

## Borough of Roselle Park Regular Meeting of February 7, 2008

Attendee Name	Organization	Title	Status	Arrived
Ricky Badillo	Borough of Roselle Park	Councilman	P	7:30 PM
Rick Matarante	Borough of Roselle Park	Councilman	P	7:30 PM
Larry Dinardo	Borough of Roselle Park	Councilman	P	7:30 PM
Michael Yakubov	Borough of Roselle Park	Councilman	P	7:30 PM
Larissa Chen-Hoerning	Borough of Roselle Park	Councilman	P	7:30 PM
Modesto Miranda	Borough of Roselle Park	Councilman	P	7:30 PM
Joseph DeLorio	Borough of Roselle Park	Mayor	P	7:30 PM

Mayor DeLorio 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 provided 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 Cali read a short prayer followed by the Pledge of Allegiance.

### PRESENTATION BY AMERICAN CANCER SOCIETY

Presentation to Mayor by Maria DelRio on behalf of the American Cancer Society.

Maria DelRio, Chairman for this year's Relay for Life at Roselle Park High School on June 7<sup>th</sup> & 8<sup>th</sup> presented a Certificate of Appreciation to Mayor and Council in joining LaCasa DeMartino in supporting their event. This evening Suzanne Kinloch will be talking about the CP3 study that is taking place in Roselle Park and thanked everyone for their support.

### COMMUNICATIONS

Councilman Badillo moved the following communication; seconded by Councilman Matarante.

- Letter from RPHS Marching Band requesting "No Parking" signs be placed on West Webster Avenue between Laurel Avenue and Larch Street from 12:00 Noon until 10:00 pm for a Winterguard Competition on Saturday, March 15, 2008. They are also requesting the use of the DPW lot to assist with parking of the buses.

### REPORT AND RECOMMENDATIONS OF MAYOR

- Discussed efforts with the Romerovski lawsuit.

- Recent newspaper articles, encouraged the public to reach out to the members of the Governing Body to ask questions and learn what is transpiring with the pending litigation, or check website.
- Star Ledger has not been fully truthful.
- What kind of development would occur at the Romerovski site. This is one of the most important issues this Governing Body and community will face in a long time to come. Proposed by Avalon Bay to build 310 apartment house units on the site. He said we want the public to have as much information as possible.
- Want Avalon Bay to present plans to the public; if plan meets the needs of the Borough, can progress forward. April 19<sup>th</sup> there will be a meeting regarding the presentation of Avalon Bay and their perspective plans. He has been trying very vehemently to push Avalon Bay and Mr. Braunstein to present plans.
- Less than an hour ago our Attorneys were successful in forcing them to present their plan to the public, to make the process open and involve the community in the process.

## REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

### Councilwoman Chen-Hoerning

- Attended the pre-budget meeting with Mayor DeIorio, CFO Ken Blum and Councilman Miranda.
- Girl Scouts Blood Drive and Pancake Breakfast on February 9<sup>th</sup> at the High School.
- Chestnut Street completed.
- Attended benefit dinner in honor of Mark Grosso.
- Redevelopment is a large issue for the town, in a precarious position as to what we can do with the sale of the property. Understands eminent domain is only a possibility, but is afraid if this option is exercised, it will require more litigation and expensive. Urged everyone to contact the Mayor and Council, become informed.
- She wished everyone that celebrates the lunar New Year, a happy new year.

### Councilman Miranda

- Received a call from a resident Warren Avenue regarding tree. Frank from the DPW was there within ten minutes and tree was checked. He thanked him for responding so quickly and resolving the situation.
- Reminded all senior citizens, February 19<sup>th</sup> through April 15<sup>th</sup>, tax assistance, by appointment only for seniors 60 years and older between 1 and 4. Call 908-245-0666 for information.
- Attended his first meeting for the Relay of Life and looking forward to participating in the event. Anyone who is interested can contact Maria DelRio for information.

## Councilman Matarante

- Attended a Public Safety Meeting and discussed proposal for cameras for the red lights. Legal to review and summons if they run the red light. Question contact Clerk. Installation free; cost would come out of the fines. Repairs by company; allow us to conduct traffic safety studies on certain streets based on the technology.
- One personnel and contractual issue regarding Chief Morrison for closed session, he has been riced.
- Public Safety Committee talked about a recommendation to add a name to OEM.
- Two issues were tabled last time and would like closure; return of vehicles to the Police Chief and Superintendent of Public Works, and second Lieutenant position in the Police Department.

Mayor DeIorio asked Chief Morrison to come forward to answer any questions.

Councilman Matarante said they tabled a motion to fill a second Lieutenant position and drop one of the Sergeant positions.

Police Chief Morrison, currently a position vacant for about a year and a half due to retirement. His plan in the Police Department is to fill the second Lieutenant position to provide more accountability for Patrol Officers, as well as Sergeants. Also a cost saving factor involved as we would be dropping one Sergeant position. He asked that Council allow him to fill second position.

Councilman Matarante said the cost savings would be \$6,323.70 to the Borough.

Police Chief Morrison, there is a lesser jump in salary between the two positions from Sergeant to Lieutenant, as opposed to Patrolman to Sergeant.

Mayor DeIorio, there will not be a Patrolman promoted to Sergeant; therefore, by that position not being filled, there is a cost savings. Going from Sergeant to Lieutenant there is an increase in salary, but you are not moving someone up.

Police Chief Morrison, they will not be filling the Sergeant position and we may either fill it in the future, or it could be eliminated.

Mayor DeIorio, we will not be making an appointment tonight; only making the decision whether to proceed or not. Give Chief direction to move forward and make recommendation to the Governing Body.

Mayor DeIorio, members of Council are in agreement to go ahead and present the name for the next meeting.

Councilman Matarante said the next issue is the return of the cars to the Police Chief and Superintendent of Public Works.

Mayor DeIorio said he is opposed to this. He took the action he took several months ago to have the vehicles sent back to the Borough rather than have them being used for commuting purposes. He said to reverse that decision would be imprudent.

Councilman Badillo said he understands his decision, but it also affects the volunteer firemen and deputies that are all volunteers. He said for these individuals to have a small stipend is nothing compared to what they do for the community. Does not want to see any of these people delayed in any way getting to a fire. There was a fatality on Westfield Avenue and the Police Chief responding from his home was pulled over in three municipalities because his car is not equipped with lights or identifiers. Does not want to have the Fire Chief or Deputy Chiefs slowed down or compromised getting to an emergency. Cars should be returned, monitored and adhered to.

Mayor DeIorio said if that was the case, this should have been addressed months ago when he made the decision. With regard to the fatality, the Police Department responded first and calling in to the various towns would have prevented any Police Chief from being pulled over. You can outfit the personal vehicle with red lights for anyone to move ahead through a community. If we need to put lights on a personal vehicle or equip them with a removable one, then we should do that. We are saying that because new individuals are in these positions, we set a different policy. What will happen if we have a retirement in Public Works and the other individual lives a long distance, then there will be more miles and wear and tear on the vehicles.

Councilman Badillo said a Chief of Police should not have to sit home when an emergency is taking place. This also affects the volunteer Fire Department as well.

Councilwoman Chen-Hoerning asked if there are any legal issues regarding the flashing red lights on the vehicles. If there were an accident such as going through a red light, what would the liability issues be.

Mayor DeIorio said if you have the light you must have the authority to have that light.

Councilman Badillo said even though you have a light, you must observe the laws. The light does not give anyone the ability to go through intersections, they must observe the laws.

Councilman Miranda said a police car has to follow the same rules and regulations; whether there are lights on or it is a police car itself, the liability is the same.

Councilman Dinardo asked if this means more people will be taking their cars home or just the two department heads.

Councilman Matarante said this is what the Public Safety Committee discussed at the last meeting. The discussion did not involve all the Deputy Fire Chiefs, but the Fire Chief was part of the discussion.

Councilman Dinardo said he would not object to that if we could restrict it that you live in Union County.

Councilman Matarante said the recommendation came with conditions and we can set those conditions.

Councilman Yakubov said are we going to do this each time we have a new Department Head or new Department Chair. Each department chair should have confidence in the individuals currently overseeing the departments to do what is necessary to insure safety in the community until they get there. They should not be speeding to a scene and should follow all rules and regulations. Is greatly appreciative to the volunteer Fire Department, Police and Public Works, but this deals with taxpayer money. We are in a difficult financial time and need to be conscious of that and if we do that, it will cost the residents.

Councilman Badillo said the volunteer system is not having someone in place; these individuals have full time jobs. They are at their jobs and respond when there is an emergency. If the Borough had to hire 6 firemen, it would cost the Borough over 2 million dollars. We now have an over abundance of volunteers, where other communities are lacking volunteers. He is also a taxpayer in this town and is willing to pay to give them that privilege.

Councilman Matarante said he does not consider public safety a game, and he is offended to think anyone would think a Public Safety Committee would say all this is about is helping these men with compensation.

Councilman Yakubov said he never questioned volunteers in this community and thanked them very much. On this particular issue, he does not agree and feels it would be a waste of money.

Councilman Matarante responded he does not call this a game and a way to take care of their compensation.

Councilman Yakubov said it is a public safety issue and we have those initiatives in place to take care of those issues.

Mayor DeIorio said when this issue was brought up about the Fire Department several months ago; he made this decision with the support of the member of this Governing Body that he advised. When it was substantiated that the vehicle from the Fire Department was not only driven to work, but down the shore and then submitted for reimbursement from their company, how can we not address that. What we are saying is that it is okay for that vehicle to not only go outside of Roselle Park, but down the shore.

Councilman Badillo said if there is an individual that does something with the vehicle outside the guidelines, then he should be called in before the Public Safety Committee and justify his actions. When this first happened and we suspended the vehicles, we did it as almost a pilot to see what was going on. We have discussed putting guidelines into place, as well as the IRS reporting. If we vote to give them back, these individuals will be held accountable for their use, whether volunteer or paid personnel. He said for one person's failure to comply, everyone should not lose the privilege.

Mayor DeIorio said he will send this situation to the Public Safety Committee.

Councilman Badillo said it is not fair to discuss the merits of something the public does not completely know about, nor does the committee. If it is sent to the Public Safety Committee, then we will report as to what happened and what action was taken. It is unfair to go through a situation where everyone on Council does not have all the facts.

Mayor DeIorio said the Public Safety Committee of last year had that information and backed his decision and this year it has been changed. He will present the information again and if the Public Safety Committee wants to make a change, they can present it before the Governing Body.

Mayor DeIorio asked if there were any further comments on this issue.

Councilman Matarante moved to return the police vehicle to the Police Chief and the other Borough vehicle to the Superintendent of Public Works; seconded by Badillo.

Councilman Matarante said once we decide to go forward with this, the Public Safety Committee will draft the conditions. We cannot make them right now because there are too many variables. He asked if they want to table this until we draft conditions, but he doesn't want to waste the time writing conditions and have it voted down anyway. He suggested we have the conditions and vote on them. He said all we are voting on is giving them the cars back and then we can come up with some conditions.

Mayor DeIorio said this motion is to return vehicles to Police Chief and Superintendent of Public Works subject to conditional agreements for the purposes of commuting to and from their homes when necessary.

Councilman Matarante said adding the work commuting makes this sound trivial.

Roll called, Councilmembers Badillo, Matarante, and Dinardo voting Aye; Councilmembers Yakubov, Chen-Hoerning and Miranda voting No; Mayor DeIorio voting No breaking the tie, said motion was defeated.

## CERTIFICATES AND PROCLAMATIONS

### Certificates

- National Honor Society

### Proclamations

- Read Across America
- Arbor Day

## PUBLIC COMMENT

Councilman Badillo moved at 8:30 p.m. to open the public comment portion of the meeting; seconded by Councilman Yakubov and adopted.

### Robert Zeglarski, 521 Chester Avenue

- Commented on the behavior of the Councilmembers.
- Questioned the timing of this resolution.
- Former Police Chief Wielgus had an SUV he took home and this changed only a few months ago.

Mayor DeIorio said before it was an accepted practice and changed because of a situation that was brought to his attention.

Mayor DeIorio said he has always been a gentleman where there has been discourse or discussion between the Governing Body. After it is over, he is still friendly with all Councilmembers, even when we disagree and it is a heated exchange. Does not take it personally, nor do his colleagues.

- Mr. Zeglarski spoke regarding the redevelopment and the Romerovski site.
- You have asked for public input and support.
- At the last meeting which was not televised, it seems a little too late to support this issue.
- Referred to the first paragraph of the ordinance.
- Asked why they would take an industrial site and is a place in need of redevelopment.

Mayor DeIorio said the ability to redevelop at this site was determined by our professional planners and also the Planning Board. One of the tools designated in a redevelopment zone would allow the Borough and residents to participate in the process that would hopefully change that industrial site to benefit the community. If it had been left industrial, it would have sat there for a number of years. Mr. Braunstein presented himself to the Planning Board and Governing Body asking for assistance because he was getting out of the business. The building had been for lease and sale for quite sometime, and he was not receiving any response and he asked to partner with this Governing Body. One of the means is the designation of a redevelopment zone. It would allow us to redevelop that site and also a developer to contribute toward other projects in the community that may have an ancillary affect on the development. That cannot be done through a regular variance process, only through a redevelopment zone designation. We still have to go through the process to solicit the public and the choice was to do nothing and leave it vacant or make an attempt to redevelop the zone. Mr. Braunstein lied to us, and went with Avalon Bay who happened to be the most lucrative. We are now in the position where we have to fight and it is costing the taxpayers money; to not fight, we would have to accept 310 apartment units on that site.

- Mr. Zeglarski said in the beginning of this process during the campaign, the Planners were hired and at that point they focused on the Sullivan property.

- During the process why didn't the Planner guide us, so we could have avoided these issues.
- The explanation of the Judge's opinion would be helpful to the public.
- Why are the housing plans inconsistent with the Development Plan.
- What Planner would advise us we could build residential, but it had to be condominiums or co-op units only.
- Now there is a cost of \$200,000 to the Borough.
- Dismiss this Planner and retrieve the money he has cost us.

Mayor DeIorio responded to the comment the Planner should be liable. The Borough through its professional advice from the Planner had not only recommended the redevelopment zone as a means to develop that property; also to address our Fair Share Housing requirement. The day the Borough was ready to introduce its Fair Share Housing Plan, the developer saw an opportunity to sue the Borough. They were heading in the right direction based on our Planner's advice. We must unite as a community and move ahead, not allowing the developer to use statements from the public in their lawsuit; than we are defeating ourselves. He urged the public to come forward whether they agree or disagree.

Saul Qersdyn, 150 Berwyn Street

- Asked when the resolution concerning the disallowance of Borough vehicles was adopted.

Mayor DeIorio said there was not a resolution; it was something that was a matter of past practice.

- Mr. Qersdyn commented on the disagreement between the Councilmembers pertaining to the issue of the Borough vehicles and suggested using Robert's Rules of Order.
- As a resident if he should see a Borough vehicle being using improperly, is he allowed to call the police, it may be a legitimate use and a resident can start a rumor.
- Believed we should take a stand and at the next meeting, he will share ideas he has.

Mayor DeIorio said the date for the meeting will be April 16<sup>th</sup> and a time will be set in the future.

Jacob Magiera, 612 Sheridan Avenue

- One time we had two Police Captains, so he sees no harm in having two Lieutenants.

Mayor DeIorio said for the record, there was also a time when we had a Captain and two Lieutenants.

- Mr. Magiera referred to Police Chief's vehicle, suggesting it be signed out and brought back when not in use
- Asked when the next budget meeting will take place.



Mr. Blum said he is meeting with Council to set up meetings.

- Mr. Magiera, why Special Meeting on Monday was not televised or the prayer and Pledge of Allegiance not done.
- Stated there were 1,348 apartments and 94 children attending the schools.
- New Directions proposal, there was a study based on the 7 largest multi-family developments in Roselle Park. Looked like there would be an influx of many children coming into the apartments if Avalon Bay got its way.

Mayor DeIorio said it is also based on the size, density and type of apartment complex; there would be more children in Sunrise Village than Woodside Gardens.

- Mr. Magiera, lost a lot of money to tax appeals in the past and the taxpayer has to pay.
- Read FAA Report as a member of the Union County Air Traffic Noise and Advisory Board.

Glen Marzewski, 622 Sherman Avenue

- Holes on his street have not been taken care of.
- Trees have not been cut down.
- Fuel costs for the Borough vehicles.

CFO Ken Blum said he did not have those figures now, but would be willing to make them available.

Suzanne Kinloch, 336 Sheridan Avenue

- Relay for Life will be held June 7<sup>th</sup> and 8<sup>th</sup> at the High School Track.
- This is her 11<sup>th</sup> year involved in the Relay for Life.
- Thanked the Mayor and Council from 1997 to the present for their support.
- Website address in [www.events.cancer.org/RFLrosellepark.nj](http://www.events.cancer.org/RFLrosellepark.nj).
- Cancer Prevent Study (CPS-3) will take place at the Relay for Life in Roselle Park this year.
- Residents eligible to participate in this study, anyone between the ages of 30-65 years old, have never been diagnosed with cancer and are will to make a long term commitment to this study.
- American Cancer Society will continue to mail follow-up surveys periodically to update your information.
- Confidentiality is one of the most important parts of this study.
- Thanked Mr. Magiera for information regarding toxic chemicals from airplanes flying over Roselle Park.
- Information to contact Robin Kraft at 973-736-7771, ext. 205.
- Rotary Club of Roselle-Roselle Park is holding their 23<sup>rd</sup> Annual Spaghetti Dinner on March 29<sup>th</sup> from 3:00 p.m. to 7:00 p.m. at the United Community Methodist Church

on Chestnut Street. All proceeds will go to the American Cancer Society Relay for Life Roselle Park.

- Theme is Celebrate, Remember, Fight Back.

There being no one else wishing to speak, Councilman Badillo moved to close the public comment; seconded by Councilman Dinardo and adopted.

## REPORTS OF DEPARTMENTS

### Borough Attorney – Blake Johnstone

- Explained Romerovski ordinance and lawsuit
- Prior negotiations with owner to come up with a plan agreeable to Romerovski and the town.
- He said condemnation is a last resort for a town.
- Owner of the property walked away from involvement with the town after the Redevelopment Plan had been put into place and filed the lawsuit.
- Decision by Judge who rendered a report on November 5<sup>th</sup>.
- Report indicated the town had no choice but accept the plan as indicated by the applicant or the other alternative of considering condemnation.
- Council made recommendation for open forum for this particular project for the people in the town.
- This is probably going to be the most effective thing that will happen in this town for the next ten years.
- Mayor and Council are united; they want the public to hear what is going on and what plans are going to be brought before the town.
- Town wanted multiple builders to be involved in this, but at this point in time, we are limited to one.
- Builder has refused up until recently to come before this board and town to outline the plan for the town.
- Pressure being put on by the Court; the town only had one option other than total capitulation, in terms of how to handle this and decided to take a parallel road which is the possibility of condemnation.
- Legal team and the Planners came up with the recommendation, which was agreed on by Mayor and Council and put into place this week.
- Councilman Badillo has a report on this, which is a hopeful sign as to what is going to occur.
- Town has been put in between a rock and hard place in terms of this property.
- No easy decisions can be made about this.
- Commended everyone on their united effort to try to get this done, and the Mayor for his forthrightness and honesty from the start to try and resolve this.
- End result is you will be able to hear in great detail what is taking place with this project.

- Plan had to be amended to allow the town to go to condemnation. Condemnation means the town has to purchase the property in the event they decide to go down that road; it is only an option, not a decision.
- If all goes as anticipated will be able to hear everything on this plan.

Councilman Badillo said early in negotiations representative of Romerovski asked that we give up the right of condemnation; we respectively refused at that time. Commended the Mayor on not giving up that right.

Mayor DeIorio stressed the public be able to give input and decide. We do not want to condemn, give the public the option if they want that developer. If public is not happy with plan, we could acquire the property for another developer. It would not cost the taxpayers dollars because the plan would be something the community would want.

## REPORTS OF DEPARTMENTS

### Doreen Cali – Borough Clerk

- Borough Ordinance Code Book is now on line on the Roselle Park website.
- Went to Trenton regarding a Transit Oriented Grant for \$73,000.
- Attended meeting in Scotch Plains regarding application for ADA doors at Borough Hall and the Library.

### Ken Blum – Chief Financial Officer

- Will be emailing Councilmembers for requests to schedule budget meetings.

Mayor DeIorio thanked Mr. Blum for his help in workshops regarding the budget process for new members of the Governing Body.

### Paul Morrison – Police Chief

- Pedestrian details have been put out on the 100 and 200 blocks of Chestnut Street to monitor motorists who failed to yield. There is a decrease in summons being issued, which means the motorists are aware of them being monitored. The intersections of Chestnut Street and E. Lincoln Avenue and Locust Street and W. Webster Avenue are also being addressed.
- March 1<sup>st</sup> the Primary Cell Phone Law goes into affect; there will be special details out on March 1<sup>st</sup> enforcing that law.

Mayor DeIorio asked if a Blue Tooth is considered hands free and Chief Morrison responded yes.

Councilman Badillo thanked the Chief for addressing the failure to yield on Lincoln Avenue. He also attended a Cracker Barrel Meeting, where a drop off for Aldene School was discussed.

### Frank Wirzbicki – Department of Public Works

- He was not aware of holes on Mr. Marczewski's street and the tree problem was taken care of.
- DPW had been working on tree trimming.
- The catch basins on Hazel Street and W. Colfax Avenue have been addressed.

Councilman Miranda thanked the DPW for his response to the Warren Avenue issue.

### REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES (Continued)

#### Councilman Badillo

- Thanked the Mayor for allowing him to represent the Borough at a meeting with Governor Corzine on the proposed toll plan.
- He attended the Pinewood Derby, wants to present a certificate to the organizer and participants.
- Attended the Knights of Columbus foul shot contest at the Boys and Girls Club.
- Little League sign-ups are taking place; anyone with monetary issue is able to participate.
- Requested a banner for the Little League be put up by the gazebo on Chestnut Street.
- Thanked everyone for the dinner in honor of Mark Grosso.
- Requested the volunteer Firemen be recognized.
- Was invited to attend the Pop Warner Football Awards Dinner.
- Councilman Yakubov and he working on initiative for the cleanup of Valley Road.
- Attended the Public Safety Committee meeting.
- Attended the mediation regarding the Romerovski site. We will continue to insist that this be a public process. Through the Master, Avalon Bay will present their plan on April 16<sup>th</sup>. Each side will have a mediation team for these negotiations. Because of erroneous information in the newspapers, the Master was upset with comments published; Avalon Bay denied giving the newspaper any information. Once this enters mediation, we cannot discuss this issued until an agreement is reached.

#### Councilman Yakubov

- A contract has been signed between the Borough and IT services; the Police Department had an issue and the County responded within a half hour.
- A year ago he had mentioned something similar to the Redflex cameras; he supports the idea.
- Commended Carl Pluchino, who donated bags for the cleanup done by the National Honor Society.
- Commended the DPW for the rapid respond regarding the maintenance of trees.
- Mentioned the Valley Road cleanup.
- DPW has reached out to residents on Grove Street pertaining to issues they have.

- There will be a Neighborhood Watch Meeting on Friday, February 8<sup>th</sup> at 7:00 p.m. in Borough Hall.
- Holding a meeting 6:00 p.m. on February 20<sup>th</sup> to address environmental issued, “Roselle Park Goes Green”.

Councilman Dinardo

- Attended the wrestling dinner in honor of Mark Grosso.
- Mentioned the Neighborhood Watch Meeting on February 8<sup>th</sup>.
- Floor for the Casano Center has been delivered, asked for volunteers to help paint and place tiling.

REPORTS OF DEPARTMENTS

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

- Report of Department of Public Works for January 2008
- Municipal Court Report for January 2008

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

Councilman Badillo moved to approve the following minutes; seconded by Councilman Dinardo.

✓ Vote Record - Minutes Acceptance of December 20, 2007					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

✓ Vote Record - Minutes Acceptance of December 27, 2007					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MOTION BILL & PAYROLLS BE NOT READ

MOTION BILLS AND BILLS BE PASSED FOR PAYMENT

Councilman Badillo moved that bills and payrolls not be read and passed for payment, seconded by Councilman Yakubov; all members voting Aye, said motion was adopted.

ORDINANCES

Second Reading and Public Hearing

ORDINANCE NO. 2233

AN ORDINANCE AMENDING ARTICLE IV CHAPTER 157-21  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK  
FEES FOR RECREATION/COMMUNITY CENTER

Councilman Badillo moved to open the public hearing on Ordinance #2233; seconded by Councilman Chen-Hoerning and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked this ordinance be explained.

Mayor DeIorio said this ordinance allows fees to be charged to individuals that would like to rent the Community Center. Rental for the Center for private parties up to and including 5 hours, \$200 flat rate. Over 5 hours, \$200 plus \$50 each additional hour. Self defense training, \$200 per month for 2 sessions per week.

There being no one else wishing to speak, Councilman Badillo moved to close the public hearing; seconded by Councilman Yakubov and adopted.

Councilman Badillo moved that Ordinance #2233 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Yakubov.

✓ Vote Record – Ordinance 2233		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2234

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-40.1A, OF THE  
CODE OF THE BOROUGH OF ROSELLE PARK REGARDING  
REGULATION FOR THE MOVEMENT AND THE PARKING OF  
TRAFFIC ON MUNICIPAL AND BOARD OF EDUCATION PROPERTY

Councilman Badillo moved to open the public hearing on Ordinance #2234; seconded by Councilman Dinardo and adopted.

Jacob Magiera, 612 Sheridan Avenue

- He asked the ordinance be explained.

Mayor DeIorio said this ordinance is amending the parking of traffic on municipal and Board of Education property.

Ms. Cali said new meters have been ordered and this will allow them to be 25 cents per ½ hour instead of per hour.

- Mr. Magiera suggested meters be placed next to this building.

Mayor DeIorio said it is for employee parking, he will take that under advisement.

There being no one else wishing to speak, Councilman Badillo moved to close the public hearing; seconded by Councilman Yakubov and adopted.

Councilman Badillo moved that Ordinance #2234 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Yakubov.

✓ Vote Record – Ordinance 2234		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Introduction

### ORDINANCE NO. 2237

AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING ROSELLE PARK BOROUGH'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT

BE IT ORDAINED by the Committee members of Roselle Park Borough in the County of Union and State of New Jersey that the following amendments be made to Chapter II of Roselle Park Borough's municipal code:

#### Section 1. Purpose.

The purpose of this article is to create the administrative mechanisms needed for the execution of Roselle Park Borough's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

#### Section 2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

MUNICIPAL HOUSING LIAISON – The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for Roselle Park Borough.

ADMINISTRATIVE AGENT – The entity responsible for administering the affordability controls of some or all units in the affordable housing program for Roselle Park Borough to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income households.

Section 3. Establishment of Municipal Housing Liaison position and compensation; powers and duties.

- A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for Roselle Park Borough.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by the Governing Body and may be a full or part time municipal employee.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Roselle Park Borough, including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:
  - (1) Serving as Roselle Park Borough’s primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households;
  - (2) Monitoring the status of all restricted units in Roselle Park Borough’s Fair Share Plan;
  - (3) Compiling, verifying, and submitting annual reports as required by COAH;
  - (4) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;
  - (5) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
  - (6) If applicable, serving as the Administrative Agent for some or all of the restricted units in Roselle Park Borough.
- D. Subject to approval by COAH, Roselle Park Borough may contract with or authorize a consultant, authority, government or any agency charged by the Governing Body, which entity shall have the responsibility of administering the affordable housing program of Roselle Park Borough, except for those responsibilities which may not be contracted out pursuant to subsection C above. If Roselle Park Borough contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and Affirmative Marketing Plan, the Municipal Housing Liaison shall supervise the contracting Administrative Agent.
- E. Compensation. Compensation shall be fixed by the Governing Body at the time of the appointment of the Municipal Housing Liaison between the minimum annual salary of \$6,000.00 and maximum of \$15,000.00.
- F. Administrative powers and duties assigned to the Municipal Housing Liaison. Only the five required responsibilities outlined in C. above will be handled by



Roselle Park Borough’s Municipal Housing Liaison. All other duties will be delegated to an approved Administrative Agent to be determined by a future ordinance or professional service contract.

**Section 4. Severability.**

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

**Section 5. Inconsistent Ordinances Repealed.**

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

**Section 6. Effective Date.**

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Councilman Badillo moved that Ordinance #2237 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 20, 2008; seconded by Councilman Yakubov.

Councilwoman Chen-Hoerning asked if there is anyone in mind for this position.

Mayor DeIorio said this is part of the requirement to fulfill the Fair Share Housing Plan.

Ms. Cali said it will become her duty as per the Borough Attorney’s recommendation.

Councilwoman Chen-Hoerning asked the background that is necessary for this position.

Mayor DeIorio said she would be working with the County and it would be beneficial to have someone on staff. By sharing the service with County, they would provide information to us.

Ms. Cali said there is also an Administrative Agent required; has contacted the County to see if they will consider share services.

Councilman Dinardo asked if she will be compensated or is this included in her other duties; she will not have an aide, the Administrative Assistant is another set of duties that is what would be the shared services.

✓ Vote Record – Ordinance 2237		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2238

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-7, OF THE CODE OF  
THE BOROUGH OF ROSELLE PARK REGARDING  
REGULATION FOR THE MOVEMENT AND THE PARKING OF  
TRAFFIC ON MUNICIPAL AND BOARD OF EDUCATION PROPERTY

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. Section 7-7 of Chapter VII of the Code of the Borough of Roselle Park is hereby amended by adding the following:

Section 7-7.10. The following Traffic Control Signal installation(s) shall be installed and operated per the designated plan(s):

<u>LOCATION</u>	<u>DESIGNATED PLAN</u>
Locust Street (CR619) at W. Grant Avenue	As-built LTS Plan dated 7/21/06 and Timing Directive dated 6/12/05
Locust Street (CR619) at W. Colfax Avenue	As-built LTS Plan dated 7/21/06 and Timing Directive dated 5/24/02
Michigan/Faitoute Avenue (CR617) at W. Colfax Avenue	As-built LTS Plan dated 7/21/06 and Timing Directive dated 5/24/02

SECTION 2. That the Traffic Control Signal installed shall be in accordance with the provisions of the Manual on Uniform Traffic Control Devices and Title 39 of the Revised Statutes; shall conform to the design and shall be maintained in operation, as authorized by the NJ Department of Transportation.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

SECTION 5. This ordinance shall take effect upon final passage and publication in accordance with the law.

SECTION 6. When the ordinance is finally adopted, the Clerk is to send a certified copy to Thomas O. Mineo, P.E., Union County Engineer, 2325 South Avenue, Scotch Plains, NJ 07076 and Douglas R. Bartlett, Manager, Bureau of Traffic Engineering and Investigations, NJ Department of Transportation, PO Box 613, Trenton, NJ 08625-0613.

Councilman Badillo moved that Ordinance #2238 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 20, 2008; seconded by Councilman Dinardo.

<b>✓ Vote Record – Ordinance 2238</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## RESOLUTIONS

The following routine resolutions, listed on consent agenda were offered by Councilman Badillo; seconded by Councilman Dinardo.

### RESOLUTION NO. 65-08

BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle Park hereby appoints Sandy Smith, 21 South 20<sup>th</sup> Street, Kenilworth as Clerk for the Zoning Board, effective January 23, 2008 at an annual salary of \$2,008.76.

<b>✓ Vote Record – Resolution 65-08</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### RESOLUTION NO. 66-08

BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle Park hereby appoints Rachel LaSpina, 10 Epping Drive, Kenilworth to the position of Tax Search Officer for the Borough of Roselle Park, effective January 1, 2008 at a salary of \$2,000 per annum.

<b>✓ Vote Record – Resolution 66-08</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### RESOLUTION NO. 67-08

WHEREAS, the Borough of Roselle Park desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$73,000.00 to carry out a project to

NOW THEREFORE BE IT RESOLVED,

- 1) that the Borough of Roselle Park does hereby authorize the application for such a grant; and

2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Roselle Park and the New Jersey Department of Community Affairs

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

✓ Vote Record – Resolution 67-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 68-08**

BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that:

1. Joseph F. Morris, III of the firm McElroy, Deutsch, Mulvaney & Carpenter, LLP be and hereby is appointed Alternate Municipal Prosecutor to serve only in the absence or disqualification of the Chief Municipal Prosecutor for a term ending on December 31, 2008.
2. As to those matters in which he is called to serve, Mr. Morris shall have all the powers and authority provided for Municipal Prosecutors by statute, Borough ordinances, and court rules and rulings and shall be subject to the same and to the rules and regulations of the Administrative Office of the Courts.
3. Robert Donovan, Esquire, heretofore appointed Municipal Court Prosecutor is hereby designated Chief Municipal Prosecutor.

✓ Vote Record – Resolution 68-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 69-08**

WHEREAS, the Borough of Roselle Park is aware of the national problem caused by lead-based paint potentially effecting up to 14,000 households with children under the age of six within Union County; and

WHEREAS, the County of Union Department of Parks and Community Renewal, Division of Planning and Community Development, Bureau of Housing was awarded up to \$4 million to reduce the lead hazard among Union County's most vulnerable children; and

WHEREAS, the purpose of the proposed Union County Lead Hazard Reduction Demonstration Grant Program will be to educate, test and remediate lead hazards in Section 8 income eligible homes according to the Department of Housing and Urban Development, focusing on homes with children six years of age and younger throughout Union County; and

WHEREAS, the Department of Parks and Community Renewal, Division of Planning and Community Development, Bureau of Housing has asked for support from Roselle Park.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that it supports the Union County Lead Hazard Reduction Demonstration Grant Program; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Roselle Park authorize the Municipal Health Officer, Code Official and Community Development representative to assist and cooperate in the efforts to reduce the lead hazard within the community; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Alfred J. Faella, Director, Department of Parks and Community Renewal, Administration Building, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

<b>✓ Vote Record – Resolution 69-08</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 70-08**

RESOLVED that Jessica Heather Bogoski, 54 Reinhold Terrace, Union, New Jersey, be and is hereby appointed to the position of part-time Evening/Day Director for the Casano Community Center, effective immediately, at a salary of \$8.89 per hour.

<b>✓ Vote Record – Resolution 70-08</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 71-08**

WHEREAS, Christine Busch, School Crossing Guard for the Roselle Park Police Department has requested an unpaid leave of absence under the Family Medical Leave Act from June 1, 2008 to March 30, 2008; and

WHEREAS, the Mayor and Council of the Borough of Roselle Park desire to make clear the terms of Christine Busch's leave for the purpose of record keeping;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Christine Busch be and is hereby granted an unpaid leave of absence under the Family Medical Leave Act effective January 1, 2008 to March 30, 2008.

✓ Vote Record – Resolution 71-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 72-08**

BE IT RESOLVED, that the following individuals be appointed as Roselle Park Recreation Referees for the 2008 season at a salary set by Borough Ordinance:

Codi Dugan                      321 Seaton Avenue, Roselle Park  
Michelle Rose                    402 Locust Street, Roselle Park

✓ Vote Record – Resolution 72-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 73-08**

WHEREAS, a professional service contract be and is hereby awarded to Michael Tripodi, Esquire for the year 2008; and

WHEREAS, Michael Tripodi, Esquire shall perform the duties of the Planning Board Attorney, as established by Roselle Park Code Chapter XL. Article I. Section 40-105 et seq., at the annual rate of \$5,300, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that this appointment is made and this agreement is entered into pursuant to a fair and open process under NJSA 19:44A-20.4 et seq.; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to and that notice of this appointment in the form attached be published in a newspaper authorized to receive legal advertisements on behalf of the Borough of Roselle Park within ten (10) days of this date in accordance with New Jersey law.

**BOROUGH OF ROSELLE PARK  
NOTICE OF AWARD**

- |                          |  |
|--------------------------|--|
| 1. CONTRACTOR:           | Michael Tripodi, Esquire   |
| 2. NATURE OF SERVICES:   | Planning Board Attorney  |
| 3. DURATION OF SERVICES: | January 1, 2008 until December 31, 2008<br>or until his successor is appointed |
| 4. AMOUNT:               | \$5,300 annual rate  |

✓ Vote Record – Resolution 73-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 74-08**

WHEREAS, a professional service contract be and is hereby awarded to John Fitzpatrick, Jr., Esquire for the year 2008; and

WHEREAS, John Fitzpatrick, Jr., Esquire shall perform the duties of the Zoning Board Attorney, as established by Roselle Park Code Chapter XL, Article II, Section 40-203 et seq., at the annual rate of \$5,300, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that this appointment is made and this agreement is entered into pursuant to a fair and open process under NJSA 19:44A-20.4 et seq.; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to and that notice of this appointment in the form attached be published in a newspaper authorized to receive legal advertisements on behalf of the Borough of Roselle Park within ten (10) days of this date in accordance with New Jersey law.

**BOROUGH OF ROSELLE PARK  
NOTICE OF AWARD**

- |                          |  |
|--------------------------|--|
| 1. CONTRACTOR:           | John Fitzpatrick, Jr., Esquire   |
| 2. NATURE OF SERVICES:   | Zoning Board Attorney  |
| 3. DURATION OF SERVICES: | January 1, 2008 until December 31, 2008<br>or until his successor is appointed |
| 4. AMOUNT:               | \$5,300 annual rate  |

✓ Vote Record – Resolution 74-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 75-08**

WHEREAS, Block 303 Lot 7 (otherwise known as 435 Willow Ave., Roselle Park, NJ) and assessed in the name of Fernando & Maria Pereira, owner demolished house resulting in Tax Assessor reducing assessment; and

BE IT RESOLVED, that the Collector is hereby authorized to cancel 2007 taxes in the amount of \$2,047.12 on Block 303 Lot 7 (otherwise known as 435 Willow Ave., Roselle Park, NJ) and assessed in the name of Fernando & Maria Pereira; and

BE IT FURTHER RESOLVED, that the overpayment in the amount of \$249.38 created by this action be applied to 1<sup>st</sup> Quarter 2008 Taxes reducing the payment from \$844.52 to \$595.14.

✓ Vote Record – Resolution 75-08		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 76-08**

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that The Collector is hereby authorized to reduce the Sewer Utility charges on the following account for 2007:

<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Billed</u>	<u>Actual</u>	<u>Amount Reduced</u>
Jordan, Amelia	905	8	808	81	727 (\$1519.43)

Paperwork confirming the above figures are available in the Tax Office.

✓ Vote Record – Resolution 76-08		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 78-08**

WHEREAS, the Borough of Roselle Park wishes to secure the professional services of an engineer for the construction management for the project 237 Sherman Avenue Sewer Inlet in accordance with their agreement for said services and,

WHEREAS, such services are exempt for the requirement for bidding under N.J.S.A. 40A:11-5(1) (a) (I); now, therefore, be it

RESOLVED, by the Mayor and Council of the Borough of Roselle Park that the Mayor and Council be and is hereby authorized to enter into an agreement with Neglia Engineering Associates in the amount not to exceed 2,600.00.

**BOROUGH OF ROSELLE PARK  
NOTICE OF AWARD**

- |                  |   |
|------------------|---|
| 1. NAME:         | Neglia Engineering, Lyndhurst, New Jersey                                       |
| 2. NATURE:       | For the construction management for the project 237 Sherman Avenue, Sewer Inlet |
| 3. DURATION:     | Until December 31, 2008 or until successor is appointed.                        |
| 4. COMPENSATION: | Not to exceed \$2,600.00  |



✓ Vote Record – Resolution 78-08		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 79-08**

WHEREAS, the Governor of New Jersey has unveiled a fiscal plan for balancing the State budget that relies on periodic substantial annual increases in tolls on New Jersey’s toll roads; and

WHEREAS, the operating characteristics of 102-inch wide trucks and double-truck trailer combinations (hereinafter called large trucks) require greater stopping distances and greater distances to maneuver; and

WHEREAS, the physical limitations of two-lane highways and local roadways other than the interstates (hereinafter called local roadways) do not offer a safe means of travel for large trucks; and

WHEREAS, the use by large trucks of local roadways poses a significant risk to the health, safety and welfare of the residents who live on and along these roads; and

WHEREAS, the use by large trucks of local roadways poses a substantial risk to the health, safety and welfare of the millions of school children being bused on these roads to and from schools on a daily basis; and

WHEREAS, the use by large trucks of local roadways poses a substantial risk to the millions of commuter on these roads each day; and

WHEREAS, motor vehicle accidents on State Highway Route 28 and County Roads 616, 617, 618, 619 and 627 involving large trucks have resulted in numerous fatalities and injuries and substantial damage to property; and

WHEREAS, random truck inspections by the NJ State Police have revealed that thirty-five<sup>i</sup> to fifty-five percent<sup>1</sup> of all trucks inspected have safety violations, and more than eighteen percent<sup>1</sup> have violations so severe that they are immediately taken out of service; and

WHEREAS, since 9/11, the NJ State Police, property focused on ensuring “homeland security”, have limited staff and resources to conduct truck inspections on local roadways; and

WHEREAS, given the number of strategic ports in the State and proximity to New York City, the NJ State Police does not have the manpower to conduct sufficient random inspections, resulting in an inadequate ability to conduct truck inspections; and

WHEREAS, given the number of its strategic ports, New Jersey serves as a point of origin for trucking based operations that serve the entire United States; and

WHEREAS, any regulation that does not encourage the use of the National Network, including the Turnpike, for the Interstate distribution of trucks will otherwise force trucks to use local County and Municipal Roads; and

WHEREAS, the use by large trucks of undersized, local roadways causes an accelerated deterioration of those roadways and results in an economic burden to local municipalities who struggle on a regular basis to keep their roadway capital budget in check; and

WHEREAS, the Legislature has imposed budget CAP restrictions that severely limit a municipality’s ability to fund capital roadway repair projects; and

WHEREAS, in 1999, the New Jersey Department of Transportation (DOT) imposed a ban on the use of two-lane county and State highways by large trucks passing through the State; and

WHEREAS, the 1999 ban on large trucks resulted in a twenty<sup>ii</sup> to forty-five<sup>2</sup> percent reduction in heavy trucking on State Highways depending on the season; and

WHEREAS, on February 21, 2006 the 3<sup>rd</sup> Circuit Court of Appeals invalidated the 1999 ban; and

WHEREAS, in response, the DOT passed emergency regulations limiting the use by large trucks on New Jersey's State, county and local roads; and

WHEREAS, the DOT has now proposed permanent trucking regulations that limit the ability of large trucks to use New Jersey's State, county and local roads; and

WHEREAS, the new DOT truck regulations are intended to mitigate the risk to the public by encouraging large trucks to use only the interstate highways and other roads designated as part of the "National Network", including the New Jersey Turnpike and Garden State Parkway, two of the toll roads slated for substantial increases under the Governor's plan; and

WHEREAS, counter to the new truck regulations, the proposed increase in tolls will result in increased truck traffic on local roadways (an increase of anywhere between seven percent<sup>iii</sup> to thirty percent<sup>iv</sup>); and

WHEREAS, this increase in truck traffic on local State, county and municipal roads will increase the risk to life, limb and property of local residents and the traveling public<sup>v</sup>; and

WHEREAS, since the enactment of the DOT regulations are only part of the solution, a coordinated, regional approach to safety on local municipal roadways must be established.

NOW, THEREFORE, BE IT RESOLVED, on this 7<sup>th</sup> day of February 2008, by the Borough of Roselle Park, Union County, State of New Jersey that the Mayor and Council of the Borough of Roselle Park calls upon the Governor of New Jersey and the New Jersey State Legislature to ensure that in order to meet the additional law enforcement burden imposed by these new regulations, enforcement powers (including safety, opacity [pollution] and weigh tests) should be granted to municipal law enforcement officers as they were prior to 1994, with appropriate training by the State, to stop and investigate trucks traveling through their municipalities to ensure compliance; and

BE IT FURTHER RESOLVED, that the Borough of Roselle Park urges the New Jersey State Police to increase the number of random roadside inspections of trucks throughout all communities, and that the State Police keep weigh stations open longer hours; and

BE IT FURTHER RESOLVED, that the State fund the installation of more roadside inspection stations in areas that receive disproportionate truck traffic resulting from these new regulations, and that where possible, the DOT combine rest stops and convenient services (food, directions, etc.) to encourage alert truck driving; and

BE IT FURTHER RESOLVED, that the Borough of Roselle Park encourages the Governor and the DOT to explore providing fiscal and other incentives for truck drivers and fleet owners with excellent safety records, such as a rebate of truck taxes, and expand incentives programs (e.g. toll reductions, reductions in fuel costs) that help keep large trucks on the "National Network"; and

BE IT FURTHER RESOLVED, that the Borough of Roselle Park encourages the Governor and the DOT to explore the installation of smart technology and/or in-road safety devices (such as reflectors along lane stripes) to keep trucks in lanes and prevent non-attentive driving; and

BE IT FURTHER RESOLVED, that the Borough of Roselle Park encourages the Governor and the DOT to install adequate signage to remind large trucks to remain on the “National Network” in keeping with the DOT regulations; and

BE IT FURTHER RESOLVED, that the Borough of Roselle Park encourages the Governor and the DOT to create additional funding sources to help municipalities make necessary repairs created by the accelerated deterioration of roadways and deal with the resulting economic burdens resulting from increased large truck traffic; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall forward a copy of this Resolution to the Governor of New Jersey, the Commissioner of the New Jersey Department of Transportation, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, all Senate and Assembly Legislators, all New Jersey Freeholder Boards, and all New Jersey Mayors.

✓ Vote Record – Resolution 79-08					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 80-08**

WHEREAS, the Federal Aviation Administration (FAA) has received eleven separate appeals regarding the airspace redesign proposed for Newark Liberty International Airport, including one legal action filed October 22, 2007 by Union County; and,

WHEREAS, the FAA nevertheless is rushing ahead to install the onerous “fanning” change in departure patterns it calls “dispersal headings,” without the required nighttime ocean routing noise mitigation and without legally required compliance monitoring; and

WHEREAS, the City of Elizabeth has filed for a stay of this implementation, and the FAA needs other later airspace changes to fully utilize dispersal headings, so that it deploys any changes gradually over time in order to moderate public reaction; and

WHEREAS, these dispersal headings will cause a large shift of noise away from unpopulated areas towards New Jersey, with some communities near Newark Liberty International Airport suffering five-fold increase in noise/air pollution, affecting over 100,000 New Jersey residents including those who live in Roselle Park; and

WHEREAS, these changes will negligibly reduce delays and at best create two or three additional departure slots per hour, in exchange for overwhelming environmental impact on nearby communities; and

WHEREAS, residents of New Jersey are heavily opposed to this change, with Union and Bergen counties, the City of Elizabeth, New Jersey Coalition Against Aircraft Noise (NJCAAN), and the Pascack Valley Mayors currently in litigation; and

WHEREAS, Roselle Park residents deserve the protection of their officials and County and State agencies from passively absorbing extra air traffic while other states defend their own turf.

NOW, THEREFORE, BE IT RESOLVED THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE PARK:

1. That it requests that Governor Corzine protect his constituents by using state influence with the Port Authority of New York/New Jersey.
2. That it urges Governor Corzine to also contact the Federal Aviation Administration and institute an action to legally intervene in one of the eleven law suits currently underway.
3. That copies of this Resolution be forwarded to Governor Corzine, Congressman Michael Ferguson, State Senator Tom Kean, Jr, Assemblymen Jon Bramnick and Eric Munoz, and the Union County Freeholders, Union County Municipalities and New Jersey State League of Municipalities.

✓ Vote Record – Resolution 80-08		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Badillo moved the following resolution; seconded by Councilman Yakubov.

RESOLUTION NO. 77-08

WHEREAS, the Borough of Roselle Park wishes to secure the professional services of an engineer for the preparation of plans and specifications for the Lincoln Avenue Railroad Station Enhancement Project in accordance with their agreement for said services and,

WHEREAS, such services are exempt for the requirement for bidding under N.J.S.A. 40A:11-5(1) (a) (I); now, therefore, be it

RESOLVED, by the Mayor and Council of the Borough of Roselle Park that the Mayor and Council be and is hereby authorized to enter into an agreement with Neglia Engineering Associates in the amount of:

Engineering Design & Bidding Services	\$15,000.00
Permits (Soil Erosion & DCA)	\$ 3,500.00
Stormwater Management	\$ 2,900.00
Meetings	\$ 2,400.00
<b>TOTAL</b>	<b>\$23,800.00</b>

**BOROUGH OF ROSELLE PARK  
NOTICE OF AWARD**

1. NAME: Neglia Engineering, Lyndhurst, New Jersey
2. NATURE: For the preparation of plans and specifications for the Lincoln Avenue Railroad Station Enhancement Project
3. DURATION: Until December 31, 2008 or until successor is appointed.
4. COMPENSATION: \$23,800.00

<b>✓ Vote Record – Resolution 77-08</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Adopted	Badillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mayor DeIorio read the Closed Session resolution and said Council would be discussing the following matters:

- Contract for Police Chief Paul Morrison who has been riced.
- Roselle Park LLC vs. Roselle Park

INTERRUPT REGULAR ORDER OF BUSINESS

Councilman Badillo moved to interrupt the regular order of business for a Closed Session meeting; seconded by Councilman Miranda and adopted.

RESUME REGULAR ORDER OF BUSINESS

Councilman Dinardo moved to resume the regular order of business; seconded by Councilwoman Chen-Hoerning and adopted.

Mayor DeIorio said that during Closed Session, Council discussed the following matters:

- Contract negotiations for Police Chief Paul Morrison
- Roselle Park LLC vs. Roselle Park

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

Attest:

Borough Clerk