

Borough of Roselle Park Regular Meeting of December 4, 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	-
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	-
Joseph DeIorio	Borough of Roselle Park	Mayor	P	7:30 PM

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

Mayor DeIorio asked for a moment of silence after the prayer for Joseph DeLillo, who passed away at the age of 89. He was a member of the Roselle Park Historical Society.

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

PUBLIC PORTION COMMUNITY BLOCK GRANT HEARING

Ms. Cali said the following projects are for consideration in this year's Community Development Block Grant:

- Senior Citizens Social Services Program for \$40,000.
- Repaving of W. Clay Avenue from Locust Street to Chestnut Street in the amount of \$118,825.
- Repaving of W. Webster Avenue from Locust Street to Chestnut Street in the amount of \$150,300.
- Senior Citizen Handyman Program in the amount of \$2,000.

Councilman Badillo moved to open the public portion of the Community Development Block Grant Hearing projects; seconded by Councilman Dinardo and adopted.

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

COMMUNICATIONS

- Letter of retirement from Katherine Buldowski, effective February 1, 2009, after 20 years of service.

Councilman Badillo moved to accept the retirement letter of Katherine Buldowski, seconded by Councilman Dinardo and adopted.

Mayor DeIorio invited Mrs. Buldowski to a future meeting to recognize her service to the Borough.

REPORT AND RECOMMENDATIONS OF MAYOR

- Attended 9 workshops at the New Jersey League of Municipalities Convention: Pay to Play Workshop, Purchasing Workshop, Health Benefits Workshop, and the Legislative Update.
- The State will be adopting a user friendly budget format for local government, which will make it easier for the public to comprehend.
- On December 24th the Center will host “Operation Home for the Holidays” for those who would like to have a home cooked meal for the holidays. With the present economic conditions and the several fires during the last couple of weeks, he and Karen Intile discussed trying to provide an opportunity for residents that may be in need or alone for the holidays. Volunteers from the public are being sought to help cook from 4:00 p.m. to 6:00 p.m. and are also accepting food items the week before.
- This evening will be the introduction of the Redevelopment and Fair Share Housing Plan as prescribed by the Court.
- The Union County Court imposed the date of December 31st to remedy the Fair Share Housing Plan.
- The amended Romerovski Redevelopment Plan will be available on the Roselle Park Website on Friday, after the introduction of tonight’s ordinance and resolution.
- December 15th at Planning Board Meeting there will be a resolution for consideration adopting the Amended Housing Element and Fair Share Plan as amended. There will also be a review of the Amended Redevelopment Plan.
- December 18th before the Governing Body there will be the second reading of Ordinance #2254, an ordinance amending the Redevelopment Plan regarding the Romerovski Site and a resolution for Council endorsing the Borough’s Amended Housing Element and Fair Share Housing Grant. By the adoption of the ordinances we will be in compliance with the Council on Affordable Housing and this will also prevent future lawsuits from occurring.
- The Governing Body has received a press release regarding the Transparency in Government Act. He and Councilwoman Chen-Hoerning discussed this and had to iron out some of the intricacies of the resolution. There is a website in Texas that is being used as a model.
- Asked the consideration of the Governing Body to hold the Reorganization Meeting on Wednesday, January 7th at 6:30 p.m. in Council Chambers.

Councilman Badillo moved to conduct the Reorganization Meeting on January 7, 2009; seconded by Councilman Yakubov and adopted.

- Mayor DeIorio said the new appointment list will be distributed to the Governing Body.
- We were successful in obtaining the Redlight One Automated Program and the location of that approval will be on Route 28 and Locust Street.
- The High School Marching Band and Color Guard is having a fundraiser at TGI Fridays on Thursday, December 4th.
- There will be a workshop for newly elected, re-elected or experienced elected officials sponsored by the New Jersey League of Municipalities on Saturday, January 24, 2009 at Hudson Community College and February 7, 2009 in Burlington County College.
- There is a 2008-2009 Elected Officials Handbook available from the League of Municipalities and there will also be one available at the Library.
- Received a Local Finance Notice today regarding the implementation of the energy services. Many municipalities are moving ahead with solar power and other energy efficiency audits.
- The BPU announced that the Local Government Energy Audit Program will be a financial incentive program to encourage local units to conduct energy audits and includes the contracts for energy audit companies.
- The DCA also notes there will be additional incentives from the State that will recognize and enhance the use of contracting models to provide guidance and appreciation of energy use cost savings.
- Consideration of energy audits must be forceful and deliberate; many municipalities are entering into contracts that are under unwarranted pressure or unnecessary heightened sense of urgency.
- The Union County League of Municipalities will be hosting a Holiday Mixer on December 11th at 7:30 p.m. in Cranford at Avenue East Restaurant; any member of the Governing Body may attend.

CERTIFICATES/PROCLAMATIONS

CERTIFICATES

- Officer John Deegan

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

RESOLUTION NO. 276-08

BE IT RESOLVED that Gregory M. Polakoski, 168 Briarwood Drive, Berkeley Heights, NJ 07922 is hereby appointed a Probationary Police Officer (7-12 months), in the Roselle Park Police Department, at an annual salary of \$44,149.30 effective December 15, 2008 for a 12 month period ending December 15, 2009.

✓ Vote Record – Resolution #276-08		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"/>

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilwoman Chen-Hoerning

- Attended the fundraiser dinner for the cheerleaders.
- Attended the Rotary Club Pancake Breakfast on Saturday at the Methodist Church.

Councilman Badillo

- Attended the Casano Center Meeting.
- Attended a Little League Meeting and spoke to Ms. Cali for an update on the fields.
- Attended the Alan Bodtmann annual fundraiser.
- Spoke about the two fires that occurred in the Borough and thanked the Fire and Police Department and Karen Intile for opening the Casano Center.
- Costa's Restaurant and the Athenian Arms were the two buildings where the fires occurred.
- Thanked the Borough Employees, Inspectors and Health Department because in less than a week Costa's has relocated to Michaelangelo's.
- Sidewalk Program is going on and if there are any questions, he can be reached on his Council line.
- The Christmas Parade and the Rotary Club Pancake Breakfast are on Saturday.
- The cheerleaders are leaving for Disney on Saturday and wished them luck.

Councilman Yakubov

- On Sunday he walked with the Borough Engineer to assess the streets in the 5th Ward that are going to be repaved.
- Wanted to make sure the curbing is properly aligned on Willow Avenue.
- Roosevelt Street will also be done soon, along with Ashwood Avenue.
- Want to save as many trees as possible in the process.
- Discussed narrowing the street and still put in the curbing.
- There are some potholes in the 5th Ward and throughout the town and the DPW has been working on them.
- Regarding leaf pickup, on a non-County street, leaves must be put in non-plastic bags or containers.
- The County roads are also being done.
- There are tentative dates for the Neighborhood Watch Program.

Councilman Dinardo

- Was unable to attend the Library Board Meeting.
- December 8th to 22nd there will be a giant book sale at the Library.
- Tuesday, December 30th at 11:30 a.m. there will be a blood pressure screening by the Board of Health.
- Spoke about setting up meeting dates for the Neighborhood Watch Program.
- Wished the cheerleaders luck in their competition in Florida.
- Spoke about the fire at Costa's Restaurant and thanked the Fire Department and all emergency personnel that responded.
- Thanked Karen Intile for opening the Casano Center.
- Thanked the Red Cross for helping displaced residents.

Mayor DeIorio said Joe and Jodi, the Barber, also opened their building for residents that were displaced.

REPORTS OF DEPARTMENTS

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

- Municipal Court Report for October 2008
- DPW Report for November 2008
- Construction Code Enforcement Department for November 2008

PUBLIC COMMENT

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

Jaob Magiera, 612 Sheridan Avenue

- December 7th is Pearl Harbor Day.
- Congratulated Officer John Deegan.
- Commented on Resolution No. 269-08 and asked Mayor DeIorio to explain it.

Mayor DeIorio said Janice Talley is a member of the firm who is assigned to provide the amendments for the Redevelopment Plan and Fair Share Housing Plan. Originally, Heyer and Gruel Associates provided us with a quote for the same services for \$40,000. Mrs. Talley had worked for that firm many years ago and was the person assigned to the Roselle Park Master Plan at that time; she is providing the same services for \$10,000.

- Mr. Magiera spoke about the cardboard tonnage for 2007.
- Asked for an update on 128-115 Code 40-3004; height of fences.

Ms. Cali said that will be for introduction the first meeting in January.

- Mr. Magiera spoke about the pension plan in the State of New Jersey.
- Spoke about more transparency in government.
- Spoke about Cranford spending freeze and asked what makes us different.
- Asked if the AvalonBay meeting that was held on October 28th can be shown again on TV34 at a reasonable time.
- The country is now in a full blown recession since December 2007.
- Council should take a serious look at a spending, hiring and a pay freeze.
- Gasoline tax should be raised ten cents and be divided among all the municipalities for discretionary aid.
- 19 communities received 1.3 million dollars in grants for the Union County Kids Recreation Trust Fund and asked if the Borough received that also.

Mayor DeIorio said the application was submitted to the County and they have been supportive of us in the past.

- Mr. Magiera said the responsibility of Council is the safety, welfare and health of the residents.
- Asked about Resolution No. 280-08 and the Borough Clerk/Assessment Search/COAH and what that includes.

Ms. Cali said that is the salary for the Borough Clerk, which includes the salary for assessment searches and the Municipal Housing Liaison

Mayor DeIorio said that we are required by the State to have someone assigned to the Fair Share Housing Plan.

- Mr. Magiera asked for an explanation of Ordinance #2254.

Mayor DeIorio said Ordinance #2254 amends the Redevelopment Plan. Some of the settlement of the ongoing negotiations agreement is that we are required to amend this plan to satisfy the court's issue over the lawsuits. A settlement agreement will reflect some of the things that are in the ordinance.

- Mr. Magiera suggested there be a resolution to the Governor, State Senate and Assembly, in raising the gas tax ten cents per gallon and using it for discretionary aid for municipalities only.

Mayor DeIorio said the term "discretionary aid" is very dangerous in that it is left to whatever department it is assigned to, it could be Department of Community Affairs or Department of Treasury; mandated would be different.

Michael Peterson, 45 E. Colfax Avenue

- Each year there has been an increase in property taxes.
- The Star Ledger printed a chart showing the average increase in property taxes in all municipalities in Union County over the last five years.
- Somehow the Borough has to find a way to cut services and reduce costs.

- If things go on the way they are, many people will foreclose and lose their homes.
- People are losing their jobs or their jobs and salaries are cut.

Mayor DeIorio said if a person cannot pay their taxes and mortgage, it goes into a tax sale and the Borough and schools will get all of their money.

- Mr. Peterson said property values will still drop.

Mayor DeIorio said that in some of the other municipalities residents do not have sanitation included in their property taxes; everyone pays for their own such as in Cranford. In Essex Fells, they share their Library with Caldwell; there are many ideas that we can consider.

Glen Marczewski, 622 Sherman Avenue

- The trees by the Library are very dangerous and need to be trimmed.
- The leaves are not being cleaned out of the sewers.
- Asked about the Fair Share Housing Plan that has to be in place by December 31st.

Mayor DeIorio said the Plan has to be adopted by the Governing Body by December 31st. The day the Borough introduced the Fair Share Housing Plan is the day that AvalonBay sued the Borough of Roselle Park.

- Mr. Marczewski asked if there are going to be any tax sales this year.
- Asked when the next budget meeting will be; Mayor DeIorio said it has not been scheduled yet.

Marco Gonzalez, 41 W. Westfield Avenue

- Received a notice of violation for \$2,000 for an alarm he had installed in his home.
- It is just a wireless device, so he did not get a permit; wanted to know why.

Mayor DeIorio said he would look into the matter and address it with the Construction Department.

- Mr. Gonzalez said he would like a list of all the other people receiving this violation.

Bob Zeglarski, 521 Chester Avenue

- Spoke about the PILOT program, which relates to the AvalonBay Development at the Romerovski property.
- Referred to the report about AvalonBay, which was not done by the Borough, but by the Concerned Citizens of Roselle Park.
- At the last meeting there was no definitive statement made on the PILOT program.
- AvalonBay has presented the PILOT in a positive light and beneficial to the community; it is not a positive thing for the community.
- Asked that the Borough not participate in the PILOT program, but to correct taxes.

- Has not seen any of the official numbers for this program.
- Believes we could collect in over 4 million dollars more in taxes over a twenty year period than we could with the PILOT program.

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 presently we receive \$190,000 from the Romerovski site. Also, over the years we have been unsuccessful with tax appeals that Romerovski has filed over the years and the numbers have actually decreased. Currently out of that \$190,000 the revenues that are available for the schools would be approximately \$95,000 to the Borough's \$57,000; the county receives about \$38,000. Each government has to provide a budget to provide their services. The additional available new revenues would be in those amounts. If we look at the AvalonBay property with the reduced number of apartment units, we are looking at approximately \$700,000 to \$800,000 in taxes. The PILOT program would prevent any tax appeal from occurring in a 30 year period. The public should also be aware, that if we move ahead with the tax avenue every two or three years a tax appeal can be filed. The property tax assessment can be appealed every year.

Mr. Paul Endler said the bank can charge us with a tax ratio; the assessed value compared to the market value is about 21%. This means we haven't valued our properties market values for over 30 years. We would need a re-evaluation, which would cost from \$300,000 to \$400,000 spread over a period of five years.

Mayor DeIorio said when a re-evaluation company comes in, they go house to house; Mr. Endler said they must get into at least 90% of every property. He said if a person appeals their taxes, the Borough comes to an agreement and is frozen for two years on that value.

Mayor DeIorio said income generating properties such as apartment houses and commercial properties can appeal on different criteria which are to their advantage.

Mr. Endler said they do not use the market value; everyone else is obligated to appeal their taxes based on the market value.

Mayor DeIorio said if an apartment says they are running at a loss that is the basis for an appeal.

Mayor DeIorio said Essex Fells did a re-evaluation in 2004 at 100% market value and since then property values have dropped significantly. Attorneys are sending out letters to those residents to file appeals and they have been successful; with the PILOT program, there is no way that properties can file a tax appeal. One of the important parts of a PILOT program is the protection the town receives for any type of an appeal.

Mr. Endler said the reason for a PILOT program is not protection of the municipality; it is to induce someone to come into your community and develop it.

Mayor DeIorio said it is used as a development tool, but if we go for straight taxes and not the PILOT program there will be an appeal. He said if the Borough decides to go into the direction of the payment in lieu of taxes, the funds that are received as new revenues could be dedicated to being a re-evaluation.

Mr. Endler said then you must stay with those taxes for a thirty year period. He asked if during the thirty year period can the Borough renegotiate and stop doing the PILOT program.

Mayor DeIorio said if we were to go with a regular property tax scenario, we would probably generate between \$700,000 and \$800,000 in revenues through property taxes; Mr. Endler said it would probably be more than that.

Mayor DeIorio said 50% of those dollars would be dedicated to educational purposes, which would give the school about \$400,000 in new revenues. Twenty percent which would be about \$150,000 would go toward County services; \$240,000 would be new revenues for the Borough. With the cost of sanitation services we have to provide to a 249 unit facility, versus the amount of services that are needed to the County plus the school system; it would be about \$240,000 for services such as the collection of garbage and police personnel.

Mr. Endler said there are now 35 apartment complexes in town, and we know what we now collect in taxes and how many units there are. Out of the 1,400 units there are only about 94 children in the school system; the town could do an analysis to see if we are making a profit from what we have now.

Mayor DeIorio said we found that many of our apartments do not generate a lot of children, except for Sunrise Village which generates the most per unit/child ratio versus the other units. There is a lower amount of children in the school system when it comes to condominiums.

Mr. Endler said we should get all the figures together to see what we have now to have a good base to go by.

REPORTS OF DEPARTMENTS

Paul Morrison – Police Chief

- The Borough has been selected as one of the six towns to participate in the Red Light Program by the New Jersey Department of Transportation.
- Spoke with Mr. Blum about the program and they are going to sit down with the NJDOT as how to go about the bidding process; it will be a good program and help to prevent a lot of accidents.
- On November 22nd he attend the New Jersey State PBA Valor Award Dinner along with other members of the Police Department. Officer Josh Medrano received an award of valor from the State for his actions in Roselle Park on August 6, 2007. He responded to the call of a pitbull running at large and when he arrived on the scene the dog was attacking a young boy. Officer Medrano put himself at risk and took the boy to safety into the patrol car. The dog then turned on Officer Medrano and began attacking him He received a severe bite to his calf and had to be hospitalized. His

actions saved the boy from severe injury. The dog was trained for attack by a drug distributor and subsequently was destroyed by Animal Control.

- On November 25th the Attorney General made a press release and publicly thanked the Roselle Park Police Department for initiating an investigation into an investment fraud. There was one business in town, the Tax Doctor who was arrested by Detective Dima and members of the Attorney General's Office for targeting elderly people with investment scams.
- Commended Chief Tobe and the Fire Department for their response to Costa's fire; working together very professionally, they saved many other buildings.

Councilman Badillo asked that Council recognize Officer Medrano for his valor.

Councilman Yakubov said the red light cameras were no cost to the Borough and the company installs the equipment.

Chief Morrison said the company receives a percentage of the tickets, all the money is handled through the courts. The company installs the equipment, maintain it and will repair it if necessary at no cost.

Ben Cosentino – Department of Public Works

- Picking up leaves every day and in November they worked on Saturdays.
- The SLAP program has been cleaning Borough properties.
- The white goods are being picked up by appointment.
- Cardboard is being picked up from store owners twice a month.
- The tree crew has been working on the requests daily.
- Reminded the residents that leaves must be in paper bags or containers no heavier than 40 gallons.
- The pothole on W. Lincoln Avenue has been taken care of.

Councilman Badillo asked what the temperature must be to paint the yellow arrows for the fire hydrants.

Karen Intile – Administrative Assistant

- Councilman Dinardo is working on the floor in the Casano Center.
- All the timers on the buildings have been adjusted and are working correctly.
- The wall that the chair rail was to be installed on is cement; they are working on a plan for that project.
- Made arrangements to visit new residents with the welcome project; she has ten packets to be delivered.
- Boy Scout Troop 56 had a good food drive; 16 baskets were made for needy families for Thanksgiving.
- The teachers and staff of the Middle School also gave a monetary donation to purchase food.
- The Tree Lighting Ceremony is December 5th at 6:30 p.m. at Mike Mauri Gazebo Park.

- The Holiday Parade will be on Saturday and is leaving from Sherman School at 1:00 p.m.
- The Mothers' Center of Central Jersey will be holding their "Cookie Exchange" at the Center on Monday evening, December 15th from 8:00 to 10:00 p.m.
- The Casano Community Center is continuing the "Local Artists' Gallery." They will be displaying the artwork of Roselle Park resident artist Norah Scholte starting on Tuesday, December 16th. Leona Seufert has been working as curator.
- Hopes more residents will enter the Holiday Home Decorating Contest which is going on right now. Flyers went home to the schools regarding all the events that are taking place. Applications are available at the Casano Community Center or can be sent by email and must be completed and returned to the Center by December 10th. Would like to recognize the winners at the December 18th Council Meeting.
- Local stores are invited to participate in the Holiday Window Decorating Event.
- The Community Center will be holding an afternoon Holiday Ceramics Class for all ages on Tuesday, December 9th from 4 to 5:30 p.m. The price is \$8 per person.
- The Roselle Park Concerned Citizens will be holding a meeting at the Casano Community Center on Saturday, December 13th from 2:00 to 3:30 p.m.
- There will be two "Be Red Cross Ready" presentations given at the Casano Community Center: Monday January 12th at 1:30 p.m. and Wednesday January 14th at 7:00 p.m.
- The Senior Van has been repaired and is working.
- The following restaurants/individuals will be offering their fare for the open house following the parade: Deli/Casa di Martino, China Royal, Solar do Minho, Indo American Association, Sunrise Diner, Valentino's and Mona Lisa.
- Dunkin' Donuts has donated three boxes of coffee and munchkins for the parade participants that will be given out at Sherman School. Sherman School will be open between 12:00 and 1:00 p.m. for parade participants to have coffee and donuts.
- The Casano Community Center has been rented out for private parties approximately seven times since the creation of Ordinance No. 2161 in the fall of 2005; revising the rental rate of the Casano Community Center to the present price of \$200 for five hours and an additional \$50 for every hour thereafter. For the year of 2008 the Center was rented as follows:

March 19, 2008	Catering Film Crew	\$200
March 22, 2008	Child's Birthday Party	\$200
November 22, 2008	Reception	<u>\$350</u>
	Total:	\$750
- Has gotten great response for help for the Christmas Eve Dinner.
- A meeting has to be scheduled for the SID committee.

Bob Tobe – Fire Chief

- Thanked Mayor and Council, Karen Intile, Police Chief Morrison and the DPW for their help and support during the crisis/fire at Costa's Ristorante on Chestnut Street.
- There is a problem with a poor water supply on Chestnut Street and would like to see if the water company can rectify that.
- Has a copy of the list of the new fire officers for next year.

- Thanked Mayor and Council, Department Heads, Karen Intile, Chief Morrison, Frank Wirzbicki and Ben Cosentino for their help and support; this is his last year as Fire Chief.
- Thanked all the Councilmembers for their help and support.
- There was another fire on Chestnut Street in one of the apartment complexes.

MINUTES TO BE APPROVED PENDING ANY CORRECTIONS

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

✓ Vote Record – Minutes Acceptance of November 6, 2008					
		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"/>

✓ Vote Record – Minutes Acceptance of November 17, 2008					
		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"/>

MOTION BILLS & PAYROLLS NOT BE 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 Yakubov, all members present voting Aye, said motion was adopted.

PASSAGE OF ORDINANCES

SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 2253

AN ORDINANCE AMENDING CHAPTER III, SECTION 3.1 OF THE
CODE OF THE BOROUGH OF ROSELLE PARK REGARDING
ALCOHOLIC BEVERAGES IN PUBLIC PLACES

Councilman Badillo moved to open the public hearing on Ordinance #2253; seconded by Councilman Yakubov and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked that the ordinance be explained.

Ms. Cali said there was a section in the ordinance that says it is illegal to be drunk in public; because public intoxication ordinances were outlawed by the State Legislators thirty years ago. Lawmakers determined it is legal to be drunk in New Jersey provided that the drinker does not break any other laws while under the influence. There were two municipalities that were being sued and asked that section be omitted from the ordinance.

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 #2253 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Dinardo.

✓ Vote Record – Ordinance 2253					
		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"/>

INTRODUCTION

ORDINANCE NO. 2254

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

WHEREAS, by Resolution adopted April 20, 2006, the Borough Council of the Borough of Roselle Park (“Council”) directed and authorized the Planning Board to conduct a preliminary investigation and a public hearing to determine whether an area commonly known as “The Romerovski Site,” and designated as Block 213, Lots 1, & Block 314, Lot 1) on the Official Tax Map of the Borough of Roselle Park is an area in need of redevelopment according to the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“Redevelopment Law”); and

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

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

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

WHEREAS, the Borough’s consulting planner prepared for the Council a proposed redevelopment plan entitled “Romerovski Site Redevelopment Plan” (“Proposed Plan”) dated February 2007; and

WHEREAS, on February 15, 2007, the Borough Council introduced Ordinance 2201 entitled “An Ordinance Adopting A Redevelopment Plan Pursuant To N.J.S.A. 40A:12A-7 For The Romerovski Site Located In The Borough Of Roselle Park”; and

WHEREAS, on February 15, 2007, the Borough Council reviewed the Redevelopment Plan attached to Ordinance 2201 and concluded that the Plan met the statutory requirements of N.J.S.A. 40A:12A-1 et seq., and was designed to effectuate the Borough's Master Plan as it pertains to the Romerovski Site; and

WHEREAS, on March 1, 2007, Ordinance #2201 was adopted on second reading and advertised as prescribed by law; and

WHEREAS, notably, the initial Romerovski Redevelopment Plan did not envision the use of the Borough's powers of eminent domain; and

WHEREAS, the site's owner formed a partnership with another entity and filed a builder's remedy lawsuit on January 31, 2007; and

WHEREAS, the Borough was served with this lawsuit on February 15, 2007; and

WHEREAS, on June 18, 2007, the Borough Planning Board adopted and the Borough Council endorsed a Housing Element and Fair Share Plan; and

WHEREAS, it was subsequently discovered that specific provisions of the Borough's adopted and endorsed Housing Element and Fair Share Plan were somewhat inconsistent with certain provisions of the Borough's adopted Redevelopment Plan; and

WHEREAS, it was the Borough's intention to bring its Master Plan, Housing Element and Fair Share Plan, and Redevelopment Plan into consistency with one another; and

WHEREAS, in addition, one or more provisions of the Borough's Redevelopment Plan were challenged in plaintiff's lawsuit currently pending in New Jersey Superior Court, Law Division; and

WHEREAS, specifically, plaintiff alleged that, under relevant laws, the Borough's initial Redevelopment Plan was invalid to the extent that it limited the tenure of ownership in the residential units to be constructed on the Romerovski site to condominiums and cooperatively owned units; and

WHEREAS, without commenting on the validity of any of plaintiff's specific legal challenges, the Borough considered it prudent to amend the Redevelopment Plan to remove the allegedly invalid language while maintaining that any such change to its redevelopment plan did not affect its power to choose the redeveloper for the Romerovski site ; and

WHEREAS, on October 4, 2007, the Borough Council adopted Ordinance #2217 on second reading and advertised same as prescribed by law, thereby removing the specific language in the initial Romerovski Redevelopment Plan which limited the tenure of ownership; and

WHEREAS, on February 20, 2008 the Borough Council adopted Ordinance #2236 on second reading and advertised same as prescribed by law, thereby removing the specific language in the initial Romerovski Redevelopment Plan which limited the tenure of ownership; and

WHEREAS, accordingly, the governing body has participated in mediation sessions with the plaintiff and, at the same time, the Council on Affordable Housing has made major modifications to its affordable housing regulations, and, as a result, the Borough has instructed its professionals to draft an Amended Redevelopment Plan which reflects these changes; and

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

Section 1. Council hereby adopts the attached Amended Redevelopment Plan dated December 2008 and prepared by H2M Associates Inc. for the Romerovski Site (Block 213, Lots 1, & Block 314, Lot 1) pursuant to the Redevelopment Law, N.J.S.A. 40A:12A-1 et. seq. A copy of the amended Redevelopment Plan shall be maintained in the offices of the Borough Clerk.

Section 2. The amended Redevelopment Plan shall supersede applicable provisions of the Zoning Ordinance of the Borough of Roselle Park. In all situations where zoning issues are not specifically addressed by the amended Redevelopment Plan, the Zoning Ordinances of the Borough shall remain in full force and effect.

Section 3. Pursuant to N.J.S.A. 40A:12A-7(c), the Zoning Map is hereby amended consistent with Section 1 above, so as to indicate that the amended Redevelopment Plan applies to the redevelopment area depicted in the attached amended Redevelopment Plan.

Section 4. Said amendment to the Redevelopment Plan is subject to the complete settlement of the litigation known as Roselle Park VP LLC. vs. Borough of Roselle Park. If complete settlement is not reached then the amended Redevelopment Plan reverts back to the Redevelopment Plan as outlined in Ordinance #2236 dated February 20, 2008.

Section 5. If any provision of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions of this Ordinance, except so far as the provision so declared invalid shall be inseparable from the remainder of any portion hereof.

Section 6. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.

Section 7. This Ordinance shall take effect immediately upon adoption and publication according to law, and upon filing with the Union County Planning Board.

Councilman Badillo moved that Ordinance #2254 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on December 18, 2008; seconded by Councilman Dinardo.

✓ Vote Record – Ordinance 2254		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"/>

ORDINANCE NO. 2255

AN ORDINANCE AMENDING CHAPTER 60, SECTIONS 60-2, AND 60-3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK REGARDING SALARIES FOR SCHOOL CROSSING GUARDS FOR THE BOROUGH OF ROSELLE PARK FOR 2009, 2010 AND 2011

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 I. Section 60-2 is amended to read as follows: “The school crossing guards governed by the school crossing guards agreement with the Borough of Roselle Park shall be entitled to a daily salary as hereinafter set forth effective on the date indicated:”

Classification

School Crossing Guard or Alternate when serving in the capacity of a School Crossing Guard.

Effective 1/1/2009

\$54.66/day

Effective 1/1/2010

\$56.71/day

Effective 1/1/2011

\$58.84/day

SECTION II. Section 60-3 is amended to read as follows: “The salaries and wages herein fixed shall be effective January 1, 2009 or as otherwise provided in this ordinance.”

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

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

Councilman Badillo moved that Ordinance #2255 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on December 18, 2008; seconded by Councilman Dinardo.

✓ Vote Record – Ordinance 2255		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"/>

ORDINANCE NO. 2256

AN ORDINANCE AMENDING ARTICLE XXIII, SECTION 40-2302
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
FOR PERMITTED USES

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Article XXIII, Section 40-2302(B)(1) of the Borough Code is hereby amended as follows:

SECTION 1: 40-2302 PERMITTED USES

B. (1) Storage of materials, stock or inventory shall not be permitted in any window display area ordinarily exposed to public view. All screening of windows shall be maintained in a clean and attractive manner.

SECTION 2: If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 3: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Councilman Yakubov moved that Ordinance #2256 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on December 18, 2008; seconded by Councilwoman Chen-Hoerning.

✓ Vote Record – Ordinance 2256					
		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"/>

RESOLUTIONS

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

RESOLUTION NO. 270-08

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 \$732.16 payable to Bernard Sabin for redemption of TSC #24-07 on Block 1014/Lot 5 (otherwise known as 315 Sheridan Ave., Roselle Park, NJ) and assessed in the name of Rodger & Giselle Thomas as follows:

Certificate Amount	\$186.05
Interest @ 18% to 12/4/08	38.51
Recording Fee	40.00
Search Fee	12.00
Subsequent Fees	
Taxes	407.72
Interest from 12/4/08	<u>47.88</u>
Total Amount	\$732.16

✓ Vote Record – Resolution 270-08					
		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. 271-08

WHEREAS, the Borough of Roselle Park will hold its Annual Holiday Parade and related activities on Saturday, December 6, 2008, beginning at 1:00 p.m., with a rain date of Sunday, December 7, 2008 at 2:00 p.m., and

WHEREAS, the parade will commence at Sherman School, proceed down Sherman Avenue to East Lincoln Avenue to Chestnut Street, and continue along Chestnut Street, ending at the reviewing stand at Michael Mauri Park, now therefore

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby request approval from the Union County Board of Chosen Freeholders to close East Lincoln Avenue, from Sherman Avenue to Chestnut Street and Chestnut Street, from East Lincoln Avenue to Charles Street, on Saturday, December 6, 2008 from 12:00 Noon until approximately

4:00 p.m., in order to hold its Annual Holiday parade and related activities, with a rain date of Sunday, December 7, 2008.

✓ Vote Record – Resolution 271-08					
		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. 273-08

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 \$398.09 payable to Eric Ambrose for redemption of TSC #1-04 on Block 206/Lot 22 (otherwise known as 124 Bridge St., Roselle Park, NJ 07204) and assessed in the name of Francesco & Elise Ambrosio. Interested calculated to meeting date of 12/04/08 as follows:

CERTIFICATE AMT	125.18
RECORDING	40.00
SEARCH FEE	12.00
SUBSEQUENT FEES	
SEWER TAXES	127.03
INTEREST FROM 10/26/04	
To 12/4/08	<u>93.88</u>
TOTAL AMT TO REDEEM	\$398.09

BE IT FURTHER RESOLVED that the Collector is hereby authorized to issue a check in the amount of \$200.00 from the Collectors Premium Account.

✓ Vote Record – Resolution 273-08					
		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. 274-08

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 \$665.69 payable to Bernard Sabin for redemption of TSC #8-07 on Block 508/Lot 5 (otherwise known as 420 Locust St., Roselle Park, NJ 07204) and assessed in the name of Marla P Martins & Stephan Barbosa. Interested calculated to meeting date of 12/04/08 as follows:

CERTIFICATE AMT	170.44
INTEREST ON CERT. FROM 10/10/07 TO	
12/4/08	35.28
RECORDING	40.00
SEARCH FEE	12.00
SUBSEQUENT FEES	

SEWER TAXES	92.13
INTEREST FROM 10/22/07-12/4/08	18.52
SEWER TAXES	284.65
INTEREST FROM 9/5/08-12/4/08	<u>12.67</u>
TOTAL AMT TO REDEEM	\$665.69

✓ Vote Record – Resolution 274-08					
		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. 277-08

WHEREAS, there exists a need for Animal Control Services for the year 2009, and
 WHEREAS, funds are available for this purpose, and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., requires that the Resolution authorizing the award of a Contract for Professional Services without competitive bids must be publicly advertised, now therefore,

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

1. The Borough is hereby authorized to retain Associated Humane Societies, 124 Evergreen Avenue, Newark, New Jersey 07114 to provide Animal Control Services for the year 2008.

2. This contract is made without competitive bidding as a “Professional Service” under the proviso of the Local Public Contracts Law, at the rate of \$33,202.50 per annum, and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Associated Humane Societies 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 (10) days of this date in accordance with New Jersey law.

✓ Vote Record – Resolution 277-08					
		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. 278-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Suburban Disposal, be and is hereby awarded a contract for Bulk Waste Removal Services in the amount not to exceed \$33,000.00 for the Bulk Picks for 2008.

✓ Vote Record – Resolution 278-08					
		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. 279-08

BE IT RESOLCED by the Mayor and Council of the Borough of Roselle Park of Union County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB East Clay Avenue Reconstruction
 CONTRACTOR D & L Paving Contractors PO Box 507 Nutley, NJ 07110
 CHANGE ORDER NO. 2
 AMOUNT OF CHANGE THIS RESOLUTION -\$17,434.75 (-9.90%) Decrease

✓ Vote Record – Resolution 279-08					
		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. 280-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that pursuant to the provisions of Ordinance 2226, the annual 2009 salaries of certain officials and employees of the Borough of Roselle Park hereinafter named, be and are hereby fixed in the following amounts set forth opposite each name respectively, and salaries to be effective as of January 1, 2009 unless an alternative effective date is specified herein:

Borough Clerk/Assessment Search/COAH	\$	87,330.54
Deputy Borough Clerk	\$	50,254.55
Chief Financial Officer	\$	107,640.63
Assistant Treasurer	\$	56,687.59
Tax Collector	\$	62,250.00
Tax Search Officer	\$	2,075.00
Tax Assessor	\$	12,970.68
Court Administrator	\$	55,858.79
Deputy Court Administrator - 1 (R.C.)	\$	30,505.91
Deputy Court Administrator - 2 (T.Z.)	\$	27,329.54
Chief of Police	\$	111,708.00
Captain of Police	\$	101,929.87
Control Person	\$	37,136.02
Administrative Assistant	\$	53,239.84

✓ Vote Record – Resolution 280-08		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. 281-08

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that pursuant to the provisions of Ordinance 2222, the annual 2009 salaries of the Roselle Park Clerical Group hereinafter named, be and are hereby fixed in the following amounts set forth opposite each name respectively, and salaries to be effective as of January 1, 2009 unless an alternative effective date is specified herein:

CLASSIFICATION

EFFECTIVE 1/1/09

Clerk, Police Records/Senior

\$31,643.75

Clerk, Police Records/Junior

\$28,531.25

✓ Vote Record – Resolution 281-08		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. 282-08

A RESOLUTION OF THE BOROUGH OF ROSELLE PARK, COUNTY OF UNION, STATE OF NEW JERSEY TO REFER TO THE BOROUGH OF ROSELLE PARK PLANNING BOARD THE ATTACHED PROPOSED AMENDED REDEVELOPMENT PLAN CONCERNING THE ROMEROVSKI SITE

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Act"), authorizes the governing body to adopt by ordinance redevelopment plans for areas in need of redevelopment; and

WHEREAS, pursuant to the Act, in 2006 the Borough of Roselle Park adopted Resolution 158-06 which designated Block 213, Lot 1, and Block 314, Lot 1 as identified on the Official Tax Map of the Borough of Roselle Park as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, the Redevelopment Area is commonly known as the Romerovski Site; and

WHEREAS, after extensive public participation, on March 1, 2007, the Borough of Roselle Park adopted and approved a redevelopment plan for the Redevelopment Area entitled "Romerovski Site Redevelopment Plan" ("the Redevelopment Plan"), upon the adoption of Ordinance 2201 on second reading and advertised as prescribed by law; and

WHEREAS, on October 4, 2007, the Borough Council adopted an amendment to the Redevelopment Plan pursuant to Ordinance 2217; and

WHEREAS, on February 4, 2008, the Borough Council adopted an amendment to the Redevelopment Plan pursuant to Resolution 63-08; and

WHEREAS, the Borough Council desires to further amend the Redevelopment Plan and the Borough Council has reviewed the proposed Amended Redevelopment Plan, attached hereto as Schedule A and made a part hereof (the “Amended Redevelopment Plan”); and

WHEREAS the Borough Council desires to refer the Amended Redevelopment Plan to the Planning Board of the Borough of Roselle Park so that the Planning Board may review the Amended Redevelopment Plan and submit its recommendations to the Borough Council regarding same promptly, but no later than 45 days after referral, pursuant to N.J.S.A. 40A:12-7(e).

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

1. The Borough Clerk shall immediately forward a copy of this Resolution and the attached Amended Redevelopment Plan to the Planning Board pursuant to N.J.S.A. 40A:12A-7 for their review and recommendations to be made within 45 days from the date of referral.

✓ Vote Record – Resolution 282-08		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"/>

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

RESOLUTION NO. 272-08

WHEREAS, the Borough of Roselle Park entered into a contract with East Coast Sanitation Company, the presumptively lowest bidder, to provide bulk waste removal services to the Borough on June 19, 2008 and June 20, 2008; September 18, 2008 and September 19, 2008; and December 18, 2008 and December 19, 2008 for a bid price of \$9,322.40; and

WHEREAS, a dispute arose between the Borough and East Coast Sanitation Company regarding removal of bulk waste on June 19, 2008 and June 20, 2008.

WHEREAS, the Borough, East Coast Sanitation Company and Bondex, the bonding company for East Coast Sanitation Company and entered into significant negotiations to resolve the dispute as to the services rendered and to be rendered and the cost of same; and

WHEREAS, after significant negotiations, the parties agreed that East Coast Sanitation Company or Bondex, the bonding company for East Coast Sanitation Company would pay to the Borough of Roselle Park the amount of \$9,322.40 and waive any and all claims for the services performed in June of 2008 and the tipping fees incurred as a result of the pickups in June of 2008 (estimated to be \$19,511.50); and

WHEREAS, the Governing Body of the Borough of Roselle Park determined that it would be in the best interest of the Borough to resolve the dispute between itself and East Coast Sanitation Company on the terms and conditions summarized above.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Roselle Park that the Borough of Roselle Park agrees to accept from East Coast Sanitation Company or Bondex, its bonding company, the sum of \$9,322.40 and the Borough of Roselle

Park, East Coast Sanitation Company and/or its bonding company shall release and discharge each other from any and all claims that arise out of the bulk waste removal service contract between the Borough of Roselle Park and East Coast Sanitation Company, and

BE IT FUTHER RESOLVED that nothing contained in this Resolution and Release and ancillary documents shall be deemed or construed as an admission of failure on the part of East Coast Sanitation Company to have provided or performed services to the Borough of Roselle Park; or failed to complete the contract in a timely manner; or defaulted on the contract; or otherwise performed unsatisfactorily under the contract between the Borough of Roselle Park and East Coast Sanitation Company, and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute Releases and any and all other documents required to finalize the settlement, as described above, which includes the waiving, discharging and releasing of any and all claim between and amongst the parties.

Councilwoman Chen-Hoerning asked for an explanation of the resolution.

Mr. Johnstone said this was the issue of the East Coast Sanitation Company regarding the bulk waste. They were supposed to take the bulk waste in a two day period of time and were unable to do so. As a result, another sanitation company was called. They had charged the Borough in excess of \$20,000 and were trying to get the town to pay. We were able to get the differences from the bonding company.

✓ Vote Record – Resolution 272-08		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"/>

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

RESOLUTION NO. 275-08

WHEREAS, on or about August 10, 2007 Guarriello & Dec Associates, LLC (the previous Borough Engineer for the Borough of Roselle Park) filed a Complaint in the Superior Court of New Jersey, Law Division, Union County demanding \$28,800.00 for engineering services alleged to have been rendered by Guarriello & Dec prior to their non-reappointment; and

WHEREAS, the Borough filed an Answer and Counter Claim in the Superior Court of New Jersey, Law Division, Union County, on or about October 15, 2007; and

WHEREAS, during the discovery, mediation and negotiation stage of this litigation, the Borough of Roselle Park agreed to pay to the Plaintiff \$18,000.00 and the Plaintiff agreed to provide certain engineering documents to the Borough; modify the tax maps of the Borough of Roselle Park, upon the receipt of the Subdivision Deeds required to accomplish same and complete the final inspection on the premises known as and located at 825 Walnut Street (Lot 4, Block 700) the cost of which will be paid out of the escrow contribution by Joseph Villani being held by the Borough of Roselle Park.

WHEREAS, the Borough has determined it would be in the best interest of the Borough to resolve the litigation as described above, thus avoiding the potential of a significantly higher judgment and accomplishing the additional engineering work.

NOW THEREFORE, BE IT RESOLVED that the Borough of Roselle Park agrees to settle the above captioned case by paying to the Plaintiff, i.e. Guarriello & Dec Associates, LLC, the sum of \$18,000.00 and that the Plaintiff shall revise the tax maps of the Borough of Roselle Park to indicate the subdivisions upon the receipt of the Subdivision Deeds and complete the final inspection on 825 Walnut Street.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute Releases the contract regarding 825 Walnut Street and any and all other documents required to effectuate the above settlement; and

NOW THEREFORE, BE IT FURTHER RESOLVED that upon the release and exchange of the documents as described above, that the Chief Financial Officer shall issue a check to the engineering firm of Guarriello & Dec Associates, LLC in the amount of \$18,000.00

Mr. Johnstone said this is a lawsuit from the prior Engineer who had a demand of over \$28,000; there was outstanding work that had not been completed. The Borough was able to negotiate a settlement of less than \$19,000 in payment of the outstanding bill and at the same time, agreed to complete all the work that was anticipated to be done.

✓ Vote Record – Resolution 275-08		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"/>

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

MAYOR DeIORIO:

- I hereby remove Thomas Sheehan III, 135 Warren Avenue, Roselle Park from the Fire Patrol and appoint him as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Faitoute Engine Company.

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

- Litigation – Romerovski
- Negotiations – Updating Senior Citizens regarding Conrail
- Litigation – Richard Rivera OPRA Claim
- Litigation – Judy Mack vs. Roselle Park
- Litigation – Cosentino vs. Roselle Park
- Litigation – NJEF vs. Roselle Park
- Negotiations – T-Mobile Contract

INTERRUPT REGULAR ORDER OF BUSINESS

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

RESUME REGULAR ORDER OF BUSINESS

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

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

- Litigation – Romerovski
- Negotiations – Updating Senior Citizens regarding Conrail
- Litigation – Richard Rivera OPRA Claim
- Litigation – Judy Mack vs. Roselle Park
- Litigation – Cosentino vs. Roselle Park
- Litigation – NJEF vs. Roselle Park
- Negotiations – T-Mobile Contract

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

Attest:

Borough Clerk