and have to determine what the demand for that particular site will be.

Mayor DeIorio asked if he needs to meet with representatives of the First Aid Squad and the Fire Department, and Borough Engineer Villano said no, a representative of the First Aid Squad would be fine.

Councilman Rubilla said regarding the Westbrook on E. Clay Avenue, is that merely the reconstruction of collapsed walls, and Borough Engineer Villano said now there is no defined area, and we will have to replace the walls.

REPORTS OF DEPARTMENTS

Councilman Harms moved to approve the following reports; seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

- Treasurer's Report for December , 2006 & January, 2007
- Municipal Court Report for December, 2006
- Police Department Report for January, 2007
- DPW Report for January, 2007
- Administrative Assistant's Report for January, 2007
- Construction Code Report for January, 2007

Borough Attorney Bill Lane

- He reported that he attended the Municipal Services Meeting to discuss Code Enforcement and other issues. Three topics pertaining to the Land Use Ordinance were discussed. They were the topic of bedrooms in the basement, professional offices under the current ordinance are permitted in the R1, R2 and R3 zone and whether the Mayor and Council would like to review that to see if that can be done and an item called portable on demand storage or PODS. The issue regarding PODS is if they should be permitted, if there should be a timeframe and if there should be a charge assessed.
- He was requested to contact NJ Transit with regard to the train station and he followed up with a call to Sally Morris.
- He said on the agenda is a resolution for TelVue, which is the programming that would be set into place for Channel 34.
- In closed session there will be a recent litigation matter that will be discussed concerning the RP, LLC v. the Borough and the Planning Board.

Councilman Harms requested there be an open meeting with all Councilmembers to give their view pertaining to sleeping quarters.

Borough Attorney Bill Lane said our ordinance prohibits the use of basements for apartments in the R2 zones and that seems to be being abused. He said that does not cover someone putting a bedroom in the basement, which is a fire safety hazard. He was given examples of ordinances that could be amended very easily.

Mayor DeIorio said currently we do have the ability to issue violation notices for this, and Borough Attorney Lane said it should be able to be done through fire. He said you are not allowed to put a living quarter or apartment in a basement, and there should not be a bedroom in the basement.

Mayor DeIorio asked that it be scheduled for the next committee meeting.

Borough Clerk – Doreen Cali

- The Borough received \$1,000 from Suburban Disposal and \$1,000 from Neglia Engineering towards the July 4th fireworks.
- She sent out the vendor letters and received four responses for new craft vendors.
- She reported at the last meeting Councilman Matarante's suggestion of "Dancing with the Councilmen".

Councilman Matarante was impressed with what the junior class did a few weeks ago to raise money for the class. They had "Dancing with the Teachers", which is a great idea and entertaining as well. If they did something like that at the Fourth of July celebration, by having the Council dance with a partner of their choice. If anyone is interested in voting, they can pay \$1.00 to vote to help raise money for the fireworks.

CFO – Ken Blum

- No formal report.

PAYMENT OF BILLS

The following routine bills listed on consent agenda were offered by Councilman Harms and seconded by Councilman Yakubov, all members present voting Aye, said motion was adopted.

Current Fund	\$6,350,093.22
Federal State and Grants	10,245.40
General Capital	50,941.27
Sewer Utility Operating	12,113.21
Recreation Trust Account	2,428.50
Other Trust	4,724.01
Animal Control Trust	33.00
HUD Trust Account	17,956.16
Public Assistance II Fund	5,318.75
C.A.A.S.A. Trust Account	<u>62.00</u>

Total Bill List: \$6,453,915.52

CERTIFICATES /PROCLAMATIONS

- Honor Society Students

PASSAGE OF ORDINANCES

Second Reading and Public Hearing

ORDINANCE NO. 2198

AN ORDINANCE AMENDING CHAPTER 231 OF THE
LAND USE ORDINANCE OF THE BOROUGH OF
ROSELLE PARK REGARDING PROPERTY MAINTENANCE

Councilman Harms moved to open the public hearing on Ordinance #2198; seconded by Councilman Matarante and adopted.

There being no one wishing to speak, Councilman Harms moved to close the public hearing on Ordinance #2198; seconded by Councilman Matarante and adopted.

Councilman Harms moved that Ordinance #2198 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Matarante, all members present voting Aye, said ordinance was adopted.

ORDINANCE NO. 2199

AN ORDINANCE TO AMEND ORDINANCE NO. 1966 ENTITLED, “AN
ORDINANCE REGULATING TRAFFIC WITHIN THE BOROUGH OF
ROSELLE PARK” TO INCLUDE BUS STOPS

Councilman Harms moved to open the public hearing on Ordinance #2199; seconded by Councilman Matarante and adopted.

Jacob Magiera, 612 Sheridan Avenue asked what kind of bus stops they are and Mayor DeIorio responded they are NJ Transit bus stops. Mr. Magiera said he saw a school bus stop on E. Clay and Park Place.

There being no one else wishing to speak, Councilman Harms moved to close the public hearing on Ordinance #2199; seconded by Councilman Matarante and adopted.

Councilman Harms moved that Ordinance #2199 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Matarante, all members present voting Aye, said ordinance was adopted.

Introduction

ORDINANCE NO. 2200

AN ORDINANCE AMENDING CHAPTER 85 OF THE CODE OF THE
BOROUGH OF ROSELLE PARK ENTITLED, “BINGO” AND AMENDING
“RAFFLE AND BINGO LICENSING”

SECTION 1.

BE IT ORDAINED by the Borough Council of the Borough of Roselle Park in the County of Union that Chapter 85 of the Code of the Borough of Roselle Park is hereby amended as follows:

§ 85-1. Raffle and Bingo Licensing

The Borough Clerk is hereby authorized and delegated the authority to approve the granting of raffle and bingo licenses to be held in the Borough of Roselle Park.” The Borough Clerk upon proper application may issue a bingo and/or raffle license to the bona fide organizations within the Borough of Roselle Park, which organizations are defined by New Jersey Statute 5:8-24 et seq¹., which statute is incorporated herein by reference and made a part hereof.

§ 85-2. Conduct of games on Sunday

No bingo license shall permit the conduct of said game on the first day of the week, commonly know and designated a Sunday, unless the license issued specifically permits same. The Mayor and Council of the Borough of Roselle Park shall, at its option, as the issuing authority, reserve the right to permit or deny the conduct of a bingo game on Sunday and to further regulate and control the time at which said bingo game may commence and terminate.

SECTION 2. All other ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed to the extent of any inconsistency or conflict.

SECTION 3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall remain valid and effective.

SECTION 4. This ordinance shall take effect after public hearing and final adoption and publication according to law.

Councilman Harms moved that Ordinance #2200 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on March 1, 2007, seconded by Matarante, all members present voting Aye, said motion was adopted.

RESOLUTIONS

The following routine resolutions, listed on consent agenda, were offered by Councilman Harms; seconded by Councilman Matarante, all members present voting Aye, said resolutions were adopted.

RESOLUTION NO. 57-07

WHEREAS, the New Jersey Department of State, Division of Archives and Records Management (DARM) has made records management a priority in local governments by providing funds to effectuate change in records management through the Public Archives and Records Infrastructure Support (PARIS) Grant Program and the priorities for the third year of PARIS grant funding has been announced; and

WHEREAS, a main of the priority of Governor Corzine's administration and the PARIS grant is to promote shared services between counties and their municipalities in the area of records management; and

WHEREAS, PARIS has determined infrastructure upgrades are an integral to proper records management. Infrastructure has been defined as "the system in which key offices, departments, campuses and/or governments "talk" to each other and share records and information. The linking of government campuses or of governments to other governments, in the form of fiber or wireless is fully eligible under PARIS guidelines. County governments are especially encouraged to develop this infrastructure in the next few years of PARIS, in order to be prepared to meet the growing emphasis on County governments acting as a service hub to its municipal governments, for a wide range of services; and

WHEREAS, the County of Union will be requesting funds for an infrastructure upgrade project that would offer three municipalities the opportunity for point to point wireless or fiber connection to the County of Union, whichever is deemed more;

WHEREAS, point to point wireless or fiber connections will afford the municipalities the ability to connect directly to the County's network for various technology services, including, but not limited to disaster recovery for its electronic data; GIS; and other applications; and

WHEREAS, point to point wireless or fiber connections will also afford the municipalities a secure encrypted path to the County's network;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Roselle Park supports the County of Union's application to the State for funding through the PARIS Grant for these infrastructure upgrades and urges the State to fund the proposal; and

BE IT FURTHER RESOLVED that the Borough of Roselle Park looks forward to collaborating with the County on this project and taking steps to ensure a more sound records management approach.

RESOLUTION NO. 58-07

RESOLVED that Lisa Pawlicki, 119 East Webster Avenue, Roselle Park, New Jersey, be and is hereby appointed to the position of part-time Custodian for the Borough of Roselle Park, effective February 20, 2007, at a salary of \$10.33 per hour.

RESOLUTION NO. 59-07

WHEREAS, the New Jersey Division of Highway Traffic Safety has funds available through the federal government to help reduce motor vehicle accidents, injuries and fatalities on the roads of New Jersey; and

WHEREAS, the Mayor and Governing Body of the Borough of Roselle Park are in support of the New Jersey Highway Traffic Grant Program and wish to file an application with the New Jersey Division of Highway Traffic Safety and no matching funds are required; and

WHEREAS, an application for such grant funds may not be filed nor funds spent in a municipality without authorization by the Governing Body; and

WHEREAS, the Mayor and Governing Body of the Borough of Roselle Park endorse and support this application because of its traffic safety priorities, and it is in the best interests of the people of the Borough of Roselle Park.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND GOVERNING BODY OF THE BOROUGH OF ROSELLE PARK THAT:

1. The Mayor and Governing Body of the Borough of Roselle Park hereby endorse, support and authorize the filing of a New Jersey Division of Highway Traffic Safety Grant application.
2. Upon receipt of the Grant Agreement from the New Jersey Division of Highway Traffic Safety, the signature of the Mayor and/or any other municipal official, or their successors in said titles, which is required on the agreement and any other documents necessary in connection therewith, is hereby approved.
3. A copy of this resolution shall be sent to the Division of Highway Traffic Safety so that implementation of the grant program may be expedited.

RESOLUTION NO. 61-07

BE IT RESOLVED, that the Borough Clerk be and is hereby authorized to sign the waiver for reservation of rights in the matter of Constantine vs. Township of Bass River.

RESOLUTION NO. 62-07

BE IT RESOLVED, that Resolution No. 24-07, authorizing the award of a contract for Professional Services to Linda Niedweske, Esquire of the firm Niedweske Barber, P.C., is hereby

amended to increase the maximum amount specified for legal consulting and labor relations matters to an amount not to exceed \$20,000.00 for the year 2007.

RESOLUTION NO. 63-07

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Borough of Roselle Park wishes to apply for a project under the Safe and Secure Communities Program; and

WHEREAS, the Mayor and Council of the Borough of Roselle Park has reviewed the application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Roselle Park, for the purpose described in the application; now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that:

1. As a matter of public policy the Borough of Roselle Park wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Borough of Roselle Park.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to the Borough of Roselle Park as authorized by law.

Councilman Harms moved the following resolution; seconded by Councilman Matarante.

RESOLUTION NO. 60-07

WHEREAS, legislation was recently introduced by both the New Jersey State Assembly and Senate, i.e.;

- i) A2026/S1079(1R) establishes penalties for failing to comply with school crossing guard's signal to stop; and

WHEREAS, this amended bill provides that a motor vehicle operator who fails to comply with a school crossing guard's signal to stop during those times when the guard is duly authorized to control or direct vehicular or pedestrian traffic shall be fined not less than \$150 for a first offense and not less than \$300 for a subsequent offense; and

WHEREAS, those times when the guard is authorized to control or direct traffic would include those times in the school day and during any special event or program when it is deemed to be in the best interests of public safety; and

WHEREAS, since there is currently no distinct penalty for violating the directions of a school crossing guard, this bill would provide definite penalties; and

WHEREAS, the Governing Body of Roselle Park's direct responsibility is to the welfare and best interests of its residents;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Roselle Park recognizes such legislation to be clearly beneficial to the best interests of the residents and community of Roselle Park; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Roselle Park, along with the Roselle Park School Crossing, strongly supports such legislation.

Mayor DeIorio said he pulled this resolution off for a separate vote to recognize Roselle Park Crossing Guards. He said it has gone to committee, but still needs the support of the General Assembly and the Senate.

Roll called, all members present voting Aye, said resolution was adopted.

Councilman Harms made a motion for discussion on Resolution #64-07, seconded by Councilman Matarante.

Councilman Matarante asked that this resolution be tabled for this evening so that a public meeting may be set up to discuss it. He recommends that the committee and committee chair be present, along with Councilman Harms and the Board of Education.

Councilman Harms said he is not sure what the benefit is to the Borough. He said for a two year period they would install this equipment and then after two years they can charge us. He said for two years we will have to store our new equipment and then bring it out again after two years. He does not know what the benefit is for the Borough, and it may be difficult to get sponsors.

Mayor DeIorio said TelVue gives the Borough and its residents a new level of sophistication with our Community Access Channel. It makes us look professional by scrolling information. The advantages are during that two year period the Borough of Roselle Park does not pay anything for the equipment. He said our students and Broadcast Technician would be able to learn on a more advanced piece of equipment and not have to buy it. The cost of buying something like this would be \$4,000 to \$10,000 and would give the Borough the opportunity to buy or not proceed with it. The more towns that TelVue contracts with, the larger the sponsors they can gain advertising. He said our advantage would be that the kids would learn on a better piece of equipment and it would be similar to a lease and we can decide if we want to buy it.

Councilman Matarante said his cost concern is that we would store our equipment for a couple of years and would not get that money out of that equipment for those two years. If technology changes in the next two years, then our equipment would be obsolete and we may have to purchase a whole new system.

Councilman Harms said if we store our equipment in storage, it will stay there and things do change. We get money from Comcast to purchase equipment and will be able to use that money. He asked how this will affect the school and the equipment that they have. He would like to have a meeting between the Board of Education, the Governing Body and Council and the representative for TelVue.

Councilman Matarante recommended that they ask the chairman of the committee to set up an appointment with representatives of the Board of Education, TelVue and Councilman Harm and the Mayor. He said there is a time issue and would like to get that done as soon as possible.

Councilman Harms moved to postpone Resolution #64-07 to a later time, seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

PUBLIC COMMENT

Councilman Harms moved, at 8:35 p.m. to open the public comment portion of the meeting, seconded by Councilman Matarante and adopted.

Jacob Magiera, 612 Sheridan Avenue:

- Acknowledged the honor students saying they deserved to be recognized.
- He spoke about the air design space for the New York, New Jersey and Philadelphia region and all the areas that it covers.
- He spoke about the New Jersey Transit Parking lot and how the Borough Police enforce the parking. He asked why the Borough cannot take that over.
- He asked about the remodeling of the train station and who will handle that.

Mayor DeIorio said that Nick Villano has taken over the project, along with New Jersey Transit. At this point we need to get the old documents from the Borough Engineer to continue.

- He asked how much money is left from the \$160,000 transfer of funds that was done last year pertaining to contract negotiations.
- He asked about the lights under the railroad bridge on Chestnut Street and all the other railroad bridges.
- He asked about the speeding on E. Lincoln Avenue.
- He said the residents are looking for police presence on Chestnut Street.
- He asked about storm sewer catch basins at the corner of E. Colfax and Westfield Avenue on the other side of the tracks, as they are filled with leaves and other debris.

Councilman Harms said the DPW has been notified about that and are on a program and are sticking with that.

- He addressed Councilman Matarante saying that Joint Sewer was going to save \$25,000 but did not say how much it is costing us to clean up the sewerage.

Councilman Matarante responded saying the assessment was lower so what we pay is lowered.

Financial Officer Blum said the assessment is \$424,000.

- He asked about one of the drawings saying Westfield Boulevard instead of Roselle Park Boulevard.

Michael Peterson, 45 E. Colfax Avenue

- He spoke about the danger of pedestrians crossing Chestnut Street at Lincoln Avenue. Recently a pedestrian was struck by a car on Chestnut Street a little further down. He said there is no traffic control from Grant Avenue until Five Points in Union and something must be done to rectify that situation. He said that the railroad bridge in that area dims that intersection making it more dangerous. He said last year a yield sign was placed on Lincoln Avenue, but was damaged and now is missing and has not been replaced. He said he has had driver's curse at him while crossing on the crosswalk He said there has been increased enforcement of traffic laws, but does not think enforcement alone will solve the problem. Somewhere between Grant and Five Points there has to be something to slow the traffic down. He asked the Governing Body to take aggressive steps to this unsafe situation.
- He spoke about gang activity in Roselle Park.

Mayor DeIorio said any act of violence, whether gang related or not, is addressed to the Police Department. He said regarding Chestnut Street that he did alert the County through written correspondence for providing us some assistance with some traffic calming methods.

June Stark, 110 E. Westfield Avenue

- As Secretary of the Crossing Guard Association, she thanked the Governing Body for Senate and Assembly bills regarding the Crossing Guards.

There being no one further wishing to speak, Councilman Harms moved to close the public portion; seconded by Councilman Matarante and adopted.

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

MOTION:

- Councilman Harms moved that a Raffle License be granted to the Roselle Park Community Center Association for an on-premise 50/50 raffle to be held on March 10, 2007, seconded by Councilman Matarante, all members present voting Aye, said motion was adopted.

Mayor DeIorio said that the Introduction of Ordinance #2201 will be addressed after the closed session regarding the litigation of Roselle Park, LLC vs. the Borough of Roselle Park and the Planning Board of Roselle Park and Mr. Latini will also be present for that discussion.

Mayor DeIorio read the closed session resolution and said Council would be discussing the following matters:

- Litigation regarding Roselle Park, LLC vs. Borough of Roselle Park and Roselle Park Planning Board.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Harms moved, to interrupt the regular order of business for a closed session meeting; seconded by Councilman Matarante and adopted.

RESUME REGULAR ORDER OF BUSINESS

Councilman Harms moved, to resume the regular order of business, seconded by Councilman Matarante and adopted.

Mayor DeIorio said during closed session Council discussed matters pertaining to:

- Litigation – Roselle Park, LLC vs. Borough of Roselle Park and Roselle Park Planning Board.

ORDINANCE NO. 2201

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-7 FOR THE ROMEROVSKI SITE LOCATED IN THE BOROUGH OF ROSELLE PARK

WHEREAS, by Resolution adopted April 20, 2006, the Borough Council of the Borough of Roselle Park (“Council”) directed and authorized the Planning Board to conduct a preliminary investigation and a public hearing to determine whether an area commonly known as “The Romerovski Site,” and designated as Block 214, Lots 1, & Block 314, Lot 1) on the Official Tax Map of the Borough of Roselle Park is an area in need of redevelopment according to the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“Redevelopment Law”);

WHEREAS, after due notice and a hearing, the Planning Board, by Resolution adopted September 18, 2006, recommended to the Borough Council that the Romerovski Site be declared an area in need of redevelopment pursuant to the Redevelopment Law;

WHEREAS, after receipt of the Planning Board’s resolution, the Council, by Resolution 158-06 adopted, designated the Romerovski Site as an area in need of redevelopment pursuant to the Redevelopment Law for reasons stated therein;

WHEREAS, pursuant to the Redevelopment Law, a redevelopment project must be undertaken pursuant to a “redevelopment plan” adopted by ordinance;

WHEREAS, by Resolution adopted April 20, 2006, the Council retained the services of the firm of Heyer, Gruel & Associates, Inc. (“HGA”), planning consultants, to prepare such a redevelopment plan;

WHEREAS, HGA prepared for the Council a proposed redevelopment plan entitled “Romerovski Site Redevelopment Plan” (“Proposed Plan”) dated February 2007;

WHEREAS, the attached Redevelopment Plan meets the statutory requirements of N.J.S.A. 40A:12A-7, and designed to effectuate, the Borough's Master Plan as it pertains to the Romerovski Site.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Roselle Park as follows:

- Section 1. Council hereby adopts the attached Redevelopment Plan dated February 2007 and prepared by HGA for the Romerovski Site (Block 213, Lots 1, & Block 314, Lot 1) pursuant to the Redevelopment Law, N.J.S.A. 40A:12A-7. A copy of the Redevelopment Plan shall be maintained in the offices of the Borough Clerk.
- Section 2. The Redevelopment Plan shall supersede applicable provisions of the Zoning Ordinance of the Borough of Roselle Park. In all situations where zoning issues are not specifically addressed by the Redevelopment Plan, the Zoning Ordinances of the Borough shall remain in full force and effect.
- Section 3. Pursuant to N.J.S.A. 40A:12A-7(c), the Zoning Map is hereby amended consistent with Section 1 above, so as to indicate that the Redevelopment Plan applies to the redevelopment area depicted in the attached Redevelopment Plan,
- Section 4. If any provision of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions of this Ordinance, except so far as the provision so declared invalid shall be inseparable from the remainder of any portion thereof.
- Section 5. All ordinances or parts of ordinances inconsistent with This Ordinance are hereby repealed.
- Section 6. This Ordinance shall take effect immediately upon adoption and publication according to law, and upon filing with the Union County Planning Board.

Councilman Harms moved that Ordinance #2201 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on March 1, 2007, seconded by Councilman Yakubov, all members present voting Aye, said motion was adopted.

Mayor DeIorio read the Closed Session Resolution and said Council would be discussing the following matter:

- Personnel Issue

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Harms moved, to interrupt the regular order of business for a closed session meeting; seconded by Councilman Badillo and adopted.

RESUME REGULAR ORDER OF BUSINESS

Councilman Harms moved, to resume the regular order of business, seconded by Councilman Rubilla and adopted.

Mayor DeIorio said during closed session Council discussed the following matter:

- Personnel issued.

There being no further business to come before the meeting, Councilman Harms moved to adjourn; seconded by Councilman Rubilla and adopted.

Attest:

Borough Clerk