

Borough of Roselle Park Regular Meeting of February 5, 2009

Attendee Name	Organization	Title	Status	Arrived
Rick Matarante	Borough of Roselle Park	Councilman	P	7:30 PM
Larry Dinardo	Borough of Roselle Park	Councilman	P	7:30 PM
Michael Yakubov	Borough of Roselle Park	Councilman	P	7:30 PM
Larissa Chen-Hoerning	Borough of Roselle Park	Councilwoman	P	7:30 PM
Modesto Miranda	Borough of Roselle Park	Councilman	A	-
Carl Hokanson	Borough of Roselle Park	Councilman	P	7:30 PM
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.

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

COMMUNICATIONS

Councilman Matarante moved the following communications pending the approval of various departments; seconded by Councilman Yakubov.

- Request from RP Marching Band Parents Association to hold a fundraising carnival in front of the High School and to have the street closed (from Pine Street to the entrance of the commuter lot) on Wednesday, July 1, 2009 to Sunday, July 5, 2009. The hours of operation would be Wednesday to Friday 5:00 pm to 11:00 pm; Saturday 12:00 Noon to 11:00 pm and Sunday 12:00 Noon to 6:00 pm.

REPORT AND RECOMMENDATIONS OF MAYOR

- Referred to a good budget model he came across on the Wharton website.
- It is a very good sample and suggested everyone look at it.
- He attended a workshop regarding the State's user friendly budget; it is a document that may make it more confusing to the public.
- Attended a Special Improvement District Meeting and one of the items discussed was a new café that opened on Westfield Avenue called the Vucko Café.
- Met with the Roselle Park Youth League to discuss updates to the ballfields.
- We have received notice from the DEP at the State level that they did accept our remediation investigation report.

- The State has indicated we can move to the next stage, which is to submit for a grant to produce a remedial action work plan.
- This will then determine how the ballfield will be put back in order; that process will take approximately 3-4 weeks from the Engineer's firm to produce.
- The plan will then be submitted to the State for approval and that process will take anywhere between two and three months.
- In the meantime, we will be able to submit a grant application for the cost involved to remediate the ballfields; we do not know what the costs are at this time.
- Right now the State will allow us 75% of those costs to be reimbursed; the other 25% will have to come from some other source than the State DEP.
- Indicated to the Little League organization that if they have any suggestions on the site the Engineering firm's plans will include a site plan which will say what the ballfields will look like when it is done.
- We would have to approve a deed restriction on that site; currently the site is considered a part of one lot and block connected to the Department of Public Works.
- The deed restriction required by the State will have to target the Little League site as an area deeded solely for recreational purposes; essentially that would bar any future development on that site other than for recreational purposes.
- We are waiting for the exact wording the DEP wants us to include in the deed restriction so when we do parcel off part of the property away from the DPW, there will be a separate lot and block number and will have the deed restriction.
- They will be meeting with representatives from PSE&G. Regarding our tree service, members of the Governing Body received a notice that the first has been retained by PSE&G to provide tree maintenance throughout our community; there are approximately 20 or more streets listed for consideration.
- Representatives from the tree service were invited to the front and asked for a report of what would take place in the next week or so.

Ryan Schlier, Supervisor

- They have been retained by PSE&G to perform tree trimming services.
- There are four circuits they will be trimming that come from the substation and there are three communities affected by this; Roselle Park, Union and Elizabeth.
- The work is scheduled over a two to three week period and they may be in one town one part of the day and in another town depending on how the wires are running.
- Asked that all concerns are addressed with them, so they can take care of them.
- Generally it is new growth that has to be removed, but they are always inspecting and can address any other issues that there may be.

Mayor DeIorio asked how early do they start and how late do they work and Mr. Schlier said their hours are 7:00 a.m. to 3:30 p.m. for their crews.

- Mr. Schlier said all the residents are door carded when any pruning will be taking place on their street.

Mayor DeIorio asked that the lines of communication are open while the work is being done.

Councilman Hokanson asked if the work being done will be eye pleasing to the homeowner.

- Mr. Schlier said the tree will be trimmed properly from a health standpoint; but sometimes it is difficult because some homeowners may want to leave certain limbs in.
- Each tree is a little bit different and they try to leave as much on the tree as possible; but when there are wires in the middle of them, it is sometimes difficult.
- Their goal is to make the community safe and keep the power on.
- One of the largest service interruptions are trees.
- If there is a tree that needs a lot removed, there may be an option to do something else.

Mayor DeIorio said they want to avoid taking away limbs and then the tree will be imbalanced.

- Mr. Schlier said a lot of the trees may look like that now from prior pruning, but that does not affect the health of the tree.

Councilman Yakubov asked if a tree can be added from his ward, which has a limb on the power line.

Councilman Dinardo asked if a tree is found that is all the way down, will that be reported to the DPW or will they remove it.

- Mr. Schlier said it would first be reported to PSE&G to notify them of the hazard.
- If a tree is identified that is uprooting or has something significant going on where it will cause a severe hazard, they would notify PSE&G of that.
- They would look at it, then the process would begin on the Borough's end.

CERTIFICATES AND PROCLAMATIONS

CERTIFICATES

- Holiday Exterior Home Decoration Contestants.

PROCLAMATIONS

- Youth Art Month

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Dinardo

- Attended the First Aid Dinner and commended the volunteers.
- Attended the Fire Department Dinner and commended them on their dedication.
- Spoke to the Borough Engineer about Sheridan Avenue off of Westfield Avenue, which is in need of repair and seems to be forgotten; some options were discussed.
- Spoke to two business owners and residents in the area.
- Attended the Public Safety Meeting; they discussed a personnel matter.
- Attended the first Neighborhood Watch Meeting of the year and showed DVD's about credit card fraud.
- The Casano Center floor will be completed soon.

Councilman Yakubov

- Attended the Fireman's Dinner along with other members of Council.
- Attended the Library Meeting and Laura Hahn was elected President.
- Twelve municipalities in New Jersey were approved for the red light camera and among the twelve were Roselle Park and Linden.
- Received complaints from Webster Gardens regarding heat and hot water; the Health Department will be following up on that.
- Congratulated Mr. Bangs, school recycling, for securing a grant of \$1,000 for going green.

Mayor DeIorio said the red light camera project has to go out to bid.

Mayor DeIorio said at the next meeting they will be inviting the Pop Warner Cheerleaders, the Fire Department and the First Aid Squad for their awardees.

Councilwoman Chen-Hoerning

- Attended the First Aid and Fire Department's Annual Dinner.
- Asked that they schedule four or five budget meetings and they will have to introduce the budget by March 20th in order to apply for extraordinary aid; there is a Council Meeting scheduled for March 19th.
- They talked about meeting with Department Heads when they are a little clearer with where they are.

Mayor DeIorio suggested the meetings be scheduled as soon as they can; so if they need additional meetings, they will have enough time to do that.

- Budget Meetings were scheduled for February 10th at 7:00 p.m., the 18th at 6:00 p.m., the 24th at 7:00 p.m., the 27th at 6:00 p.m. and March 4th at 6:00 p.m.
- Would like to see as many of the public attend to see where their tax dollars are going.

- The Board of Health met on January 20th and there is a vote in favor of charging a \$10 administration fee for residents to participate in the flu clinic who are not covered under Medicare. In order to do this, an ordinance must be passed to do this for next year.
- Based on 2007 numbers there would be about \$1,000.
- Some towns charge and some do not.
- On March 5th at 6:45 p.m. there will be a Be Red Cross Ready presentation before the Council Meeting.

PUBLIC COMMENT

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

Jacob Magiera, 612 Sheridan Avenue

- Asked what Resolution #48-09 was for
- Asked about the fees from the Red Light Camera System.

Mayor DeIorio said the Borough has to go to bid and the cost to the Borough is zero.

Councilman Matarante said different vendors can choose different payment methods; they may choose different percentages of each payment.

- Mr. Magiera would like to make a correction at the last meeting; he said it was a U.S. Airway not a South West jet that went down in the Hudson River.
- The next public meeting of the Concerned Citizens of Roselle Park will be on Saturday, February 21st from 2:00 p.m. to 3:30 p.m. at the Casano Center.
- Referred to a Special Report on December 18, 2008 regarding AvalonBay and opposing the PILOT program.
- Should renegotiate and go for straight taxes.

Mayor DeIorio said Police costs would be per capita and the amount would depend on the number of calls and services.

- Mr. Magiera said the PILOT program does not include education.

Mayor DeIorio said the PILOT program allows the Governing Body to use a portion of that money for education.

- Mr. Magiera said after he figured it out, there is nothing left for education if they go with the PILOT program.

Mayor DeIorio said the PILOT program has to be voted on by the Governing Body, if they find that additional services are needed, they can determine a portion to go for educational purposes. The PILOT program is based on income and it is up to the public to give their opinion

and what direction to take. We are trying to give as much information as possible to make it feasible. Part of the process was to submit our Fair Share Housing Plan, which we completed before the end of the year. Also to revise our Redevelopment Plan, which is also being done.

- Mr. Magiera asked about the Affordable Housing requirements.
- Asked if anything has been done with Senior Citizen Housing on W. Webster Avenue.

Mayor DeIorio said Mr. Lane is communicating with Conrail to come up with a fair price for the property.

Mr. Johnstone said a meeting with the railroad will take place on March 1st. They have to come back with a counter offer that will be discussed at that meeting. We have contacted them at least a dozen times in the past four months and we finally received a response.

- Mr. Magiera asked why an offer would be made before the soil is tested.

Mr. Johnstone said the point was to get something moving forward.

Robert Zeglarski, Chester Avenue

- Spoke about the PILOT program.
- Spoke about what services would have to be added to the budget regarding the Romerovski site.

Mayor DeIorio said 30% of the tax dollars go to municipal services, 50% goes to the schools and the balance to the County.

Glenn Marzewski, 622 Sherman Avenue

- The bailout money to banks did not go where it was supposed to go.
- The AvalonBay apartments will be large and easy to overcrowd.
- Asked what is happening with the Ford and Sullivan Chevrolet sites.

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

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

Councilman Hokanson

- On January 17th attended the First Aid Squad Dinner and wished all the volunteers good luck in the coming year.
- On January 24th attended the seminar for newly elected officials in Hudson County.
- This year will be a difficult one for everyone.

- Attended the Fireman's Dinner and congratulated the newly elected officers.
- Reported that 468 dogs have been licensed and there are still 318 outstanding.
- Reported that 115 cats have been licensed and there are still 88 outstanding.
- Suggested everyone that is still outstanding to license their pet, so they will not receive a violation.

Mayor DeIorio said last year those that did not license their pet were sent a violation notice. He suggested that dog and cat owners who have not license their pets this year be sent either a post card or letter that they please do so before receiving a violation. It is more cost efficient if a mailer is sent first.

- Councilman Hokanson said he has no problem with that as times are very difficult for people now.
- He has received inquiries as to why the license fee was increased and said it was because the Humane Society added \$6,000 to the Borough, the rabies shots from the Board of Health went up and the price of the tags also went up.
- Sent a letter to the Environmental Commission and will schedule a meeting.
- Filed his ethics report at the Borough Clerk's Office.
- Attended the Neighborhood Watch Meeting.

Mayor DeIorio said ANJEC is offering a grant to redo the Master Plan or consider better pedestrian and bike trails. One of the requirements of the grant is a report from the Environmental Commission.

Councilman Matarante

- Congratulated the wrestling team, they were seated first in the State Tournament, Central Jersey Group I. They will wrestle in Roselle Park on Monday at 7:30 p.m. and Wednesday at 7:00 p.m. He encouraged everyone to come out and support the team.
- Met with the Public Safety Committee and many issues were discussed.
- Has two issues for Closed Session; one concerning a contractual issue and the other a personnel issue with the Police Department.

Mayor DeIorio said he received a notice from the State Legislative website that the pension bill will up for vote within the next week. This bill will reduce our obligation this year by ½ the amount we normally would pay into a pension. If it is underfunded, then the difference would have to be made up.

Mayor DeIorio said Councilwoman Chen-Hoerning and he attended the Union County League of Municipalities Meeting. There were several discussions including this issue and other issues concerning shared services and the Rahway Valley Sewerage Authority. Roselle Park received a compliment from the town officials in Winfield Park regarding our Farmer's Market. Because of the great work of Antonette Signorello, they would like to start one in Winfield.

REPORTS OF DEPARTMENTS

Tom Solfaro – Borough Engineer

- West Brook Stream Improvements.
- Webster Avenue Sanitary Sewer Replacement.
- First Aid Squad Emergency Generator.
- Union Avenue Storm Sewer Repair Phase II.
- East Clay Avenue Resurfacing.
- 2008 Various Streets Resurfacing.
- East Grant Avenue Sanitary Sewer Repair Phase II.
- E. Lincoln Avenue Train Station Enhancement.
- Various Roads Program.
- Filbert Street Resurfacing.
- Rahway Valley Sewerage Authority Usage Allocation.
- Casano Center Improvements.
- Chestnut Street Crosswalks Phase II.
- Warren Avenue CDBG Road Resurfacing.
- 2009 Economic Recovery Stimulus Program.
- Generators at Borough Hall, Lorraine & Central Fire Houses.
- ADA Compliant Entrance Door at Borough Hall.

Mr. Solfaro discussed the Economic Recovery Program where the Federal Government is looking to funnel dollars through the New Jersey Department of Environmental Protection. The project is specifically related to clean water projects or potable water. Clean water being sanitary sewer infrastructure and also storm sewer facilities. He met last week in Trenton discussing various municipalities and represented a particular project on behalf of Roselle Park, which would qualify for this program; the E. Grant Sanitary sewer project. There is a strict submission deadline which is March 2nd. Plans, specifications, design documents, planner reports, permit applications, financial addendum forms must be submitted to the State by that date. It can be anywhere from a grant to zero interest to low interest. The deadlines are March 2nd for plan submittals and all certifications in Trenton by July 1st.

Councilman Dinardo asked if there are any other grants other than what the Government is offering.

Mr. Solfaro said under this particular program, a street repair does not qualify. It is strictly related to clean water or drinking water.

Mayor DeIorio asked if the Governing Body would need a resolution endorsing this project and Mr. Solfaro said a commitment letter has already been written to the DEP, you would need to give approval to Neglia Engineering to do the design work.

Mr. Blum said something can be put on file to endorse the contract; for us to award the contract we would need funding. Right now a bond ordinance would have to be set up and asked if a specific amount can be set up for the development of the design plans.

Mr. Solfaro said when you are ready to award the contract, you would need the bond money up front and the money would be dispersed to the contractor and be reimbursed through the State by the program.

Blake Johnstone – Borough Attorney

- Guarriello and Dec issue has been resolved.
- East Coast issue has been settled.
- Senior Citizen Housing is slowly moving forward and they will meet on March 1st.
- Has seven other issues for Closed Session; some are litigation and some are contract negotiations.
- The following are contract negotiations: T-Mobile I, T-Mobile II, Fiber Optic, Board of Education, Youth Center and the 3rd party suit of the NJDEP versus Occidental Chemical.

Ken Blum – Chief Financial Officer

- They have been able to regenerate \$1.3 million in surplus used last year; the current balance is \$1,797,806.25.
- There are still taxes that have not been collected before the year end.

Mayor DeIorio said one way or another, the Borough will receive their funds.

- Mr. Blum said if you don't pay your taxes at year end and if it is over \$10,000 you get an additional 6% interest penalty; partial payments are encouraged.
- After one year of taxes being delinquent, there is a tax sale every year.
- The only way the Borough will not receive their funds is if no one comes to bid on that property.
- There will then be a lien held by the Borough; at that point a Borough held lien can be foreclosed on after six months.
- At this point we do not have a Borough lien.
- Anyone who does not pay their taxes; penalizes everyone who does.
- Confirmed with ERN for the \$25,000 fee on tonight's agenda and are able to upfront the cost and the grant will refund up to 75%.
- We are using a capital ordinance that was already in existence for the youth baseball field and from prior years and also the capital ones that were approved last year for improvements to Borough buildings and grounds.
- He has one item for Closed Session regarding the dispatcher's contract.

Paul Morrison – Police Chief

- The Red Light Cameras are moving along quickly and is very pleased at the progress made.
- Have just about completed the RFP so we can go out for bid.
- Will meet with the CFO and Court Clerk.
- A question was raised as to how much money would come into the Borough; it has not yet been determined because we do not know who is going to bid.
- There is a percentage rate and it depends on the vendor.
- Having this system in place is a major safety factor.
- There is a private donor who has offered to donate \$9,930 to the Police Department for the purchase of much needed equipment.
- Asked that Mayor and Council adopt a resolution accepting that.
- The donor also requested to remain anonymous.

Ben Cosentino – Superintendent of Public Works

- Christmas trees are being picked up
- Catch basins were being cleaned; but have been delayed because of everything freezing.
- Crews are filling potholes generated from the winter.
- The SLAP Program is ongoing.
- Sidewalks have been salted and cleaned from the snow and ice.
- Garbage is being removed from the flower pots downtown.

Karen Intile – Administrative Assistant

- Asked how the Fourth of July Event will be handled regarding vendors, games, etc.
- Gloria Commerato is resigning from Casano Center Committee due to health reasons.
- John Longo is willing to be Treasurer.
- Discussed the raindate for the Fourth of July fireworks and asked if that would be the same night as National Night Out.

Councilman Matarante said that worked well in the past and Mayor DeIorio agreed.

- Ms. Intile said the Casano Center floor will be completed by Councilman Dinardo
- A new chair rail will be installed.
- The next Neighborhood Watch Meeting will be held in March.
- Special Improvement District Meeting was held last Wednesday.

Mayor DeIorio said one of the suggestions that came from the SID members was something that Cranford does. They have an inventory of available rental units, business store fronts or units above storefronts. Some of it is advertised on the web and some is kept in house.

- Ms. Intile said there are not enough volunteers to do tax assistance for the seniors this year at the Center.
- The seniors can go to the Elizabeth Public Library to have their taxes done for free.
- Thanked the GOP for the generous donation to the food pantry.
- The next artist in the Casano Center will be Nick Florio, who is the Art Teacher in the High School. She thanked Leon Seufert for getting artists
- There will be Children's Winter Bake Luncheon and ceramics class on February 18th.
- Asked seniors for movies they would like to see at the Center.
- The Annual St. Patrick's Day Luncheon will be on Saturday, March 7th from 12:00 p.m. to 6:00 p.m.; \$15.00 for adults, \$12.00 for senior citizens and \$6.00 for children.
- The Mother's Center is having a consignment sale on March 28th where they sell gently used Children's clothing.
- Will be holding a wine education event at the Center sometime in April.
- Will be attending the Community Block Grant Meeting on Friday.

Mayor DeIorio said Ms. Intile will be providing Council with a year-end review regarding the SID.

Joe Signorello, Fire Chief

- There were no major fires in the month of January.
- CPR training classes were held.
- The aerial part of the ladder truck is out of service due to an oil leak; the ground ladders are still responding to fires.
- They will be attending fire and safety services.
- Councilman Miranda will be touring the firehouses with him.
- The Fire Department received a \$350,000 grant for a rescue truck.

Mr. Blum recommended that a capital ordinance be done and take the Borough matching funds out the capital surplus; this way no new debt will be issued. The \$17,500 will have to be increased to \$18,500 to cover bond counsels and advertising costs. It is a strict grant and the Borough has one year and we need to put the funding in place.

- Chief Signorello said this will be a major asset to the Borough.

Ms. Cali said she had emailed him about a grant seminar, at which they are requesting someone from the Fire Department to attend; there will be a class on applying for grants.

REPORTS OF DEPARTMENTS

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

- Treasurer's Report for December 2008
- Construction Code Enforcement Dept. Report for January 2009

- DPW Report for January 2009
- Administrative Assistant Report for January 10, 2009 through February 5, 2009

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Regular Meeting of December 18, 2008
- Special Meeting of December 30, 2008

✓ Vote Record – Minutes Acceptance of December 18, 2008					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

✓ Vote Record – Minutes Acceptance of December 30, 2008					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MOTION BILLS & PAYROLLS BE NOT READ
MOTION BILLS AND PAYROLLS BE PASSED FOR PAYMENT

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

PASSAGE OF ORDINANCES

SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 2257

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

Councilman Yakubov moved to open the public hearing on Ordinance #2257; seconded by Councilman Hokanson and adopted.

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

Councilman Yakubov moved that Ordinance #2257 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Hokanson.

✓ Vote Record – Amendment - Ordinance #2257					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DeIorio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2259

AN ORDINANCE AMENDING ARTICLE VIII, SECTION 2-70
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
FOR RULES AND REGULATIONS

Councilman Yakubov moved to open the public hearing on Ordinance #2259; seconded by Councilman Hokanson and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked the type of meeting this ordinance refers to.

Ms. Cali said this is permitting any meeting of any public body including but not limited to the Borough Council. One member of the public each; two recording devices, two people.

Mr. Johnstone said no more than two people are allowed to do it; the intent of this is for the members of the public. Anyone that records anything at any meeting; the recording is not the official recording of the meeting. If that is used in any way it must be indicated that it is your personal recording and not the official record; if you do, then you can be penalized severely under the statute.

- Mr. Magiera asked if he tapes the Council Meeting while watching it on TV, is he allowed to show it elsewhere.

Mr. Johnstone said he must identify it is a personal record and not the official record of the Borough. There is only one official record that is being maintained by the Borough.

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

Councilman Yakubov moved that Ordinance #2259 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Hokanson.

Mayor DeIorio said minutes and videotapes are available under the Open Public Meetings Act.

✓ Vote Record – Amendment - Ordinance #2259					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		DeIorio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2260

AN ORDINANCE AMENDING ARTICLE IV, SECTION 4-10, PEDDLERS, CANVASSERS AND TRANSIENT MERCHANTS, OF THE CODE OF THE BOROUGH OF ROSELLE PARK FOR RULES AND REGULATIONS

Councilman Yakubov moved to open the public hearing on Ordinance #2260; seconded by Councilman Hokanson and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked if this falls under Code Enforcement.

Ms. Cali said it does not, it is a license issued by the Borough Clerk's Office, canvassers, transient merchants and solicitors.

Glenn Marczewski, 622 Sherman Avenue

- Asked if a fee has to be paid.

Ms. Cali said when someone comes in to Roselle Park to solicit, canvass or peddle items, a permit must be applied for and pay a permit fee. The fees were not changed; only the hours in which the soliciting can be done. Between 8:00 p.m. and 8:00 a.m., if you are a regular organization and if you are non-profit, you can conduct your solicitations between 9:00 a.m. and 9:00 p.m. The fees for the solicitors and canvassers are \$25.00, for non-profit, the fee is waived and peddlers are \$100 annually.

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

Councilman Yakubov moved that Ordinance #2260 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Dinardo.

✓ Vote Record – Amendment - Ordinance #2260					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Delorio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INTRODUCTION

ORDINANCE NO. 2261

AN ORDINANCE AMENDING ARTICLE VII, GENERAL PROVISIONS OF THE CODE OF THE BOROUGH OF ROSELLE PARK REGARDING LAND USE

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Ordinance 40-703, Fees, of the Borough Code is hereby amended to add the following:

SECTION 1. §40-703, 7. Design standard waiver

	Type of Application	Application Fee	Escrow Fee (first \$200 nonrefundable)
b.	Waiver of Site Plan	\$50.00 each	N/A
	Review for a Change of Use	waiver	

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. 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 4. This Ordinance shall take effect upon the final passage and publication in accordance with the law and upon the filing with the Union County Planning Board.

Councilman Yakubov moved that Ordinance #2261 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 19, 2009; seconded by Councilman Hokanson.

✓ Vote Record – Amendment - Ordinance #2261					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Delorio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2262

AN ORDINANCE AMENDING ARTICLE XXX, SECTION 40-3004 OF THE CODE OF THE BOROUGH OF ROSELLE PARK REGARDING LAND USE

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 128 of the Borough Code is hereby amended to add the following:

SECTION I
ARTICLE XXX
Miscellaneous

§ 40-3004. FENCES.

E.

3. Exclusions to these height requirements are as follows: all sports fields, all park playgrounds, all municipal parking lots, and all municipal work yards.

SECTION II.

All ordinances and parts of ordinances inconsistent with the terms hereof are hereby appealed to the extent of such inconsistency.

SECTION III.

This Ordinance shall take effect at the time and in the manner prescribed by law.

Councilman Yakubov moved that Ordinance #2262 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 19, 2009; seconded by Councilman Hokanson.

Mayor DeIorio said the ordinance has been introduced with the amendment to include the Board of Education properties. There is a Borough Ordinance that also guidelines for residential fences.

Mr. Johnstone said this refers to all the ballparks, ballfields where balls are coming out. If there were a limitation of six or seven feet, it would not be effective; it is to keep the citizens safe. This is allowing the municipality to have the fence as high as they feel necessary for the safety of the public. On residential property, we want to have uniformity.

✓ Vote Record – Amendment - Ordinance #2262					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DeIorio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2263

AN ORDINANCE AMENDING ARTICLE XXX, OF THE CODE
ESTABLISHING THE USE OF CHARITABLE CLOTHING BINS IN THE
BOROUGH OF ROSELLE PARK

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter XL, Land Use, Article XXX, Miscellaneous, Ordinance 23-4.10 of the Borough Code is hereby amended to add the following:

WHEREAS, by P.L. 2007, Chapter 209, (C.40:48-2.60 et seq.), (“the Act”), the Legislature of the State of New Jersey has determined that the installation of Charitable Clothing Bins by municipalities could serve as an effective tool in monitoring the use and abuse of said clothing bins at proper locations thereby improving the beneficial use of said bins for charitable purposes, and

WHEREAS, the Borough of Roselle Park desires of regulating the use of charitable clothing bins within the Borough of Roselle Park, and

WHEREAS, the Borough of Roselle Park that adoption of the ordinance is in the best interest of 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 I.

1. Definitions.

- (a.) “Solicitation” or “solicit” means the request, directly or indirectly, for money, credit, property, financial assistance, or other thing of any kind or value. Solicitation shall include, but not be limited to, the use or employment of canisters, cards, receptacles or similar devices for the collection of money or other things of value. A solicitation shall take place whether or not the person making the solicitation receives any contribution.
- (b) Appropriate municipal agency means the agency determined by resolution by the Mayor and Council of Roselle Park.

SECTION 2. Requirements for Placement, Use of Clothing Bin for Solicitation Purposes.

- (a) Notwithstanding any provisions to the contrary, no person shall place, use, or employ a donation clothing bin, for solicitation purposes, unless all of the following requirements are met:
 - 1. The owner of the bin has obtained a permit, valid for a specific period of time, from the appropriate Borough agency within the Borough of Roselle Park in which the donation clothing bin will be place, in accordance with the following:
 - a. In apply for such a permit, the owner shall include:
 - 1. the location where the bins would be situated, as precisely as possible;
 - 2. the manner in which the owner anticipates any clothing or other donations collect via the bin would be used, sold, or dispersed, and the method by which the proceeds of collected donations would be allocated or spent;
 - 3. the name, and telephone number of the bona fide office required pursuant to subsection b. of this section, of any entity which may share or profit from any clothing or other donations collected via the bins; and
 - 4. written consent from the property owner to place the bin on his property;
 - 2. The appropriate Borough agency shall not grant an application for a permit to place, use, or employ a donation clothing bin if it determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but not be

- limited to, the placement of a donation clothing bins within 100 yards of any place which stores large amounts of, or sells, fuel or other flammable liquids or gases;
3. The appropriate Borough agency may impose a fee for such application, not to exceed \$25.00 to offset the costs involved in enforcing this ordinance.
 4. An expiring permit for a donation clothing bin may be renewed upon application for renewal and payment of any fee imposed by the appropriate Borough agency for such renewal, not to exceed \$25 annually, to offset the costs involved in enforcing this ordinance. Such application shall include:
 - a. The location where the bin is situated, as precisely as possible, and if the person intends to move it, the new location where the bin would be situated after the renewal is granted and written consent from the property owner to place the bin on his property;
 - b. The manner in which the person has used, sold, or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates it may make in these processes during the period covered by the renewal; and
 - c. The name and telephone number of the bona fide office required pursuant to subsection b. of this section, of any entity which shared or profited from any clothing or other donations collected via the bins, and of any entities which may do so during the period covered by the renewal; and
 5. The permit number and its date of expiration shall be clearly and conspicuously displayed on the exterior of the donation clothing bin, in addition to the information required pursuant to subsection c. of this section;
 - b. The owner and any other entity which may share or profit from any clothing or other donations collected via the bin, maintains a bona fide office where a representative of the person or entity, respectively, can be reached by telephone information line during normal business hours for the purpose of offering information concerning the person or other entity. For the purposes of this subsection an answering or service unrelated to the person does not constitute a bona fide office; and
 - c. The following information is clearly and inconspicuously displayed on the exterior of the donation clothing bin:
 1. The name and address of the registered person that owns the bin, and any other entity which may share a profit from any clothing or other donations collected via the bins;
 2. The telephone number of the owners or the owners bona fide office and its as applicable the telephone number of the bona fide office of any other entity which may share a profit from any clothing or other donations collected via the bins;
 3. When an entity other than the person who owns the bin may share a profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin the proceeds or both may be shared or given entirely to the entity other than the person who owns the bins, and identify all such entities that may share profit from such donations;
 4. A statement consistent with information provided to the appropriate

Borough Agency and the most recent permit or renewal applications pursuant to subparagraph (b) of paragraph (1) of subsection a. of this section and subparagraph (b) paragraph (4) of subsection a. of this section, indicating that the manner in which the person anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed and the method by which the proceeds of collected donations would be allocated or spent.

6. Receipt, investigation of complaints relative to donation clothing bin.
 1. The appropriate Borough agency shall receive and investigated within thirty (30) days any complaints from the public about the bin.
 2. Whenever it appears to the above agency that a person has engaged or is engaging in any act or practice in violation of this Ordinance, the person who placed the bin shall be issued a warning, stating that if the violation is not rectified or a hearing with the appropriate Borough agency is not requested in forty-five (45) days, the bin will be seized or removed at the expense of the person who placed the bin, and clothing an any other donations collected via the bin will be sold at public auction or otherwise disposed of. In additional to other forms of notification used to notify the owner who placed the bin, such warning shall be affixed to the exterior of the bin itself.
 3. In the event the owner or person who placed the bin does not rectify the violation or request a hearing with forty-five (45) days of the posting of the warning, the appropriate Borough agency may seize the bin, remove it, or have it removed, at the expense of the person who placed the bin, and sell at public auction or otherwise dispose of any clothing or other donations collect via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the chief financial officer of the Borough.
7. Additional penalties, remedies.
 1. In addition to any other penalties or remedies authorized by the laws of this State, any person who violates any provision of this Ordinance which results in seizure of the donation clothing bin shall be:
 - a. Subject to a penalty of up to \$20,000 for each violation. The appropriate Borough agency may bring this action in the municipal court or Superior Court as a summary proceeding under the “Penalty Enforcement Law of 1999,” and any penalty monies collected shall be paid to the chief financial officer of the Borough.
 - b. The person disqualified from placing, using, or employing a donation clothing bin by violating the provisions of this Ordinance may apply to the appropriate Borough agency to have that person’s eligibility restored.
 - c. The appropriate Borough agency may restore the eligibility of a person who:
 1. Acts within the public interest; and
 2. Demonstrates that he made a good faith effort to comply with the Provisions of this ordinance and all other applicable laws and regulations or had no fraudulent intentions.
8. Location restrictions.

1. Any and all clothing bins are prohibited in all residential zones and or in front of any type of residence.

SECTION II. All ordinances and parts of ordinances inconsistent with the terms hereof are hereby appealed to the extent of such inconsistency.

SECTION III. This Ordinance shall take effect at the time and in the manner prescribed by law.

Councilman Yakubov moved that Ordinance #2263 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 19, 2009; seconded by Councilman Hokanson.

✓ Vote Record – Amendment - Ordinance #2263					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Delorio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2264

AN ORDINANCE AMENDING ARTICLE III, SECTION 2-3.8 (DEPUTY CODE ENFORCEMENT OFFICER) OF THE CODE OF THE BOROUGH OF ROSELLE PARK REGARDING DEPARTMENTS OF LOCAL GOVERNMENT

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Article III, Section 2-30.8, Deputy Code Enforcement Officer, of the Borough Code is hereby amended to include the following:

SECTION 1: §2-30.8 Deputy Code Enforcement Officer

There is hereby created the position of Deputy Code Enforcement Officer who shall have the responsibility and the authority to enforce the following portion of the Borough Ordinances:

- Chapter III – Section 3-3
- Section 3-7
- Section 3-8
- Section 3-9
- Section 3-14
- Chapter IV - Section 4-3
- Section 4-7
- Chapter XIII - Section 13-1
- Chapter XVII - Section 17.1
- Chapter XIX - Section 19-1
- Section 19-2
- Section 19-4
- Chapter XX - All Sections
- Chapter XXIII - Section 23-1.29
- Section 23-2
- Section 23-4

- Section 23-5
- Chapter XXVIII - Section 28-1
- Section 28-2
- Section 28-3
- Section 28-4
- Section 28-5

Chapter XL - All Sections

Specifically included in the responsibility and authority of the Deputy Code Enforcement Officer is to issue summonses or notices of violation for the following:

1. Failure to obtain the requisite permits before initiating construction and/or alterations;
2. Failure to receive a Certificate of Occupancy before occupying the property;
3. Changing the use or converting the occupancy of any structure, in violation of the Land Use Ordinance as cited above;
4. Overcrowding of dwelling units;
5. Failure to adhere to the Borough’s sanitation and litter ordinances; and
6. Inspecting structures and issuing certificates for smoke detectors and carbon monoxide.

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.

Mr. Johnstone said this is giving the Deputy Code Enforcement Officer the ability to enforce certain violations.

Councilwoman Chen-Hoerning asked what is being omitted and Mr. Johnstone said it should say amended.

Councilman Hokanson said will this entail any more education and Mr. Johnstone said no. These are violations he effectively put into place in the Borough and has been upheld by the Court.

Councilman Yakubov moved that Ordinance #2264 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 19, 2009; seconded by Councilman Dinardo.

✓ Vote Record – Amendment - Ordinance #2264					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Delorio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS:

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

RESOLUTION NO. 40-09

WHEREAS, the following property has a tax overpayment, now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector is hereby authorized to refund tax overpayments in the amount of \$1,150.71 for the 3rd quarter of 2008 payable to First American Real Estate Tax Service on Block 810/Lot 30 (otherwise known as 175 East Grant Avenue, Roselle Park, NJ) and assessed in the name of Manoj K. Mallick. Duplicate payments were made by First American Real Estate Tax Service.

✓ Vote Record – Resolution 40-09		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 41-09

WHEREAS, the following property has a tax overpayment, now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector is hereby authorized to refund tax overpayment in the amount of \$1,149.32 for the 4th quarter of 2008 payable to Manoj K. Mallick on Block 810/Lot 30 (otherwise known as 175 East Grant Avenue, Roselle Park, NJ) and assessed in the name of Manoj K. Mallick. Refund to homeowner per request of First American Real Estate Tax Service.

✓ Vote Record – Resolution 41-09		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 43-09

RESOLVED, that the following individuals be appointed as Basketball Referees for the 2009 season in the Recreation Department of the Borough of Roselle Park at a salary set by Borough Ordinance:

- Steven de la Prida, 30 West Clay Avenue, Roselle Park
- Nicholas DiMaggio, 505 Seaton Avenue, Roselle Park

✓ Vote Record – Resolution 43-09					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 44-09

BE IT RESOLVED 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 Grant Avenue Sewer Repair – Phase II

CONTRACTOR Montana Construction Corp. 80 Contant Avenue, Lodi, NJ 07644

CHANGE ORDER NO. 1

AMOUNT OF CHANGE THIS RESOLUTION \$999.98 (0.40 Increase)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

✓ Vote Record – Resolution 44-09					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 46-09

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the resignation of Peter Flatley from the Roselle Park Fire Department effective January 27, 2009 be and is hereby accepted.

✓ Vote Record – Resolution 46-09					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 47-09

WHEREAS, the Mayor and Council of the Borough of Roselle Park recognize the need and importance of the Property Tax Reimbursement Program for Senior and Disabled Citizens; and

WHEREAS, this program is designed to reimburse senior citizens and disabled persons with limited income for property tax increases; and

WHEREAS, currently the State of New Jersey is developing its fiscal year budget in one of the worst financial economic times in the history of our State; and

WHEREAS, the benefits under this program may be affected by the State’s budgetary constraints; and

WHEREAS, program participants from the Borough of Roselle Park, as well as the State of New Jersey, depend on this reimbursement each year;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, urge the Governor and the Legislature to full fund the Property Tax Reimbursement Program for Senior and Disabled Citizens in the upcoming fiscal year budget; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Roselle Park direct the Borough Clerk to forward a certified copy of this resolution to Governor Jon S. Corzine, State Legislature, County Freeholders and the Mayors of Union County.

✓ Vote Record – Resolution 47-09					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 48-09

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey upon the recommendation of the Borough Engineer, Michael J. Neglia, that the Contract for:

Emergency Generators at Borough Hall, OEM Building
Lorraine Fire House & Central Fire House
 BOROUGH OF ROSELLE PARK
 UNION COUNTY, NEW JERSEY

Be awarded to Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, NJ 07071 for the sum of Forty Eight Thousand Six Hundred Dollars and Zero Cents (\$48,600.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

✓ Vote Record – Resolution 48-09					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 51-09

BE IT RESOLVED 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 2008 Various Streets Resurfacing
 CONTRACTOR Smith – Sondy Asphalt Const. 150 Anderson Ave., Wallington, NJ 07057
 CHANGE ORDER NO. 2
 AMOUNT OF CHANGE THIS RESOLUTION -\$5,766.03 (2.45%)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

✓ Vote Record – Resolution 51-09					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 52-09

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that a professional service contract be awarded to Environmental Resources Management, 250 Phillips Blvd., Ste. 280, Ewing, NJ 08618 for environmental consulting services for the preparation and submission of the Remedial Action Work Plan (RAWP) at the Youth Baseball Field Complex in the amount not to exceed \$25,000.

✓ Vote Record – Resolution 52-09					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Yakubov moved the following resolution; seconded by Councilwoman Chen-Hoerning.

RESOLUTION NO. 42-09

WHEREAS, the Collector is hereby authorized to cancel added assessments per Assessor’s Petition on Block 903/Lot 24 (otherwise known as 160 Grant Ave., E., Roselle Park, NJ) and assessed in the name of Jodi Driti as follows:

2008 4th quarter 262.56

BE IT FURTHER RESOLVED to cancel 1st and 2nd quarter added assessment taxes for the year 2009 as follows:

2009 1st quarter 131.28

2009 2nd quarter 131.28

Councilwoman Chen-Hoerning asked that this resolution be explained.

Mr. Blum said there was an added assessment put on the books by the Tax Assessor. Usually the work was never done and the Assessor does his own petition to remove it, so there is no need for an appeal to be filed.

✓ Vote Record – Resolution 42-09					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

RESOLUTION NO. 45-09

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that Ashley Munoz, 66 West 25th Street, Bayonne, NJ be and is hereby appointed to the position of Dispatcher, in the Roselle Park Police Department at the annual salary of \$29,288.87, effective February 9, 2009 pending completion of pre-employment processing.

✓ Vote Record – Resolution 45-09					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

RESOLUTION NO. 50-09

RESOLVED that Debbie Buli, 228 Sherman Avenue, Roselle Park is hereby appointed temporary zoning board clerk at the annual salary of \$2,084.09, effective January 24, 2009.

Councilwoman Chen-Hoerning asked if this salary is an annual salary that is pro-rated until the position is filled.

Mr. Blum said this is the same salary that was paid to the previous employee who resigned. It is effective from the time they left since this person stepped in from that point forward until a permanent replacement is provided.

✓ Vote Record – Resolution 50-09		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Matarante	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Chen-Hoerning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilwoman Chen-Hoerning asked about the garbage bids that will be going out.

Mayor DeIorio said if there are any suggested changes, we would bid with different options because of the time constraints; the bids will be received after the introduction of the budget if it goes as planned. We won't have an exact figure; we will only have an estimate.

Mr. Blum said the bid should go out as soon as possible.

Ms. Cali asked for direction as to what they may want the pick ups to be and how many alternates would they like.

Councilman Hokanson said one pick up per week is ok when it is cold, but in the summer months when it is very hot, the garbage should be picked up more often.

Mayor DeIorio said no matter how the garbage is picked up, the tonnage and the bulk of our costs will stay the same. There may be some savings because it will be less times the truck has to come in; but the end result will be the same amount of garbage.

Ms. Cali said if they only come once per week, it will take longer for them to pick it up.

Mayor DeIorio said we may also want to consider private haulers and asked Ms. Cali to check that out as well.

Councilman Hokanson said that could be a help to the residents.

INTERRUPT THE REGULAR ORDER OF BUSINESS

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

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

- Litigation – Judy Mack vs. the Borough of Roselle Park
- Negotiations – T-Mobile 1
- Negotiations – T-Mobile 2
- Negotiations – Fiber Optic Contract
- Negotiations – Board of Education and Youth Center
- Litigation – Letter regarding third party regarding DEP versus Occidental Chemical

- Personnel – Ordinance regarding the code officials responsibilities
- Personnel – Matter in the Police Department
- Contractual – Matters in the Police Department

RESUME REGULAR ORDER OF BUSINESS

Councilwoman Yakubov moved to resume the regular of business; seconded by Councilman Dinardo and adopted.

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

- Litigation – Judy Mack vs. the Borough of Roselle Park
- Negotiations – T-Mobile 1
- Negotiations – T-Mobile 2
- Negotiations – Fiber Optic Contract
- Negotiations – Board of Education and Youth Center
- Litigation – Letter regarding third party regarding DEP versus Occidental Chemical
- Personnel – Ordinance regarding the code officials responsibilities
- Personnel – Matter in the Police Department
- Contractual – Matters in the Police Department

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

Attest:

Borough Clerk