

Borough of Roselle Park Regular Meeting of June 19, 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	A	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	Councilwoman	P	7:30 PM
Modesto Miranda	Borough of Roselle Park	Councilman	A	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.

COMMUNICATIONS

Councilman Badillo moved the following communications, seconded by Councilman Dinardo, all members present voting Aye, said motion was adopted.

1. Request from residents of the 600 block of Filbert Street to hold a "Block Party" on Saturday, July 19, 2008 from 11:00 a.m. until 10:00 p.m.
2. Request from residents to close Amsterdam Avenue between West Lincoln and West Webster and Ashwood Avenue between West Lincoln and Amsterdam to hold a "Block Party" on Friday, July 4, 2008 from 10:00 a.m. until 10:00 p.m.
3. Request from Mr. & Mrs. Fava to close the 400 block of Spruce Street to hold a Birthday Party on Saturday, July 5, 2008 from 10:00 a.m. until 10:00 p.m.
4. Request from the residents of the 600 block of Sheridan Avenue to hold a "Block Party" on Friday, July 5, 2008 from 10:00 a.m. until 10:00 p.m.
5. Request from Mr. & Mrs. Rodriguez to close the 400 block of Spruce Street to hold a Birthday Party on Sunday, June 29, 2008 from 12:00 noon until 9:00 p.m.

REPORT AND RECOMMENDATIONS OF MAYOR

- Thanked everyone that participated in Roselle Park's Relay for Life, which was a fantastic event. He thanked the all the American Cancer Society representatives such as Maria DelRio, Laura Hahn, Suzanne Kinloch, team members and residents that participated.

- The Borough will be hosting a 4th of July Celebration at the Green Acres Complex from 12:00 to 4:00 p.m. There will be various organized events for children, music and various vendors. The festivities will end with the fireworks celebration.
- In August, the Borough will be participating in the nationwide National Night Out and are planning a barbecue for families at the Community Center that same night. He asked everyone take note of the wonderful improvements at the Community Center. There is a new sliding glass door that was purchased with grant money. There are dramatic improvements to the back yard and a new grill has been installed. Private events can also be scheduled through the Community Center at a nominal price. The Casano Center Committee has been taking an active roll in the improvements of the Center.
- New crosswalks have been installed on Chestnut Street and will be moving forward with the second phase of that.
- Will be doing a 275 mile bike ride in September from Gettysburg, Pennsylvania to New York City. This ride will be to help raise money for AIDS and HIV. If anyone is interested, it will be put on the Borough website. There will be cans displayed for donations.

REPORTS OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Dinardo

- Councilman Yakubov and he held a Neighborhood Watch meeting on June 13th and it was well attended.
- Attended a Library Meeting, but there was no quorum.
- Attended the Feast at Assumption Church, and it was well attended.
- Participated in the Relay for Life which was also well attended.
- The Townwide Garage Sale was well attended.
- The new crosswalks on Chestnut Street are a big improvement to that area.

Mayor DeLorio thanked everyone involved in the Townwide Garage Sale. He thanked Deacon Caporaso for using his home to allow him to sell some things to raise money for his bike ride.

Councilman Yakubov

- Reported on the Neighborhood Watch meeting held on June 13, 2008. It was discussed how the Police Department can help with the Neighborhood Watch Program.
- Would like to replace the Neighborhood Watch signs that are now in the Borough.
- Would like to advertise the program on TV34 and have a table at the 4th of July Celebration and National Night Out.
- Thanked a resident for providing food for the residents at the meeting.

- There has been progress made on Valley Road in the past couple of months, Code Enforcement Officer Carl Pluchino has been in contact with the County. They were out there again this morning and additional issues were brought forth to them.
- A date will be arranged for SLAP teams to be out there again; residents on Valley Road will be noticed for that date.
- There was a report of aggressive speeding on W. Webster Avenue by the Webster Gardens apartments. He contacted the Police Department and they responded immediately; they will be doing a 10 day traffic study in that area.
- Bulk waste will take place on the West side of town on Friday.
- For removal of white goods, residents should contact the DPW.
- Attended the dedication ceremony at Girl Scout Park and would like to recognize them.
- Will be attending the COAH seminar that will be held throughout the State.

Councilman Badillo

- Delivered maps on Saturday to residents for the Townwide Garage Sale. Most commented it was very well advertised and well attended. It was suggested maps be placed in businesses such as Seven Eleven, Dunkin Donuts or the diner. Signs can also be placed at all the entrance points of town.

Mayor DeIorio suggested they use the Community Center as a point for the Garage Sale for people who do not have a place to sell their goods. It was also suggested the costs be looked into because with additional advertisement it may increase.

Ms. Cali said it was advertised on the calendar, mailed to each home and in the backpack program.

- Councilman Badillo said he attended a Public Safety Meeting and they are going to ask the Borough Attorney to look into the legality of fire boxes and what can be done with them.
- Brought up the issue of extra parking permits in the parking permit areas and they agreed the streets would be evaluated by the Traffic Safety Officer.
- The representative from Global Connect will come in to give a presentation to the entire Council. He passed out brochures that explain the whole program. It can be used to poll residents on issues, specific streets can be targeted for things such as emergency street closings, etc. The cost is about 55 cents per phone number; additional lines are 25 cents; it would be about \$2,300 per year.
- Attended the Relay for Life.
- Attended the Dad's Club meeting.
- Asked about the remediation letter for the Little League Fields.
- Congratulated the 2008 Roselle Park High School graduating class.
- The Little League tournament will begin on June 21st and asked for everyone's support.

- Thanked the group of men that built the mounds at the High School field complex for the annual tournament.
- Attended the Assumption Feast.
- Received many compliments on the new crosswalks on Chestnut Street.
- Received calls about the house on Chestnut Street that was involved in the fire.

Councilwoman Chen-Hoerning

- Thanked the DPW for filling the holes on Chestnut Street.
- Had the Ward walk around last week and there were issues suggested. The next walk date and location will be posted on her website.
- Attended the Relay for Life.
- Attended the Assumption Church Feast.
- Participated in the Townwide Garage Sale.
- Attended the Roselle Park Historical Society meeting and encouraged residents to join for \$2.00 per year.
- Spoke about the fence around the parking lots downtown; before anything is done, we need a plan in place.

Mayor DeIorio said there are three plans; either leave the fence down, put up a new fence, or put up some type of hedging to create a buffer.

- Councilwoman Chen-Hoerning said she was contacted by a resident regarding open house signs on a main street and asked if exceptions are ever made for this.

Mayor DeIorio said they would have to be careful how they define that in the ordinance. There are times when signs are left for long periods of times after the sale is over. It is State law that you cannot put signs on poles.

- Councilwoman Chen-Hoerning said she brought up the issue of Planning Board meetings and having them televised.

Mayor DeIorio said there would be an additional cost for that to take place. The Borough also shares the station with the school and must coincide with their schedule.

- Councilwoman Chen-Hoerning asked if all items have to be put on a consent agenda; can they be done separately.

Mayor DeIorio said Councilmembers do have the opportunity to pull them off consent at the meeting. If they separate them, he would still like Council to be able to pull one off to discuss it if they would like. He asked that she make recommendations for them to consider. The consent agenda was brought forth by Assemblyman Neil Cohen when he was the Borough Attorney.

Councilman Badillo said it does not make a difference; the system was refined where you must have what you want on the agenda in by Friday and then Monday or Tuesday, it is sent to

Council by the Clerk. It can be reviewed at that time and if there is something that should not be on, you can relay that to the Clerk.

Mayor DeIorio said when you receive it on Friday and you want something changed, call or email the Clerk and it can be moved to another section. There will always be an opportunity on the day of the meeting to pull something off the agenda.

CERTIFICATES/PROCLAMATIONS

CERTIFICATES

- James Vigliotti
- Pastor David K. Ravinder

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.

Joseph Ruck

- Asked about the letter he received about the fence being removed from the Borough parking lot.
- Concerned about a number of issues.
- When his home that abuts the main parking lot now was built, there was not parking lot.
- At that time many residents were opposed to the parking lot; the final agreement was the fence.
- As the son of the original property owner, he should have been given more awareness regarding it so he could properly look into it.
- Has heard about the fence, but not about any safety issues.
- In 2002 the fence protected a car coming through and hitting his home.
- There is a creek behind his property behind the fence and removing that could create a safety issue for children.
- The stone on the walls of the creek are falling apart.
- When there was no fence in the yard, there were laborers that worked for construction companies that would come on his property and drink beer. His daughter was also concerned of what they may do and called the police to have them removed.

Ms. Ruck

- Concerned because she has a small child that plays in the yard, so the fence is important in that respect.
- If it just comes down, it will be wide open; it is better to have a plan first.

Mayor DeIorio said he had suggested to just replace the fence. We discussed the costs and one of the ideas was to just remove it. Another idea was to put in a hedge as a buffer.

Joseph Ruck

- There is culvert that runs from the back of his yard all the way up the street. The problem with planting is that 1/3 of the planting would be above the culvert, which would be shallow ground.

Councilman Badillo said regarding that culvert, the County has made some improvements. We are working our way downstream to fix and improve all of that area. The creek area will be checked and we are working on a permanent fix in that area.

Mayor DeIorio said at the next budget meeting, we will discuss the alternatives for that area. If we don't take action right away, nothing will be done.

Doug Allen, 127 Williams Street

- The fence is worn, but it is better than having nothing; replacement would help.
- He asked about the pavers on Chestnut and Grant and that it does not look like they completed it there.

Borough Engineer Nick Villano said this material is installed in newly installed pavement, if it is put on a side street where the pavement is deteriorated it will not hold up. The way the County paved the road, it was only along the curblin. Once the side road is paved, we can go back and touch it up so it will look finished off.

- Mr. Allen said the new construction that was done on Williams Street has begun to fall in the center.
- Regarding the bulk, there were scavengers out there taking it.

Denise Urban, 617 Filbert Street.

- Thanked Councilman Yakubov for coming to the Girl Scout Park dedication.
- The 600 block of Filbert Street is from Colfax to Lincoln. They have permit parking on that street which is street specific. It is not fair because there are many cars and they are only 1 block from the train station. Anyone that lives on any other block of Filbert Street can park on that block. Many of the people on Filbert do not take the train, take their car to work and the commuters park there and there is nowhere for the residents to park. She thinks the parking should be street specific and not block specific.

Councilman Badillo said the intent of those permits is to allow you to park on your own block. If there are residents abusing this, the police can run the plate and issue a ticket. The permit is to give you the capability to park on your block, not to park anywhere there is permit parking.

- Mrs. Urban said when you are coming down the block, you can see there is a permit but you must get out of the car to see the number if that car belongs there. Perhaps there should be a different color for certain blocks that are affected in this way.
- When calling the Police Department, she was told by the Dispatcher to call back between 1:00 and 2:00, which was wrong.

Councilman Badillo said that will be addressed. We have a list of everyone that has permit parking and he suggested a letter be sent to all the residents explaining the intent of the program again; there are many new residents in town.

Mayor DeIorio said if it was enforced before by someone else, it should be enforced. The ordinance is block specific, so some changes would have to be made.

Councilwoman Chen-Hoerning said she had asked if it is sufficient to have an entire street rather than one block.

Councilman Badillo said the intent of that ordinance was block specific; you are supposed to stay on your own block.

Mayor DeIorio said a motion was not necessary, we can do that.

Councilman Badillo asked if anyone has a problem and Mayor DeIorio said it moved.

- Mrs. Urban said the 600 Block of Filbert Street is a one way street towards the train station and there are some people that do not know that. There is no stop sign at the end of Filbert Street coming off of Colfax because you are not supposed to be coming that way. There are many cars that come down that street the wrong way. A larger sign is needed so it will be seen.

Councilman Badillo said he will contact the DPW and if there are any signs, he will have them installed immediately.

- Mrs. Urban inquired about the left hand turn on Locust Street between 5-7 p.m. and also the left hand turn toward Chestnut Street between 5-7 p.m.; this is an enforcement issue. Asked why you can go straight and not make the left turn and that is not enforced.

Mayor DeIorio said that will be addressed with the Police Chief.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Badillo moved to interrupt the regular order of business; seconded by Councilman Yakubov and adopted.

Labor Counsel – Linda Niedweske

- Councilman Matarante requested her to present the suggestion there be summer help for the Department of Public Works for next year. They would hire students that live in Roselle Park to work at the DPW and have an agreement between the Union and Public Works.
- Contacted Union officials and they are fine with it.
- Would not be doing any Union work, so it would be acceptable for them to be paid minimum wage.
- It has been presented to the Municipal Services Committee, who in turn suggested it be presented to the Governing Body.

Mayor DeIorio said this was discussed at a budget meeting; we cannot implement it this year due to budgetary constraints. We would like to set this in place for next year; legally everything is okay.

Councilman Yakubov asked about insurance and Ms. Niedweske said they would be covered by regular insurance; they would be seasonal employees and no pension is involved.

- Ms. Niedweske brought up the issue of the defense of animals. They have been approved to teach a sub specialty at Rutgers; it would be animals, community and the law. It would teach people various laws regarding animals and community involvement. There are many problems in communities such as cat colonies and vicious dogs and many end up in litigation. It causes disharmony between friends and neighbors.
- Would like to have a practicum in which people would take three courses through the university and then work with the community to try to amicably resolve some of the issues. There have been residents in the Borough doing responsible things taking care of homeless animals and have been caught under the pet limit laws or no feeding laws. There are many old ordinances on the books.
- Asked if Roselle Park would consider to be part of the practicum and create a mediation program.
- Asked if the Borough would consider rescinding the pet limit law and enforce other health laws. The real issues are not how many animals you have, but how they are cared for.

Mayor DeIorio said the first thing would be to put together a mediation program similar to the Community Dispute Resolution program that is already in place. If there are no objections, it is something we can test and if it works, it would be a model for other communities.

- Ms. Niedweske said there would be no cost; the Borough may only have to change some of the ordinances. A model can be presented to the Borough.
- Has a packet that explains the pet limit laws and also the program at Rutgers.

- The pet limit laws encompass people that may not be doing anything badly; they may have many animals, but they are all well cared for, spayed/neutered and have regular veterinarian checks.
- If there are any serious problems, they will address them as well.

Mayor DeIorio said one option is if they are considering a change to the ordinances could they put some type of sunset provision for a year to test it.

Ms. Niedweske said the whole idea is to be proactive in this situation.

Mayor DeIorio said the Public Safety Committee can review it again.

RESUME REGULAR ORDER OF BUSINESS

Councilman Badillo moved to resume the regular order of business, seconded by Councilman Yakubov and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Gave out the number for the Department of Public Works – 245-7676.
- Fifty percent of the bulk waste was picked up by scavengers.
- On Charles Street a woman was in the crosswalk and seven cars passed, not allowing her to cross.
- Last week a question was brought up by a resident regarding the elections in Elizabeth.
- Article in the Star Ledger about adopting term limits for political appointees and elected officials.
- Referred to an article in the Star Ledger about Essex police taking steps to cut high rate of pedestrian deaths in crosswalks. They received a \$40,000 federal grant.
- Never received a copy of the report regarding how many people were injured on Chestnut Street at the crosswalks.
- Referred to an article about conserving energy.
- Suggested there be a townwide barbecue with a theme.

Mayor DeIorio said it was suggested there be a barbecue at the Community Center incorporated with National Night Out.

- Mr. Magiera spoke about speeding vehicles coming off of Galloping Hill Road onto E. Colfax Avenue and then to Sheridan Ave. There should be a more visible sign, children playing or a four way stop sign.
- Catch basins with stormwater have standing water which breed mosquitoes and asked if the County will be contacted to spray them.

Mayor DeIorio said that is the Westfield Regional Board of Health's responsibility.

- Mr. Magiera spoke about the Federal Stimulus Rebates and it is not on the Roselle Park website.

- Senator Kean is fighting for the seniors for the whole rebate for 2007.
- Agreed with the residents and Councilwoman Chen-Hoerning regarding the fence around the parking lot.
- Hawthorne basin fence can be repaired temporarily and then look for grant money.
- Spoke about the cost involved in televising the Zoning and Planning Board meetings. People would be more involved if they were able to view them on television.

Laura Hahn, 40 E. Sumner Avenue

- Gave an update on the Relay for Life.
- Forty three teams attended and between 400 and 500 participated through the night.
- Thanked everyone who attended and volunteered for the Cancer Prevention Study.
- As of June 8th \$113,000 was raised.
- On June 26th there will be a wrap up meeting at 6:00 p.m. at the American Cancer Society Office in Elizabeth and everyone is invited.

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

Mayor DeIorio said there is a presentation by American Traffic Solutions.

Mr. Charles Callari, American Traffic Solutions

- Very unique technology in New Jersey and about 12 municipalities will be approved by the Department of Transportation.
- Part of the program is to increase public safety and provide their customers with self friendly transportation solution.
- Program requires no out of pocket expense from the municipality.
- Incur their fees on the successful collection of revenue of the violation component.
- U.S. owned company with American made equipment.
- Various pieces of equipment are bought through various manufacturers and they are reassembled in the United States to their specifications.
- Largest red light camera provider in terms of the overall population density.
- Have the Philadelphia, New York and Washington, DC business.
- Company on the New York side shows 73% reduction in violations, 41% reduction in collisions and 35% reduction in fatalities.
- Similar results in the Philadelphia market.
- Service both large and small municipalities.
- Same software packet is offered to all municipalities; if one municipality makes an improvement or change, all municipalities receive the same update.
- Chief competitor is Redflex, but their product is exposed to a greater population.
- Used to participating in large bid processes.
- Favorably supported by their constituents and residents.
- Roll out a public relations campaign to make everyone aware the program is in place.

- Offer the highest resolution camera imaging system, which is a 12.4 mega pixel with high resolution lenses.
- Camera blends in the environment of the community and is not an eyesore.
- Offer wireless beeper protectors that are inserted in ground with a minimal disruption at the location and is the detection devise that picks up the movement of the vehicle as it goes through the intersection.
- Can capture multiple simultaneous violations which are very common in New Jersey.
- Eliminate the risk of incorrect citations due the capture of the wrong plate.
- Showed slides and described the various phases of the program.
- Have relationships with various DMV's throughout the country, which allows them to access information.

Councilman Yakubov asked if they foresee in the future this program working with someone making an illegal turn.

- Mr. Callari said at this time you cannot; once the technology is implemented throughout the State and there is enough support through the legislation.

Mayor DeIorio said there are legal and financial issues they must look at and then go out for bid.

REPORTS OF DEPARTMENTS

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

- Municipal Court Report for May, 2008
- Treasurer's Report for May 2008
- Engineer's Report for June 12, 2008

MOTION BILLS & PAYROLLS BE NOT READ

MOTION BILLS AND PAYROLLS BE PASSED FOR PAYMENT

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

PASSAGE OF ORDINANCES

SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 2245

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ROSELLE PARK TO AMEND SECTION 128-58-B RELATING TO STORM DRAINS AND CREATE CHAPTER 130, A STORMWATER CONTROL ORDINANCE, IN THE BOROUGH OF ROSELLE PARK TO ENACT STORMWATER CONTROL REGULATIONS.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE PARK:

Councilman Badillo moved to open the public hearing on Ordinance #2245; seconded by Councilman Yakubov and adopted.

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

Councilman Badillo moved that Ordinance #2245 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Yakubov.

<input checked="" type="checkbox"/> Vote Record – Ordinance #2245		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

INTRODUCTION

ORDINANCE NO. 2246

AN ORDINANCE ESTABLISHING A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM IN THE BOROUGH OF ROSELLE PARK

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter VII, Section 7:41 of the Borough Code is hereby amended to add the following:

WHEREAS, by P.L. 2007, Chapter 348 (the “Act”), the Legislature of the State of new Jersey has determined that the installation of a traffic control signal monitoring system by municipalities complementing local law enforcement could serve as an effective tool in encouraging drivers to observe and obey traffic control devices at intersections, thereby increasing traffic flow and pedestrian safety; and

WHEREAS, the Borough of Roselle Park is desirous of installing traffic control signal monitoring systems at various intersections within the Borough of Roselle Park; and

WHEREAS, the Borough has determined that adoption of the Ordinance is in the best interests of the health, safety and welfare of the Borough and its residents.

NOW, THEREFORE, be it ordained by the Council of the Borough of Roselle Park, County of Union and State of New Jersey as follows:

SECTION 1. Installation.

(a) The Borough of Roselle Park hereby determines to install and utilize a traffic control signal monitoring system (“System”) at various intersections within the Borough of Roselle Park as approved by the Commissioner of Transportation pursuant to the Act.

(b) The System to be installed shall be approved by the Governing Body by resolution.

(c) The Borough shall have the authority to enter into a contract, following a lawful procurement process, for the installation of the System. Any contract that shall contain provisions contrary to the Act shall not be deemed invalid but rather reformed to conform to the act.

(d) The signs notifying drivers that a System is being utilized shall be approved by the municipal engineer, and shall be placed on each street converging into the affected intersection as required by the Act.

(e) The Municipal Engineer shall inspect and certify the System at least once every six (6) months from the date of its installation.

SECTION 2. Issuance of a Summons.

The Police Department of the Borough of Roselle Park shall review the recorded images produced by the System, to determine whether sufficient evidence exists demonstrating that a traffic control signal violation has occurred and shall issue a Summons when appropriate in accordance with the rules of the Court.

SECTION 3. Use of Recorded Images.

(a) Except as otherwise provided in this section, the recorded images produced by the System shall be available for the exclusive use of the Police Department for the purpose of discharging his or her duties under P.L. 2007, Ch. 384.

(b) Any recorded image or information produced in connection with the System shall not be deemed a public record under N.J.S.A. 47:1A-1 *et seq.*, or common law. The recorded images shall not be: (i) discoverable as a public record by any person, entity, or governmental agency, except upon a subpoena issued by a grand jury or a court order in a criminal matter, or (ii) offered as evidence in any civil or administrative proceeding not directly related to a traffic control signal violation.

(c) Any recorded image or information collected in connection with a traffic control signal violation shall not be retained after sixty (60) business days following the collection any fine or penalty.

(d) If a summons is not issued within forty (40) business days following the traffic control signal violation, all recorded images and any information collected with respect to the traffic control signal violation shall be removed by the Police Department within two (2) business days.

(e) The Borough of Roselle Park shall certify compliance of this section by filing a report with the Commissioner of Transportation in accordance with the Act.

SECTION 4. Owner’s Liability.

The liability of the Owner and Operator of a motor vehicle for a traffic control signal violation summons pursuant to the System shall be joint subject to provisions of the Act.

SECTION 5. Fines.

Any person liable for a traffic control signal violation, pursuant to the Ordinance and the Act, utilizing the System shall be subject to the following fines:

Violation	\$85.00
Late Fee	\$10.00

SECTION 6. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

SECTION 7. Severability.

If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance, and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

SECTION 8. Effective Date.

This Ordinance shall take effect immediately upon passage and publication according to law.

Councilman Badillo moved that Ordinance #2246 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on July 2, 2008; seconded by Councilman Dinardo.

<input checked="" type="checkbox"/> Vote Record – Ordinance #2245		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RESOLUTIONS

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

RESOLUTION NO. 151-08

WHEREAS, the Rahway Valley Sewerage Authority desires to provide for the orderly development of wastewater facilities within 20 years; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM amendment notice in the New Jersey Register on March 17, 2008 for the Rahway Valley Sewerage Authority Wastewater Management Plan has been prepared by Paulus, Sokolowski and Sartor, LLC;

NOW, THEREFORE, BE IT RESOLVED on this 19th day of June, 2008 by the Governing Body of the Borough of Roselle Park that:

1. The Borough of Roselle Park hereby consents to the amendment entitled Rahway Valley Sewerage Authority Wastewater Management Plan and publicly noticed on March 17, 2008, prepared by Paulus, Sokolowski and Sartor, LLC, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

✓ Vote Record – Resolution #151-08		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RESOLUTION NO. 152-08

WHEREAS, all Plenary Retail Consumption, Retail Distribution, Limited Distribution and Club Licenses will expire on June 30, 2008; and

WHEREAS, the following applicants have complied with the provisions of the Act of the Legislature entitled, “An Act Concerning Alcoholic Beverages”, being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable, thereto, now therefore

BE IT RESOLVED, that the Borough Clerk be and is hereby authorized to issue licenses to expire June 30, 2009, to the following as approved by the License Committee:

CLUB LICENSES - \$132.00

2015-31-018-001 West End Community Center, 205 West Clay Avenue

PLENARY RETAIL CONSUMPTION LICENSES - \$1385.00

2015-33-002-005 Cascios Taverne II, Inc, 400 Seaton Avenue, Roselle Park

2015-33-004-004 600 Westfield Avenue, Inc., t/a Sun Tavern, 600 West Westfield Avenue

2015-33-005-002 Frenchy’s Bar & Grill, Inc., t/a Frenchy’s Bar & Grill, 545 West Westfield Avenue

2015-33-008-004 LaCatena Restaurant, Inc., t/a LaCatena Restaurant, 386 East Westfield Avenue

2015-33-009-011 Sports Section, Inc., t/a Mulligan’s Pub, 117 Chestnut Street

2015-33-010-006 Ocean Castle, Inc., t/a Ristorante Michelangelo, 9 West Westfield Avenue

2015-33-016-007 Spilanga Food, Inc., t/a Costa’s Ristorante & Pizzeria, 120 Chestnut Street

PLENARY RETAIL DISTRIBUTION LICENSES - \$931.00

2015-44-001-007 R & K Corp., t/a Andy’s Twin Borough Liquors, 596 Chestnut Street

2015-44-003-002 Charles Francis DiStefano, t/a DiStefano’s Liquors, 117 West Colfax Avenue

2015-44-013-008 David McAdam, Inc., t/a Roselle Park Liquors, 137-145 Chestnut Street

✓ Vote Record – Resolution #152-08		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RESOLUTION NO. 153-08

WHEREAS, we are rescinding Resolution #147-08 due to rounding off of figures; and
 WHEREAS, it is anticipated that the Borough of Roselle Park will not be able to adopt its budget sufficiently in advance of the third quarter tax due date of August 1, 2008; and

WHEREAS, the Borough of Roselle Park has determined that there will be insufficient cash flow to support operations in late July without third quarter revenue being received on time;

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Roselle Park as follows:

1. The Tax Collector be and is hereby directed to take all necessary steps to send out estimated bills for the third quarter 2008 in accordance with the provisions of NJSA 54:4-66.2 et seq.
2. That the Chief Financial Officer has reviewed the permissible tax levy range and found the range should be set at 1.050442707% of the previous year's tax levy. (2007 Tax Levy \$30,227,313.52 x 1.050442707% = \$31,752,061.05 or a tax rate of \$10.943).
3. That the Tax Collector take any and all additional steps to implement the substance of this resolution.

**BOROUGH OF ROSELLE PARK
PROPOSED CALCULATION OF 2008 ESTIMATED TAX RATE**

**PROPOSED
2008 ESTIMATED BOROUGH OF ROSELLE PARK BUDGET
2008 ADOPTED BOROUGH OF ROSELLE PARK SCHOOL BUDGET 2008
ESTIMATED UNION COUNTY LEVY**

2007 RATABLES	290,832,123.00			
2007 TAX LEVY AND TAX RATE		TAX	2008 ESTIMATED RANGE FOR TAX LEVY	
	<u>LEVY</u>	<u>RATE</u>	<u>95%</u>	<u>105%</u>
COUNTY	4,135,873.01	1.422	3,929,079.36	4,342,666.66
COUNTY OPEN SPACE	186,411.22	0.064	177,090.66	195,731.78
SCHOOL	16,875,448.50	5.803	16,031,676.08	17,719,220.93
LOCAL	9,029,580.79	3.105	8,578,101.75	9,481,059.83
TOTAL	30,227,313.52	10.394	28,715,947.84	31,738,679.20

2008 ESTIMATED TAX RATE

2008 RATABLES	290,171,089.00			
		ESTIMATED	DIFFERENCE	
	<u>LEVY</u>	<u>RATE</u>	2007/2008	PERCENTAGE
COUNTY	4,428,281.00	1.526	292,407.99	7.0700428%
COUNTY OPEN SPACE	203,359.19	0.070	16,947.97	9.0917113%
SCHOOL	17,417,654.00	6.003	542,205.50	3.2129842%
LOCAL	9,702,766.86	3.344	673,186.07	7.4553413%
TOTAL	31,752,061.05	10.943	1,524,747.53	5.0442707%

Prepared and Certified By:
Kenneth P. Blum, Jr., CFO

✓ Vote Record – Resolution #153-08					
		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"/>	Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	Dinardo	<input checked="" 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"/>	Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RESOLUTION NO. 154-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector hereby authorizes the Treasurer to issue a check in the amount of \$1,169.63 payable to Plymouth Park Tax Services for redemption of TSC#3-07 on Block 312/Lot 2 (otherwise known as 219 Hawthorne Street, Roselle Park, NJ) and assessed in the name of Arroyave, Wilson M & G y A-Vazquez as follows:

Certificate Amount	\$ 485.13
2% Flat Penalty	9.70
Interest on Certificate @ 18% from 10/10/07 to 6/19/08	60.40
Recording Fee	40.00
Search Fee	12.00
Subsequent Taxes paid 10/22/07	502.82
Interest on above from 10/22/07 to 6/19/08	<u>59.58</u>
Total Amount Due	\$1,169.63

✓ Vote Record – Resolution #154-08					
		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"/>	Adopted as Amended	Matarante	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	Dinardo	<input checked="" 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"/>	Withdrawn	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RESOLUTION NO. 155-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector hereby authorizes the Treasurer to issue a check in the amount of \$37,106.26 payable to Wachovia-Cust/Sass Muni V DTR for redemption of TSC#10-05 on Block 112/Lot 10 (otherwise known as 622 Chester Ave., Roselle Park, N.J.) and assessed in the name of Olivia Construction Co., Inc. as follows; and

BE IT FURTHER RESOLVED that the Treasurer issue a premium refund check in the amount of \$21,000 from the Collector’s Premium Account to Wachovia-Cust/Sass Muni V DTR.

Certificate Amount	\$5,519.71
4% Flat Penalty	220.78
Recording Fee	40.00
Search Fee	12.00
Subsequent taxes paid:	

10/18/05	4,989.55
Interest on above @ 18% to meeting date	2,397.48
11/28/05	1,703.21
Interest on above @ 18% to meeting date	784.33
3/2/06	1,598.00
Interest on above @ 18% to meeting date	660.77
7/25/06	1,639.70
Interest on above @ 18% to meeting date	560.78
11/14/06	3,686.89
Interest on above @ 18% to meeting date	1,059.98
2/14/07	1,691.68
Interest on above @ 18% to meeting date	410.23
5/21/07	1,690.83
Interest on above @ 18% to meeting date	328.02
8/21/07	1928.70
Interest on above @ 18% to meeting date	287.38
11/13/07	1923.99
Interest on above @ 18% to meeting date	207.79
2/12/08	1808.06
Interest on above @ 18% to meeting date	114.81
5/27/08	1821.54
Interest on above @ 18% to meeting date	20.04
Total Amount due for redemption	\$37,106.26

✓ Vote Record Resolution #155-08					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RESOLUTION NO. 157-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the resignation of Kevin Richards from the Roselle Park Fire Department effective June 22, 2008 be and is hereby accepted.

✓ Vote Record – Resolution #157-08					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Mr. Blum asked for a date to schedule a budget meeting; the meeting was scheduled for Wednesday, June 25th and Thursday, June 26th at 6:30 p.m.

Mr. Blum asked they prioritize the streets and be prepared for that meeting.

ADJOURNMENT

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

Attest:

Borough Clerk