

Borough of Roselle Park Regular Meeting of February 19, 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 | P | 7:30 PM |
| Carl Hokanson | Borough of Roselle Park | Councilman | P | 7:30 PM |
| Joseph DeLorio | Borough of Roselle Park | Mayor | P | 7:30 PM |

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

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

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

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

CERTIFICATES

- Cheerleaders
- Fall All Conference

PROCLAMATIONS

- Read Across America
- Girl Scout Week
- American Red Cross Month
- Kathy Buldowski

INTERRUPT REGULAR ORDER OF BUSINESS

Councilman Yakubov moved for a five minute recess; seconded by Councilman Matarante and adopted.

RESUME REGULAR ORDER OF BUSINESS

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

Mayor DeIorio said Mr. Paul Endler, Tax Assessor has been in the hospital. He is doing well and wished him a speedy recovery.

Mayor DeIorio said notification has been received from the New Jersey League of Municipalities regarding the pending pension legislation. The Governor is initiating a proposal through the legislature that would allow municipalities to pay for only one half their allotment towards the Public Employees Retirement System and the Police and Fire Retirement System. A similar proposal was made during the Whitman Administration, which cost municipalities because of increase pension costs. The current proposal will allow us to only send half of our obligation to the State in the first year and that percentage would increase slightly over future years. It will put us in a situation where in future years, the pension fund will be under funded then we would only have to pay our obligation of the past. Even though the bill purports to be a matter to reduce our property tax levy, we still have not heard that State Aid will be granted to the Borough of Roselle Park and other municipalities across the State. If this legislation passes, whatever reductions we would be obligated to pay may be offset by the reduction in State Aid. As of today, there are not enough votes in the Senate to pass the current pension reduction legislation and the next opportunity to vote on this would be March 16th. We will not know how much to appropriate based on the pending legislation.

Mayor DeIorio said this meeting will be televised on TV34 on Monday at 10:00 a.m. and 6:00 p.m.; on Thursdays at 12:00 p.m. and 9:00 p.m.; and Saturdays at 2:00 p.m. and 7:00 p.m.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Dinardo

- Attended Budget Meeting on Wednesday.
- Casano Center floor is 90% completed.
- Attended a Municipal Services Meeting before this meeting and discussed personnel issues.
- Spoke about the maintenance of Sheridan Avenue and what can be done.
- Girl Scout Troop #548 has requested to give a presentation at the next meeting regarding recycling.
- Would like an update on the AvalonBay issue.

Mayor DeIorio said on the advice of our Attorney from Jeff Surenian's firm, it was indicated that a couple of things must be done prior to going back to considering any negotiations. One is the passing of the Fair Share Housing Plan and to amend our Redevelopment Ordinance in compliance with the court's request. He has spoken to Mike Jedziniak and he indicated the settlement documentations are still being reviewed between attorneys and we should schedule a meeting during the next couple of weeks.

Councilman Miranda

- On February 9th Ms. Cali and he attended the Department of Homeland Security Fire and Rescue Grant Workshop. Within the next few weeks, he would like to meet with Chief Signorello and determine what can be done.
- On Sunday there was a burning electrical wire on E. Lincoln Avenue. He thanked the Police and Fire Department for responding and evacuating the residents.
- Thanked the Fire Department and Chief Signorello for their dedication.

Councilman Yakubov

- Wished Kathy Buldowski well and said she will be missed.
- Wished Mr. Endler a speedy recovery.
- The next Neighborhood Watch Meeting will be March 28th from 10:00 a.m. to 12:00 p.m.
- Attended the Budget Meeting and encouraged residents to attend.
- The next meeting will be on February 24th at 7:00 p.m. in Borough Hall.
- Mayor DeIorio and he attended the Library Board Meeting where we discussed children's participation.
- On February 26th at 7:00 p.m. they will be having a harp performance at the Library.
- Attended the Joint Sewer Meeting and they are having many water flow issues throughout Essex and Union counties.
- One of them was pending litigation with the Passaic River, which will be discussed in Closed Session.
- Attended the Municipal Services Meeting at which they discussed the hiring of a mechanic.

Mayor DeIorio added that at the Library Meeting he brought forth a couple of issues that were discussed at the Budget Meeting before the Board. One was the surplus money mentioned by Councilman Dinardo in the amount of \$60,000. He addressed this with the Library Director and asked her to give the correct figures to Mr. Blum. He also brought forth the concern of Councilwoman Chen-Hoerning regarding the fencing at the Library. He indicated they are considering replacing it. It was also discussed that the Board President, Laura Hahn and he will move forward in trying to revise the Friends of the Library Organization. Over the last several years, there has been a lack of interest in the group and we hope to revive that.

Mayor DeIorio said regarding the mechanic position he brought forth the idea of shared services. It was suggested we check with other municipalities; he would like shared services looked at.

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

- Congratulated the cheerleaders on their accomplishments.
- Residents have been asking about Costa's Restaurant.
- Thanked Councilman Dinardo for his work at the Casano Center and his volunteerism.

Mayor DeIorio thanked Councilman Miranda and John Longo, as well as all the other volunteers at the Community Center for their work.

- Mr. Magiera asked when the Police Department will begin the yield pedestrian campaign again.
- In the past the Police Department had issued 80 summonses.

Mayor DeIorio said more attention will be brought to that area.

- Mr. Magiera said the Roselle Park Concerned Citizens Meeting will be held at the Casano Center on February 21st from 2:00 to 3:00 p.m.
- Would like the amendments of ordinances #2258 through #2264 explained.
- Asked about Ordinance #2261.
- Spoke about the generators.
- Asked about Resolutions #62-09 and #63-09.
- Spoke about the low fuel issued on flights from Newark airport.

Glen Marczewski, 622 Sherman Avenue

- Asked if Councilmembers walk through their wards.
- There are roads and sidewalks that need to be repaired.
- Asked when next bulky waste will take place.

Councilman Matarante said he walks through his ward frequently.

- Mr. Marczewski asked about the sewer needing work on E. Grant Avenue.
- Spoke about AvalonBay.

Ricky Badillo, 836 Galloping Hill Road

- Congratulated Kathy Buldowski on her retirement.
- Spoke about the wrestling team and what a good job they did this year.
- Commented on the Governing Body on showcasing the positive in Roselle Park.
- Attended the Fireman's Dinner.
- Spoke about the new Municipal Court Judge, Gary Bundy.
- Agreed with the Mayor regarding the pending pension legislation.
- Asked Councilwoman Chen-Hoerning if she is in favor of privatizing garbage pickup.

Councilwoman Chen-Hoerning said she is just interested in getting information about it.

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

REPORTS OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES-Continued

Councilman Matarante

- Has an issue for Closed Session involving negotiations.
- Asked Ms. Cali to compose a resolution for the next meeting to make the two Acting Sergeants permanent.
- Asked that the Roselle Park wrestling team be honored at a meeting in March or April.
- The High School play this year will be Pippin; in late March.

Councilwoman Chen-Hoerning

- Reported on the Board of Health.
- Asked who is responsible for the sidewalk in front of the train station along W. Lincoln Avenue. There have been some complaints from residents.

Mayor DeIorio said he presumed it was NJ Transit. There has been a question as to whether it was Park America or NJ Transit and it happened to be NJ Transit.

- Councilwoman Chen-Hoerning asked about having Red Cross Ready presentation before the next Council Meeting.
- Asked about getting reports from the Zoning Board and asked if there is a liaison for that Board.

Mayor DeIorio said statutorily there is no member of the Governing Body on any Zoning Board.

- Councilwoman Chen-Hoerning asked if it is possible to request a report from them.
- Spoke about getting reports from the Rahway Valley Sewage Authority.
- At the meeting of the League of Municipalities various issues were discussed.

Mayor DeIorio said regarding the Sewage Authority, he has corresponded with Mayor Franco from Springfield because his county is in the same situation as Roselle Park. Kenilworth was interested in asking representatives to hold off on any action taken until we get the overflow issues resolved. He recommended that if the Governing Body feels the same, we pass a voice motion vote so that our representatives can be directed to do so.

Ms. Cali said the Mayor and Borough Engineer will be attending this meeting. One of the issues is they install three meters at three locations. There is also water coming in from

Beechwood, Maplewood and about six other streets that run along Colfax Avenue. She said the Borough Engineer is going to raise the issue that if we are going to be accurate about our flow, they should install meters at every location and not just guess at how much we are taking in from Kenilworth. Also how much we are taking in from Westfield Avenue and Faitoute Avenue, which is a county road. The meeting will be on February 26th.

- Councilwoman Chen-Hoerning said she has received some complaints from residents on Donald Street regarding cars traveling quickly in that area.
- Spoke about the privatization of garbage pickups and some of the advantages and disadvantages.

Mayor DeIorio had mentioned at a Budget Meeting that residents contract for their own garbage pickup rather than it being a municipal service. Some towns do that, but we also have to look at whether the residents would be realizing a cost savings; they may not.

Councilman Matarante said he has spoken to many second ward residents and posing the question to them. It wasn't a backlash of negativity, all the people were being very prudent and many of the comments were that they needed more information and if it will cost more or less. There was not a resounding no to the idea; people are open to suggestions.

- Councilwoman Chen-Hoerning said the next budget meeting will be on Tuesday, February 24th at 7:00 p.m. and encouraged residents to attend.
- Requested that she is notified of various appointments in advance.
- If any residents have any concerns, please contact her at any time.

Councilman Hokanson

- Congratulated the cheerleaders on the great job they have done.
- Congratulated Kathy Buldowski on her retirement and she will be missed.
- Wished Mr. Endler a speedy recovery.
- There are 553 dogs that have been licensed and 232 outstanding.
- There are 159 cats that have been licensed and 44 outstanding.
- The second notice was sent out on February 9th and the deadline is February 28th.

Mayor DeIorio said after that date, summonses can be issued. This time we have given one extra warning to notify pet owners that the due date is coming up; otherwise a summons will be issued.

- Councilman Hokanson asked if there has been any input regarding the animal traps.
- Everyone attended the budget meeting and there has been a lot of input.
- Spoke about the garbage issue.

REPORTS OF DEPARTMENTS

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

- Municipal Court Report for January 2009
- Treasurer’s Report for January 2009

Mayor DeIorio said he has requested the Library Board Director attend the first Council Meeting of each month to provide a report to the residents and Governing Body.

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

| ✓ Vote Record – Minutes Acceptance of January 7, 2009 | | | | | |
|---|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | 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"/> |
| | DeIorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

MOTION BILLS & BILLS BE NOT READ

MOTION BILLS AND PAYROLLS BE PASSED FOR PAYMENT

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

PASSAGE OF ORDINANCES

SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 2258

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, 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, 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

WHEREAS, nothing herein should be construed as a waiver or abandonment of the rights of the Borough under applicable law.

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 January 14, 2009 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.

Janice Talley gave an update on the ordinance regarding some items that were still under discussion. The bulk requirements have been addressed, which had to do with establishing a minimum amount of open space on the two lots. Also, establishing setbacks that worked with the concept plan prepared by AvalonBay. The procedures in the plan were clarified; permitting the Planning Board's ability to grant variances from the bulk requirements should they come up through the site plan review process. At this point, there have not been any engineering details on the site. The Redevelopment Plan could not be changed without coming before the Governing Body to amend. The plan was reviewed by the Planning Board at their February 9th meeting. They recommended approval of the Redevelopment Plan saying that it is consistent with their Master Plan.

Councilman Yakubov moved to open the public hearing on Ordinance #2258; seconded by Councilman Miranda and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked if there is a possibility that negotiations could go back to the original request of AvalonBay of 279 units, which would bring in taxes approximately \$900,000.
- Asked if anything has to be changed.

Ms. Talley said an increase in density would require a change. There can be fewer units than are permitted in the Redevelopment Plan. The change in density would require a use variance, which would require an amendment to the Redevelopment Plan.

- Mr. Magiera said originally Mr. Ladell from AvalonBay wanted 279 units and during negotiations it was changed to 249 units.

- Looking at it favorably for the 279 units, what changes will have to be made.

Ms. Talley said the plan would have to be amended, go back to the Planning Board for their report and come back to Council for their approval. Increasing the units would require going through the process again.

- Mr. Magiera said the original request was 279 units and we receive \$900,000 in taxes.
- After negotiations it was brought to 249 units with the PILOT program.

Mayor DeIorio said if there is a change upward, we would have to amend the ordinance.

Ms. Talley said it would require a significant amount of effort to go back and redo the plan again. There was an agreement to cap it at 249 units, which has been in the Redevelopment Plan since she has been involved. There have been ongoing discussions about other details. The financial discussion is done in the settlement agreement, which is separate from this.

Saul Qersdyn, 150 Berwyn Street

- If it reverts back to the initial plan, what would have to be done.

Ms. Talley said there would be a discussion about what it would look like; the height and the setback. The plan would have to be re-visited.

Mayor DeIorio said this plan is specific of the Redevelopment Plan. In the beginning, the plan was set in one respect; it was adopted with different issues. The change in the number of units will dictate how much work has to be done.

Glenn Marczewski, 622 Sherman Avenue

- Asked about the number of rooms in the apartments.

Ms. Talley said they do not get to that level of detail in this Redevelopment Plan.

- Mr. Marczewski said if there are a lot of rooms, then the apartments can be overcrowded.

Ms. Tally said there is flexibility in the number of bedrooms for the non-affordable units they can put it. We just dictate the maximum total number of units.

Mayor DeIorio said all units in Roselle Park must meet State requirements for overcrowding.

Ms. Talley said the occupancy for the COAH units is dictated by State regulations. If it is a three bedroom, generally it is for a family of five. The occupancy requirement for the non-affordable units are dictated by the building code. When inspections are done, that will dictate how many people can reside in each of those units.

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

Councilman Yakubov moved that Ordinance #2258 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Miranda.

| ✓ Vote Record – Ordinance #2258 | | | | | |
|-------------------------------------|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | 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"/> |
| | DeIorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

| | | | |
|----|----------------------------|-----------------|---------------|
| | | | Escrow Fee |
| | | | (first \$200 |
| | | | nonrefundable |
| b. | Type of Application | Application Fee | |
| | 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 to open the public hearing on Ordinance #2261 seconded by Councilman Miranda and adopted.

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

Councilman Yakubov moved that Ordinance #2261 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Dinardo.

| ✓ Vote Record – Ordinance #2261 | | | | | |
|-------------------------------------|--------------------|---------------|-------------------------------------|--------------------------|--------------------------|
| | | 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"/> |
| | | DeIorio | <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 to open the public hearing on Ordinance #2262; seconded by Councilman Dinardo and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked what is the height of the fence.

Ms. Cali said we are excluded from any height requirements.

- Mr. Magiera asked who would determine the height of the fence.

Ms. Cali said the Borough Engineer would

Paul Irslinger, 155 W. Roselle Avenue

- There are many residents in town who would like to have a fence higher than six feet.
- Money was spent for the Borough to install the fence around the Casano Center that does not stop baseballs and basketballs because it is not played there.

Mayor DeIorio said this problem was brought before us and we found that at the Board of Education property, Little League fields and parks, many of the fences that were installed in the

past were installed with a height requirement above that which is in the existing ordinance. He said the ordinance was adopted in 1975. It is not the type of fence that is being modified itself. The fence around the Green Acres complex that was installed is well over eight feet. The chain link fence when compared to our existing ordinance adopted in 1975 is out of compliance; we are trying to bring everything into compliance. The purpose of putting fencing along municipal properties is for public safety reasons. If a resident wants to build higher than the existing ordinance, they have to come before the Zoning Board, which requires them to notify the residents 200 feet around their property.

- Mr. Irslinger asked why the fences that are so high have to be decorative fences.
- It seems this ordinance is being adopted because fences have been installed that were technically illegal at the time.

Councilman Matarante said the fences around all the ballfields and parks are essential for the safety of the public.

Mayor DeIorio said the purpose for changing from a chain link fence to the existing fence is because there were severe problems with kids cutting through the fencing. Children were walking in the middle of the street on Faitoute Avenue and cutting through the chain link fence.

Councilman Matarante said it was the same thing at Acker Park, when kids were going up over the train tracks and the old fence at that park was higher.

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

Councilman Yakubov moved that Ordinance #2262 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Dinardo.

Councilwoman Chen-Hoerning said we all understand this ordinance because of all the reasons stated. There may be some residents that may think the ordinance will be abused if there is a Borough fence that someone doesn't like.

Ms. Cali said all the information on fences is available in the Clerk's Office when the Borough goes out for bid. Regarding Acker Park, Councilman Matarante held committee meetings for that park and residents requested a ten foot fence and it was scaled down to an eight foot fence. In regard to the Casano Center, the fence there was only four or six feet, and where the parking lot is on the side of the Center, someone could have easily hopped over that four foot fence.

Mayor DeIorio said the fence was also broken and the maintenance on that fence and the overgrowth was very bad.

Councilman Yakubov said if the Borough puts up a fence that is eight feet high and open, they are done for safety and aesthetic reasons. If residential properties installed a fence that was eight high the reason would probably be a solid fence for privacy.

| ✓ Vote Record – 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 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"/> |
| | 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 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 of 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 bind, 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 to open the public hearing on Ordinance #2263; seconded by Councilman Dinardo and adopted.

Glenn Marczewski, 622 Sherman Avenue

- Why is this being done when there have bins around for years.

Ms. Cali said it is a new law and the fee will go to the Borough.

Mr. Johnstone said it is a recent law that was passed by the State and we are conforming to the State law. The State passed this law because many people were misusing the bins and now they are being monitored.

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 #2263 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Dinardo.

| ✓ Vote Record – 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 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"/> |
| | Delorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

ORDINANCE NO. 2264

AN ORDINANCE AMENDING ARTICLE III, SECTION 2-30.8
(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.

Councilman Yakubov moved to open the public hearing on Ordinance #2264; seconded by Councilman Dinardo and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked the ordinance be explained.

Ms. Cali said this ordinance defines the responsibilities and authority of the Deputy Code Enforcement Officer. This is for people who fail to get permits, fail to get a CO before occupying a property, changing the use or converting the structure in violation of the land use law, overcrowding of dwelling units, failure to adhere to the Borough’s sanitation and litter ordinances, inspecting structures and issuing certificates for smoke detectors and carbon monoxide.

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 #2264 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Dinardo.

| ✓ Vote Record – 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 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"/> |
| | Delorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

INTRODUCTION

ORDINANCE NO. 2265

AN ORDINANCE PROVIDING FUNDING FOR ACQUISITION OF FIRE RESCUE VEHICLE WITH EQUIPMENT FOR THE BOROUGH OF ROSELLE PARK AND APPROPRIATING \$351,000 FOR SUCH PURPOSE

BE IT ORDAINED by the Borough Council of the Borough of Roselle Park, in the County of Union and State of New Jersey, as follows:

Section 1. The Borough of Roselle Park, in the County of Union, New Jersey, authorizes the acquisition of fire rescue vehicle with equipment for the Borough of Roselle Park to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$351,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from a grant from the Department of

Homeland Security in the amount of \$332,500 and from Capital Surplus in the amount of \$18,500.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Roselle Park may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

Councilman Yakubov moved that Ordinance #2265 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on March 5, 2009; seconded by Councilman Dinardo.

| <input checked="" type="checkbox"/> Vote Record – Ordinance #2265 | | 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"/> |

RESOLUTIONS

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

RESOLUTION 53-09

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the donation of \$9,930.00 from an anonymous donor for the purchase of tactical equipment for the Roselle Park Police Department be and is hereby accepted.

| <input checked="" type="checkbox"/> Vote Record – Resolution 53-09 | | 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"/> |
| | Delorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESOLUTION NO. 54-09

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 \$531.61 payable to CCTS Capital LLC for redemption of TSC #2007-10 on Block 310/Lot 21 (otherwise known as

245 West Westfield Ave., Roselle Park, NJ 07204) and assessed in the name of Marlen Shayo. Interested calculated to meeting date of 12/19/08 as follows:

| | |
|---------------------|--------------|
| CERTIFICATE AMT | 519.61 |
| SEARCH FEE | <u>12.00</u> |
| TOTAL AMT TO REDEEM | 531.61 |

BE IT FURTHER RESOLVED the Collector issue a check in the amount of \$300.00 from the Collectors Premium Account.

| ✓ Vote Record – Resolution 54-09 | | | | | |
|-------------------------------------|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | 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"/> |
| | Delorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESOLUTION NO. 56-09

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 \$5,318.01 payable to Bernard Sabin for redemption of TSC #2007-22-07 on Block 1003/Lot 13 (otherwise known as 415 Lincoln Ave. E. Roselle Park, NJ 07204) and assessed in the name of Robert & Arlene Beveridge. Interested calculated to meeting date of 2/19/08 as follows:

| | |
|-------------------------|---------------|
| Certificate Amount | 129.04 |
| Interest on Certificate | 31.55 |
| Search Fee | 12.00 |
| Recording Fees | 40.00 |
| Subsequent Taxes | 4,324.04 |
| Interest in Subsequents | <u>781.38</u> |
| | \$5,318.01 |

| ✓ Vote Record – Resolution 56-09 | | | | | |
|-------------------------------------|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | 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"/> |
| | Delorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESOLUTION NO. 57-09

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 \$24,100.60 payable to US Bank-Cust/Sass Muni V dtr for redemption of TSC #2007-14 on Block 701/Lot 13 (otherwise known as 34 Sumner Ave. E., Roselle Park, NJ 07204) and assessed in the name of Joseph Lussette. Interested calculated to meeting date of 2/19/08 as follows:

| | |
|--------------------|-----------|
| CERTIFICATE AMT | 12,037.74 |
| REDEMPTION PENALTY | 722.26 |

| | |
|-------------------------|---------------|
| SEARCH FEE | 12.00 |
| RECORDING FEE | 40.00 |
| SUBSEQUENT TAXES | 11,013.27 |
| INTEREST ON SUBSEQUENTS | <u>275.33</u> |
| TOTAL AMT TO REDEEM | 24,100.60 |

BE IT FURTHER RESOLVED the Collector issue a check in the amount of \$29,000.00 from the Collectors Premium Account.

| ✓ Vote Record – Resolution 57-09 | | | | | |
|-------------------------------------|--------------------|---------------|-------------------------------------|--------------------------|--------------------------|
| | | 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"/> |
| | | Delorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESOLUTION NO. 58-09

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 \$720.12 payable to Sequoia Investments for redemption of TSC #02-2007 on Block 1110/Lot 10 (otherwise known as 637 Willow Ave., Roselle Park, NJ 07204) and assessed in the name of Villafane, Maria N & Arango, Carlos. Interested calculated to meeting date of 2/19/08 as follows:

| | |
|-----------------------------------|-------------|
| Certificate Amount | 322.81 |
| Redemption Penalty on Certificate | 6.46 |
| Interest on Certificate @ 18% | 10.17 |
| Search Fee | 12.00 |
| Recording Fees | 40.00 |
| Subsequent Taxes | 320.19 |
| Interest in Subsequents | <u>8.49</u> |

\$720.12

| ✓ Vote Record – Resolution 58-09 | | | | | |
|-------------------------------------|--------------------|---------------|-------------------------------------|--------------------------|--------------------------|
| | | 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"/> |
| | | Delorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESOLUTION NO. 60-09

RESOLUTION AUTHORIZING APPLICATION
FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL
INFRASTRUCTURE FINANCING PROGRAM
FOR THE E. GRANT AVE SANITARY SEWER IMPROVEMENTS PROJECT

Applicant: Borough of Roselle Park
 PIN Number: 13009045

WHEREAS, the Borough of Roselle Park intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the East Grant Ave Sanitary Sewer Improvements (between Magie Ave and Chestnut St).

NOW, THEREFORE BE IT RESOLVED, that Michael J. Neglia, P.E., P.P., P.L.S., the Borough Engineer be authorized to act as the Authorized Representative to represent the Borough of Roselle Park in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at:

Neglia Engineering Associates
 34 Park Avenue
 Lyndhurst, NJ 07071
 Phone: (201) 939-8805
 Fax: (201) 939-0846

| ✓ Vote Record – Resolution 60-09 | | | | | |
|-------------------------------------|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | 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"/> |
| | Delorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESOLUTION NO. 61-09

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

East Grant Ave Sanitary Sewer Improvements
2009 Economic Stimulus Program
 BOROUGH OF ROSELLE PARK
 UNION COUNTY, NEW JERSEY

Be awarded to Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, NJ 07071 for the sum of One Hundred Thousand Dollars and Zero Cents (\$100,000.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

| ✓ Vote Record – Resolution 61-09 | | | | | |
|-------------------------------------|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | 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"/> |
| | Delorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

RESOLUTION NO. 55-09

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that the agreement between the County of Union, Office of the Union County Sheriff and the Borough of Roselle Park for the Sheriff's Labor Assistance Program for 2009 be and is hereby renewed in the amount of \$45,559.18.

| ✓ Vote Record – Resolution 55-09 | | 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"/> |
| | DeIorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

Councilman Dinardo asked what her previous salary was before the promotion and Mr. Blum said it was a couple of thousand; this salary is set by the Clerical Contract.

RESOLUTION NO. 59-09

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that Gabrielle Olivo be and is hereby promoted to the position of Senior Clerk in the Roselle Park Police Department, effective March 1, 2009, at the current annual salary of \$31,643.75.

| ✓ Vote Record – Resolution 59-09 | | 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"/> |
| | DeIorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

RESOLUTION NO. 62-09

BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle Park that Philip Morin, Esquire is hereby authorized to represent the Borough of Roselle Park in Tax Appeals for the year 2009, and

BE IT FURTHER RESOLVED, that the above authorization is for an amount not to exceed \$100.00 per hour or a maximum of \$4,000.00 to be charged to: Legal Services & Costs, Tax Appeals, as placed in the 2009 Temporary Budget, and

BE IT FURTHER RESOLVED, that this appointment is made without the necessity for advertising for bids as a professional service, and

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

Councilman Dinardo asked if there is an Alternate Tax Attorney now, and Mayor DeIorio said the prior Tax Appeal Attorney was Gary Bundy.

Councilman Dinardo asked if anyone else has inquired about this position.

Mayor DeIorio said the Mr. Morin was the Mayor of Cranford.

Councilman Hokanson asked about the \$4,000 salary and Mr. Blum said the money is in the municipal budget.

| ✓ Vote Record – Resolution 62-09 | | 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 type="checkbox"/> | <input checked="" 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 checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Yakubov | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Chen-Hoerning | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Miranda | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Hokanson | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | DeIorio | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

RESOLUTION NO. 63-09

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

1. Maureen Morin be and hereby is appointed Alternate Municipal Prosecutor to serve only in the absence or disqualification of the Chief Municipal Prosecutor for a term ending on December 31, 2009.
2. As to those matters in which he is called to serve, Ms. Morin shall have all the powers and authority provided for Municipal Prosecutors by statute, Borough ordinances, and court rules and rulings and shall be subject to the same and to the rules and regulations of the Administrative Office of the Courts.
3. Richard Huxford, Esquire, Municipal Court Prosecutor is hereby designated Chief Municipal Prosecutor.

Councilwoman Chen-Hoerning asked for background on Maureen Morin.

Mayor DeIorio said she is married to Phil Morin and is an Attorney. The appointment is solely for the purpose if Mr. Huxford is unavailable, we need an appointed alternate. Any monetary amount will be between the two of them; none attached to this position.

| ✓ Vote Record – Resolution 63-09 | | 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"/> |
| | DeIorio | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Mayor DeIorio appointed John Stephen, 227 Sheridan Avenue, Roselle Park as a Class IV member to the Roselle Park Planning Board to fill the unexpired term of Leland Stanford expiring 12/31/09.

Mayor DeIorio appointed John Velasquez, 130 Sheridan Avenue, Roselle Park as First Alternate to the Roselle Park Planning Board to fill the unexpired term of John Stephen expiring 12/31/09.

Mayor DeIorio appointed Glen Costello, 170 Jerome as Class IV Second Alternate to the Roselle Park Planning Board to fill the unexpired term of John Velasquez expiring 12/31/10.

INTERRUPT THE REGULAR ORDER OF BUSINESS

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

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

- Potential Negotiation – vacation of a street on Sheridan Avenue
- Potential Litigation – Rahway Valley Sewage Authority
- Contractual – Issue regarding the PBA
- Negotiation – Board of Education for youth services

RESUME REGULAR ORDER OF BUSINESS

Councilman 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:

- Potential Negotiation – vacation of a street on Sheridan Avenue
- Potential Litigation – Rahway Valley Sewage Authority

- Contractual – Issue regarding the PBA
- Negotiations – Board of Education for youth services

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

Attest:

Borough Clerk