

Borough of Roselle Park Regular Meeting of December 3, 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	A	-

Council President Yakubov 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 Hokanson moved the following communication; seconded by Councilman Dinardo, all members present voting Aye.

- Request from the Women of Assumption Ministry of the Church of the Assumption to use Gazebo Park on Sunday, June 6, 2010 from 2:00 p.m. to 4:00 p.m. for a day of prayer and to put a banner across Chestnut Street to invite all persons who might want to attend.
- Request from Patti Johns to can at the Christmas parade for project graduation and pass out flyers for pancake breakfast and pictures with Santa.

RESOLUTIONS

Councilman Hokanson moved the following resolution, seconded by Councilman Dinardo.

RESOLUTION NO. 237-09

BE IT RESOLVED that Richard Hernandez, Jr., 44 Reinhold Terrace, Union, New Jersey 07083 is hereby appointed a Probationary Police Officer (7-12months), in the Roselle Park Police Department, at an annual salary of \$46,091.87 effective December 14, 2009 for a 12 month period ending December 13, 2010.

Vote Record – Resolution #237-09		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 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 checked="" type="checkbox"/>

Richard Hernandez, Jr. was sworn in as Probationary Police Office by Ms. Cali.

Police Chief Morrison welcomed him to the Police Department.

REPORT AND RECOMMENDATIONS OF MAYOR

- Invited everyone to the Tree Lighting Ceremony on Friday and the parade on Saturday.
- Invited Councilman-Elect Joe Accardi to join Council on the dais.

Councilman Matarante spoke about the Snowman Contest in the Borough and said there were 25 snowmen and everyone was allowed to vote. He announced the winners as follows: First Place of \$100 cash to Alicia Marino; Second Place of \$25 cash to Michael Butler; Third Place of \$25 cash to Jessica Cistrelli; Fourth Place of Gift Certificate for Costa's to Janemarie Buli; Fifth Place of \$15 Gift Certificate for The Hot Spot to the Roselle Park Academy; Sixth Place of \$10 Gift Certificate for The Hot Spot to winner from High School. He congratulated everyone that participated in the contest and all the winners will be recognized at the next Council Meeting.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Hokanson

- Congratulated Councilman Yakubov on his marriage.
- Spoke about his 300 Day in Office Meeting.
- November 30th an Environmental Meeting was held; they discussed the dog park.
- Gave his Dog and Cat Report for October.
- Spoke about the Tree Lighting Ceremony and the parade.

Councilwoman Chen-Hoerning

- Spoke about the H1N1 Clinic that will take place in Roselle Park on Sunday.
- Attended the Sing-a-long at the Methodist Church.
- There will be the Rotary Club Pancake Breakfast and Craft Fair at the Methodist Church on Saturday.
- Attended the League of Municipalities Convention and learned of some of the possibilities with the Local Access Station programming.

Councilman Matarante

- Spoke about the fan of Roselle Park link on Facebook.
- Spoke about the Pop Warner Cheerleaders going to Florida and asked that everyone support them.

Councilman Hokanson said he had two matters for Closed Session.

Councilman Dinardo

- Attended the Municipal Services Meeting.
- Spoke about the Tree Lighting Ceremony and the parade.

Councilman Yakubov

- Spoke about street repairs and the addition of the repair of Beachwood Avenue.
- Would like to schedule a Community Watch Program Meeting in January.
- Has a matter for Closed Session regarding pavers.

REPORTS OF DEPARTMENTS

Paul Morrison – Police Chief

- Spoke about a meeting of the Public Safety Committee and the red light system; hopes to have it in place early next year.
- Looking into solar power flashing lights on Sumner Avenue, which is a problem intersection.
- The lights would not blink at all times, so as not to bother the residents.

Vince Cahill – Superintendent of Public Works

- Spoke about leaf season and the pick ups by the County.
- Have been putting up holiday decorations in the town.
- Anticipates after leaf season they will move to collecting branches and Christmas trees.
- Will then move into storm drain cleaning, so they will comply with stormwater regulations.

Councilman Hokanson asked about the lining on Dalton Street.

- Mr. Cahill said they will do that after they have completed collecting leaves.
- They will put in temporary lines for the winter and then permanent lines in the spring.

Councilwoman Chen-Hoerning asked about leaf pick up on county roads.

- Mr. Cahill said stormwater regulations state no leaves can be put into the street seven days prior to collection.
- There are many residents putting out leaves before the seven days because the County came late this year.
- Bagging the leaves is the best way to go.
- If Council agrees, he can call the County to discuss the issue.

Ms. Cali said if the town picks them up, we must dispose of them and we are paying \$2.00 per yard.

- Mr. Cahill said this week they have removed 2,200 yards of leaves that were stockpiled.
- Plans to pick up leaves into January.

Joe Signorello – Fire Chief

- Spoke about the progress of the new rescue truck.
- The progress is shown online at Custom Bodyworks.
- Spoke about the Tree Lighting and the Holiday parade.
- Spoke about the drill that took place at the Middlesex County Burn Building.
- Attended the installation of the generators for the Police Department.

Tom Solfaro – Borough Engineer

- The majority of the capital projects for the roadways have been completed.
- Warren Avenue has been completed.
- West Webster concrete is completed.
- East Clay concrete work is on the way and there is a culvert area that has to be cleaned.
- Reported on the Casano Center work.
- Spoke about the work at Borough Hall.

Councilman Hokanson asked about the bids for Pop Warner and Elinor Avenue.

Blake Johnston – Borough Attorney

- Had one item for Closed Session.

Doreen Cali – Borough Clerk

- Had two issues for Closed Session pertaining to ERM's report for the Little League Field and contract negotiations for the Clerical Group.

Ken Blum – Chief Financial Officer

- The State reduced our state aid payment for December 1st \$22,746.45.
- There is still no word from the State as to how to progress with this.
- There were 45 properties on the list for the Tax Sale on November 24th and all were sold.
- Spoke about the increases on the pension bills.
- Has one matter for Closed Session dealing with Union Contracts and health benefits.

Councilman Yakubov thanked the DPW for putting up all of the holiday decorations.

REPORTS OF DEPARTMENTS

Councilman Matarante moved to approve the following reports; seconded by Councilman Hokanson.

- Municipal Court Report for October, 2009
- Police Chief’s Report for November, 2009
- Superintendent of Public Works Report for November 2009.

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Regular Meeting of November 5, 2009

Vote Record – Minutes Acceptance of November 5, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Miranda	<input 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"/>

MOTION BILLS & PAYROLLS BE NOT READ

MOTION BILLS AND PAYROLLS BE PASSED FOR PAYMENT

Councilman Matarante moved that bills and payrolls not be read and passed for payment; seconded by Councilman Dinardo.

PUBLIC COMMENT

Councilman Matarante 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

- Spoke about the cheerleaders going to Florida.
- Congratulated Councilman Yakubov on his marriage.
- Spoke about the anniversary of Pearl Harbor on December 7th.
- Asked for more “Yield to the Pedestrian” signs on Chestnut Street.
- Residents should be compensated for bagging leaves.
- Spoke about the extension of the patio at the Casano Center and asked about the cost.
- Asked about the crosswalk pavers.
- Asked about the inventory of Borough assets.
- Asked about the Budget Meeting schedule.
- Spoke about the empty lots on Valley Road.
- Asked about what aid we will receive from the State of New Jersey.
- Asked what would happen if the State of New Jersey filed for bankruptcy.
- Gave his report on the Union County Air Traffic Noise Advisory Board.

Robert Zeglarski, 521 Chester Avenue

- Welcomed Joe Accardi to Council.
- Thanked Chief Morrison and Karen Intile for their presentations to the Rotary Club.
- Spoke about the budget process schedule.
- Asked about a resolution regarding the Non-Conforming Debt Schedule.
- Spoke about road reconstruction and resurfacing.
- Spoke about the sewer utility budget.

Glen Marzewski, 622 Sherman Avenue

- Spoke about bicycle helmets.
- Asked about senior citizen housing.
- Spoke about the Sullivan property and AvalonBay.
- Referred to a newspaper article about teenagers selling and using pharmaceutical drugs.

Councilman Hokanson spoke about the Police Department hosting “Operation Medicine Cabinet”; it was so successful, they are going to do it again.

Joseph Signorello, 625 Woodland Avenue

- Asked about the rain date for the Holiday parade.
- Spoke about NJ Transit lighting under the railroad trestles.

Andrew Casais, 166 Berwyn Street

- Asked how many doses of the H1N1 vaccine will be available at the Clinic on Sunday.

- Spoke about the Sullivan property.
- There will be a Concerned Citizens Meeting on December 12, 2009 at 1:00 p.m.

Joe Ruck, 21 Williams Street

- Spoke about the fence that is behind his daughter's property on Williams Street.
- There is a possible safety issue with the area.
- The removal of the fence leaving the storm drain open.
- Councilman Hokanson said he would arrange for a temporary guard until a new fence is installed.

Debbie Buli, 228 Sherman Avenue

- Congratulated the Borough on the Holiday decorations.
- Thanked Mayor and Council for the Create a Snowman Contest.
- Hopes these projects are ongoing in the community.

Mr. and Mrs. Jacob Schneeberger, 16 Warren Avenue

- Spoke about the use of the driveway on 12 Warren Avenue being used for business.
- It is creating a health hazard for her family.
- It is also a danger to the public.
- She has pictures of the trucks idling.
- Councilman Hokanson asked that she forward the pictures to him, or they can be forwarded to the Police Chief.
- He also suggested they set up a day and time with the Borough Prosecutor.

Eugene Meola, 226 Sheridan Avenue

- Asked about the scheduling for the cleaning of the storm drains and recycling calendar.

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

PASSAGE OF ORDINANCES

SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 2286

AN ORDINANCE FIXING THE SALARY
OF ZONING OFFICER

Councilman Matarante moved to open the public hearing on Ordinance #2286; seconded by Councilman Dinardo and adopted.

Glen Marczewski, 622 Sherman Avenue

- Asked what the Zoning Officer does.

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

Councilman Matarante moved that Ordinance #2286 be adopted on first reading and advertised as prescribed by law; seconded by Councilman Hokanson.

Vote Record – Ordinance #2286		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. 2287

AN ORDINANCE AMENDING CHAPTER XXVIII, SECTION 28-4
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
REGARDING RECYCLING

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter XXVIII, Section 28-4 of the Borough Code regarding Recycling is hereby amended in its entirety to read as follows:

- I. Definitions
- II. Source Separation: Exemption from Source Separation Requirements
- III. Collection of Recyclable Materials
- IV. Residential Dwelling Compliance Requirements
- V. Commercial & Institutional Establishment Compliance Requirements
- VI. Compliance Requirements for Fairs, Parks, Concerts, Streets, and other Outdoor Events
- VII. New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties
- VIII. Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials
- IX. Enforcement
- X. Violations and Penalties
- XI. Severability, Effective Date

I. Definitions

Commercial and Institutional Establishments: means retail, wholesale, restaurants, taverns, schools, institutions including government, warehouses, construction sites, factories, offices, etc., but specifically excludes Fairs, Parks, Concerts, and other Outdoor Events.

Commingled: means a combining of non-putrescible source-separated recyclable materials for the purpose of recycling.

Covered Electronic Device: shall constitute a subset of electronic waste which shall include only the following: a computer central processing unit of a laptop computer or desktop computer, a cathode ray tube, a cathode ray tube device, a flat panel display or similar video display device with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards, including a television, and cell phones.

Designated Recyclable Materials: means those materials designated below that shall be source separated for the purpose of recycling. These materials include:

A. Designated Materials for Residential Waste Generators:

- Aluminum, tin, steel
- Corrugated cardboard
- Glass Containers
- Grass, Brush, Leaves
- Household Batteries
- Leaves
- Masonry (brick, block, concrete)
- Mixed Paper
- Motor Oil
- Motor Oil Filters
- Newspaper
- Office Paper
- Plastic Containers (Type 1, 2 & 3)
- Tires
- Vehicle Batteries
- White Goods (air conditioners, refrigerators)
- Wood

B. Source Separation And Recycling Requirements For Commercial, Institutional and Industrial Waste Generators

- Aluminum, tin, & steel
- Computers and Peripherals
- Corrugated Cardboard
- Fluorescent bulbs
- Glass Containers
- Grass, Brush, Leaves
- Household Batteries
- Leaves
- Mixed Paper
- Masonry (asphalt, brick, block, concrete)
- Motor Oil
- Motor Oil Filters

- Newspaper
- Office Paper
- Plastic Containers (Type 1, 2 & 3)
- Tires
- Vehicle Batteries
- White Goods (air conditioners, refrigerators)
- Wood

Electronic Waste: shall mean a computer central processing unit and associated hardware including keyboards, modems, printers scanners and fax machines; a cathode ray tube, a cathode ray tube device, a flat panel display or similar video display device with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards, including a television, and cell phones.

Mixed Paper: shall mean and include magazines, direct mails, glossy catalogs, coupon inserts, envelopes, color news inserts, sweepstake forms, phone books, (white paper only), undelivered postal mail, color notebook paper, school construction paper, real estate listings, color letterhead paper, color office paper, computer paper, photocopy and fax paper and mimeograph paper.

Multifamily Dwelling: means any building or structure, or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see NJSA 13:1E- 99.13a.) and shall include hotels, motels, or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the “Hotel and Multiple Dwelling Law,” P.L. 1967, c. 76 (C.55: 13A-1 et seq.).

Municipal Recycling Coordinator: means the person or persons appointed by the Municipal Governing Body and who shall be authorized to, among other things, enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder.

Municipal Solid Waste (MSW) Stream: means all solid waste generated at residential, commercial, and institutional establishments within the boundaries of the Borough of Roselle Park.

Recyclable Material: means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

Source Separated Recyclable Materials: means recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

Source Separation: means the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

Universal Waste: shall mean a specific hazardous waste stream that has been designated by EPA or those waste streams identified in the New Jersey Universal Waste Rule (N.J.A.C. 7:26A-7). Only the following materials may be managed as universal waste:

- Rechargeable batteries and button cell batteries
- Mercury containing equipment, including thermometers and thermostats
- Pesticides
- Fluorescent lamps (light bulbs)
- Electronic waste
- Oil-based paints and finishes

White Goods and Metal: shall mean refrigerators, freezers, washers, stoves, dishwashers, dryers, air conditioners, hot water heaters and furnaces.

II. Source Separation: Exemption from Source Separation Requirements

- A. Mandatory source separation: It shall be mandatory for all persons who are owners, tenants, or occupants of residential and non-residential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the Borough of Roselle Park, to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separate and apart from other solid waste generated by the owners, tenants, or occupants of such premises and shall be placed separately at the curb or other location(s) in a manner and on such days and times as may be hereinafter established by regulations promulgated by the Borough of Roselle Park.
- B. Exemptions: Pursuant to N.J.S.A. 13:1E-99.16(d), the Governing Body of a municipality may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this Chapter, a commercial or institutional generator of solid waste shall file an application for exemption with the Municipal Recycling Coordinator on forms to be provided for this purpose. The form shall include, at a minimum, the following information: the name of the commercial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the commercial or institutional entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the Municipal Recycling Coordinator of the total number of tons collected and recycled for each designated material.

III. Municipal Collection of Recyclable Materials

The collection of recyclable material collected through the Municipal Collection Program shall be in the manner prescribed as follows:

- A. All recyclables (newspapers, magazines, junk mail, corrugated cardboard, glass bottles, aluminum, bimetal, tin cans and plastic bottles) shall be placed curbside by the owner or tenant in standard suitable container or bundled. Suitable container is defined to be metal, rubber or plastic receptacle without a cover. Glass and plastic bottles may be co-mingled with metal cans. Newspapers, magazines and cardboard must be bundled separately from each other.
 - 1. Each receptacle for use shall have a capacity of not less than twenty (20) nor more than thirty (30) gallons and be equipped with a pull handle or handles. The total weight of any container or bundle shall not exceed fifty (50) pounds.
 - 2. No "Medical Waste" or trash shall be mixed with recyclables.

- B. The recyclables for a curbside pick up shall be placed at the curblin in front of the property for collection every other Tuesday.
- C. The Borough will provide a pick up by schedule, with the following fees to be charged:

<u>Each Item</u>	<u>Fee</u>
Refrigerator	\$20.00
Freezer	\$20.00
Washer	\$10.00
Stove	\$10.00
Dishwasher	\$10.00
Dryer	\$10.00
Air Conditioner	\$10.00
Hot Water Heater	\$10.00
Furnace	\$20.00
Fans	\$10.00
Grills	\$10.00

- D. Concrete: Concrete may not be placed in the garbage or at the curb without prior approval of the Borough. The Borough will provide a pickup for concrete for the following charges:

<u>Item</u>	<u>Fee</u>
Slabs (4' x 4'4")	\$12.00 each
Bulk	\$60.00 per cubic yard

- E. Collection hours shall be 6:00 a.m. to 4:00 p.m.
- F. All receptacles or dumpsters shall be kept clean and in a safe manner.

IV. Residential Dwelling Compliance Requirements

- A. The owner of any residential property shall be responsible for compliance with this Ordinance. Citizens are responsible for source separating mandated items according to this municipal ordinance and delivering them to the municipal collection system (whether curbside collection, bulk center or drop-off center). These items must be source separated; no mandated recyclables are permitted in the garbage put out for collection; no garbage is permitted in recyclables placed in the municipality's collection system.
- B. For multifamily units, the owner or manager is responsible for the following:
 1. The property owner/management is responsible for ensuring that a recycling system is established and that it is operated in compliance with the requirements of this municipal ordinance. The property owner/management is responsible for setting up and maintaining the recycling system. The property owner/management is responsible for receiving and responding to Warnings, Notices of Violation, and Penalty Assessments and for correcting violations. The property owner/management will be expected to correct violations promptly and to make necessary direct contacts with residents.
 2. Drop-off centers (bulk centers), if in use, must be established and maintained so that they are conveniently accessible to residents. Curbside collection may be made available in place of, or in conjunction with, these drop-off centers. The recycling system must provide for all designated recyclables in the residential waste stream. The recycling system may utilize separate containers for each

recyclable material or it may provide for two or more materials to be placed in one container provided the recycling hauler can take the materials commingled. Containers must be clearly marked and the area neatly maintained. Container capacity must be adequate to hold the amount of materials generated between pick-ups. It must be clear to an inspector that the system is being serviced.

3. The recycling area shall be conveniently located for the residential deposition of source-separated recyclable materials, preferably near but clearly separated from a refuse dumpster.
4. The recycling area or the bins or containers placed therein shall be designed so as to provide protection against adverse environmental conditions which might render the collected materials unmarketable. Any bins or containers which are used for the collection of recyclable paper or cardboard and which are located in an outdoor recycling area shall be equipped with a lid or otherwise covered so as to keep the paper or cardboard dry.
5. Signs clearly identifying the recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.
6. It must be clear that the system is being used properly by employees and tenants. There must not be garbage in the recycling containers or recyclables in the garbage containers. The property owner/management is responsible for resolving problems which may arise from the improper use of containers and for training employees and tenants to properly understand and use the recycling system.
7. Notification and collection rules shall be issued by the management to new tenants when they arrive and to all residents every three (3) months. Copies of these notices, or other proof of distribution of the notices, must be sent to the Municipal Recycling Coordinator at the time of each mailing or distribution.
8. The property owner/management is responsible for arranging to have recyclables picked up and for resolving any problems with the transporter of recyclables.
9. The property owner/management must arrange to obtain documentation in order to report the tonnages of materials recycled at least once per year or else he/she must arrange to have the collector provide that documentation directly to the municipality. Arrangements with recycling companies or with haulers handling recyclables should include provisions for obtaining this information. Documentation must be maintained by the management. When the municipality provides recyclables collection service, reporting and proof are not needed.
10. Single/Dual Stream Recycling: Multi-family locations may opt to collect their recyclables in a single stream or dual stream (fiber, commingled) provided the Material Recovery Facility (MRF) that receives the material has certified that they have the ability to separate and maximize the capture rate of the

designated recyclables. The UCUA Division of Solid Waste Management will compile and maintain an updated list of those facilities.

V. Commercial & Institutional Establishment Compliance Requirements

- A. The owner/operator (or in case of construction, the contractor), is responsible for ensuring that a recycling system is established and that it is operated in compliance with the requirements of this municipal ordinance. The owner/operator/contractor is responsible for setting up and maintaining the recycling system. The owner/operator/contractor is responsible for receiving and responding to Warnings, Notices of Violation, and Penalty Assessments and for correcting violations promptly.
- B. The recycling system must be established and maintained so that it is conveniently accessible to users. The recycling system must provide for all designated recyclables in the commercial/institutional waste stream. The recycling system may utilize separate containers for each recyclable material or it may provide for two or more materials to be placed in one container provided the recycling hauler can take the materials commingled. Containers must be clearly marked and the area neatly maintained. Container capacity must be adequate to hold the amount of materials generated between pick-ups. It must be clear to the inspector that the system is being serviced.
- C. The owner/operator/contractor must ensure that the system is being used properly by employees, customers or tenants. There must not be garbage in the recycling containers or recyclables in the garbage containers. The owner/operator/contractor is responsible for resolving problems which may arise from the improper use of containers and for instructing employees, tenants, and customers to understand and use the recycling system.
- D. If patrons, customers or employees are involved in the waste disposal process (i.e. fast food stores or company cafeteria), the recycling system must allow for this and include notice to customers as to their responsibilities.
- E. The owner/operator/contractor is responsible for arranging for recyclables to be removed from the premises and for assuring that they go into the recyclables market. The owner/operator/contractor may make arrangements to deliver the recyclables to the municipal collection system (drop-off center or curbside collection) if permitted by the municipality. Otherwise, the owner/operator/contractor is responsible for arranging to have recyclables picked up and for resolving any problems with the transporter of recyclables.
- F. The owner/operator/contractor must arrange to obtain documentation in order to report the tonnages of materials recycled at least once per year or else he/she must arrange to have the collector provide that documentation directly to the municipality.
- G. Solid waste hauling companies, recyclables collection companies and demolition companies operating within the Borough and commercial recycling facilities, including metal and automobile scrap yards, located within the Borough shall submit documentation of recycling activity performed on behalf of residents, businesses, institutions and governments in the Borough of Roselle Park.
- H. Single/Dual Stream Recycling: Commercial and Institutional establishments may opt to collect their recyclables in a single stream or dual stream (fiber, commingled) provided the Material Recovery Facility (MRF) that receives the material has

certified that they have the ability to separate out and maximize the capture rate of the mandated recyclables. The UCUA Division of Solid Waste Management will compile and maintain an updated list of those facilities.

- I. Recycling Containers: Commercial and Institutional establishments that have outdoor garbage containers for their customers must also have outdoor recycling containers. There must be sufficient recycling containers for any mandated recyclables in the commercial/institutional waste stream.
- J. All schools must provide written notice at the beginning of each school year, to all students, teachers, and other staff on the recycling requirements. The notice must contain a contact number to call if they observe any problems associated with recycling or if recycling is not properly occurring.
- K. Single stream recycling of mixed classes of construction recyclables: Construction/Demolition sites may opt to collect all recyclables in one container provided there are no other materials (including garbage) in that container. To qualify for this provision, recyclables must go to a Transfer Station/MRF that is properly permitted by the New Jersey Department of Environmental Protection and has certified that they have the ability to separate out and maximize the capture rate of the mandated materials. The specific materials that may be commingled together will be determined by the provisions in the receiving Transfer Station/MRF's permit.
- L. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any Code Enforcement Officer.

VI. Compliance Requirements for Fairs, Parks, Concerts, Streets, and other Outdoor Events

- A. The organizer/owner/contractor of the location must provide a recycling system that is operated in compliance with the requirements of this municipal ordinance.
- B. The recycling system must provide for any mandated recyclables generated at the event. It must be clear to an inspector that the system is being serviced: i.e., containers must be clearly marked and the area neatly maintained; there must not be garbage in the recyclables or recyclables in the garbage; container capacity must be adequate to hold materials between pick-ups. There must be sufficient recycling containers for any mandated recyclables generated at the event.
- C. The organizer/owner/contractor of the location is responsible for arranging for recyclables to be removed from the premises and for ensuring that they are taken to an approved recyclables market. The owner/operator/contractor may make arrangements to deliver the recyclables to the municipal collection system (drop-off center or curbside collection) if permitted by the municipality. Otherwise, the owner/operator/contractor is responsible for arranging to have recyclables collected and transported and for resolving any problems with the transporter of the recyclables.
- D. The recycling system must be made accessible and available to all patrons, customers, and employees. Notice/signs must be provided to ensure all are aware of their responsibilities.
- E. The owner/operator/contractor of the location is responsible for obtaining pertinent documentation in order to report the tonnages of materials recycled at least once per

year or else he/she must arrange to have the collector provide that documentation directly to the municipality.

- F. **Single/Dual Stream Recycling:** The recycling system may utilize separate containers for each recyclable material or it may provide for two or more materials to be placed in one container. Establishments may opt to collect their recyclables in a single stream or dual stream (fiber, commingled) provided the MRF that receives the material has certified that they have the ability to separate out and maximize the capture rate of the mandated recyclables.

VII. New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties (Pursuant to N.J.S.A. 13:1E-99.13a and 99.16c.)

- A. Any application to the Planning Board of the Borough of Roselle Park, for subdivision or site plan approval for the construction of 25 or more units of multi-family residential housing, single-family developments of 50 or more units, or any commercial, institutional, or industrial development proposal for the utilization of 1,000 square feet or more of land, must include a recycling plan compliant. This plan must contain, at a minimum, the following:
 - 1. A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development and
 - 2. Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Municipal Recycling Coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the Borough of Roselle Park, the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.
- C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the Municipal Engineer.

VIII. Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials

- A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.
- B. It shall be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article and the local sanitary code.
- C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

IX. Enforcement

The Recycling Coordinator, the Code Enforcement Official, the Department of Health, the Police Department, the Property Maintenance Official, the Housing Officer, the Union County Office of Health Management and the Union County Utilities Authority are hereby individually and severally empowered to enforce the provisions of this Ordinance. An inspection may consist of, but is not limited to, sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material.

X. Violations and Penalties

Any person who provides solid waste collection services in the Borough of Roselle Park is prohibited from collecting solid waste containing recyclable materials as designated in this section.

Any person who violates or neglects to comply with any provisions of this section or regulation promulgated pursuant thereto shall, upon conviction, be liable for the penalty in Chapter I, Section 1-5 except that the maximum fine for failure to comply with Section I.A and I.B shall not exceed fifty (\$50.00) dollars per occurrence.

Fines levied and collected pursuant to the provisions of this Ordinance shall be immediately deposited into the Municipal Recycling Trust Fund (or equivalent). Monies in the Municipal Recycling Trust Fund shall be used for the expenses of the Municipal Recycling Program.

XI. Severability, Effective Date

A. In the event that it is determined, by a Court of competent jurisdiction, that any provision or section of this Ordinance is unconstitutional, all other sections and provisions shall remain in effect. This Ordinance shall take effect immediately, unless otherwise provided by Resolution of the Governing Body.

Councilman Matarante moved that Ordinance #2287 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on December 17, 2009; seconded by Councilman Dinardo.

Vote Record – Ordinance #2287		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. 2288

**AN ORDINANCE CREATING THE
BOROUGH OF ROSELLE PARK MUNICIPAL LAND USE BOARD**

WHEREAS, the Borough of Roselle Park currently has a separate Planning Board and a separate Zoning Board of Adjustment, pursuant to Borough Code Chapter 40, Article I, §40-101 and Article II §40-201, respectively; and

WHEREAS, Article I, §40-101A., is hereby amended to provide that the Borough of Roselle Park Municipal Land Use Board shall have nine members; and

WHEREAS, Article I, §40-101C., is hereby amended as follows: There shall also be appointed by the Mayor four (4) alternate members to the Municipal Land Use Board. The alternates shall have the same qualifications as the regular members in Class IV. The alternate members shall be designated at the time of appointment by the Mayor as “Alternate No. 1” and “Alternate No. 2.”, and

WHEREAS, pursuant to N.J.S.A. 40:55D-25(c)(1), in a municipality having a population of 15,000 or less, a nine-member planning board if so provided by ordinance, shall exercise, to the same extent and subject to the same restrictions, all the powers of a board of adjustment, but the Class I and Class III members shall not participate in consideration of applications for development which involve relief pursuant to subsection d. of section 57 of P.O. 1975, c.291 (C.40:55D-70); and

WHEREAS, in an effort to improve government efficiency and reduce costs to Roselle Park taxpayers, the Mayor and Council desires that the Borough of Roselle Park Planning Board shall exercise all those powers currently exercised by the Borough of Roselle Park Zoning Board of Adjustment, pursuant to N.J.S.A. 40:55D-25(c)(1).

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

SECTION 1. Chapter 40, Article I, §40-101A, Article II §40-101B, Article II §40-101C, and Chapter 40, Article II §40-201 of the Borough of Roselle Park Code are hereby repealed and the Borough of Roselle Park Planning Board and Zoning Board of Adjustment are hereby dissolved.

SECTION 2. The Borough of Roselle Park Planning Board shall be renamed the Borough of Roselle Park Municipal Land Use Board (“MLUB”) and shall continue to exercise all powers granted to it as a planning board pursuant to New Jersey statutes and the Borough of Roselle Park Code.

SECTION 3. In addition to those powers specified in Section 2 of this Ordinance, the MLUB shall exercise, to the same extent and with the same restrictions, all the powers of the Borough of Roselle Park Zoning Board of Adjustment, provided that the Class I and Class III members of the MLUB shall not participate in applications for development which involve relief pursuant to subsection d. of N.J.S.A. 40:55D-70.

SECTION 4. In accordance with Section 2 of this Ordinance, Chapter 40, Article I, §40-101 of the Borough of Roselle Park Code is hereby amended to read as follows:

ARTICLE I Municipal Land Use Board

§40-101A Municipal Land Use Board membership; terms.

The Planning Board and Zoning Board of Adjustment, as heretofore established, shall be and is hereby continued under the name “Municipal Land Use Board,” with all powers and duties as described herein.

A. There shall be a nine-member Municipal Land Use Board, the membership of which shall consist of the following four classes:

(1) Class I: the Mayor or the Mayor’s designee in the absence of the Mayor.

(2) Class II: one of the officials of the Borough other than a member of the Governing Body, to be appointed by the Mayor.

(3) Class III: a member of the Governing Body to be appointed by Council.

B. The members of Class IV shall hold no other municipal office, position or employment. No member of the Board of Education may be a Class IC member of the Municipal Land Use Board. For the purpose of this section, membership on a

Borough board or commission whose function is advisory in nature, and the establishment of which is discretionary and not required by statute, shall not be considered the holding of municipal office.

- C. There shall be four alternate members of the Municipal Land Use Board, both of whom shall be municipal residents. Alternate members shall be appointed by the appointing authority for Class IV members and shall meet the qualifications of Class IV members. Alternate members shall be designated at the time of appointment as “Alternate No. 1”, “Alternate No. 2.”, “Alternate No. 3” and “Alternate No. 4.” The terms of the alternate members shall be for two years, except that the terms of the alternate members shall be such that the term of not more than one alternate member shall expire in any one year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two years. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.

All members of the Board, except the Class II member, shall be municipal residents. No member of the Municipal Land Use Board shall be permitted to act on any matter in which he or she has, either directly or indirectly, any personal or financial interest. Any member other than a Class I member, after a public hearing if requested, may be removed by the Governing Body for cause.

SECTION 5. 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 6. All ordinances and parts of ordinances inconsistent with the terms hereof are hereby repealed to the extent of such inconsistency.

SECTION 7. This ordinance shall take effect in the time and manner prescribed by law.

Councilman Matarante moved that Ordinance #2288 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on December 17, 2009; seconded by Councilman Dinardo.

Vote Record – Ordinance #2288		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"/>

RESOLUTIONS

The following resolutions, listed on consent agenda were offered by Councilman Matarante; seconded by Councilman Dinardo

RESOLUTION NO. 234-09

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the resignation of Christopher Baylok from the Roselle Park Fire Department effective December 3, 2009 be and is hereby accepted.

Vote Record – Resolution #234-09					
		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 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 checked="" type="checkbox"/>

RESOLUTION NO. 235-09

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 2009 General Road Program
 CONTRACTOR DLS Contracting, 633 Franklin Avenue, Suite 170, Nutley, NJ 07110
 CHANGE ORDER NO. 1
 AMOUNT OF CHANGE THIS RESOLUTION -\$7,957.75 (-1.64 % Decrease)

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

Vote Record – Resolution #235-09					
		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 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 checked="" type="checkbox"/>

RESOLUTION NO. 236-09

WHEREAS, the Borough of Roselle Park has several grants that are complete; and
 WHEREAS, the Borough of Roselle Park has determined that the grant receivable and reserve balances must be canceled;

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

1. That Chief Financial Officer be and is hereby directed to take all necessary steps to cancel the following grant receivable balances.

<u>GRANT NAME</u>	<u>AMOUNT</u>
Municipal Alliance Grant	\$ 108.00
Union County Kids Recreation Trust Fund Grant	\$ 13,257.00
Total Federal and State Grant Fund	<u>\$ 13,365.00</u>
Hazel Street Reconstruction CDBG #007-173	<u>\$ 31,385.03</u>
Total General Capital Fund	<u>\$ 31,385.03</u>
Senior Citizens Handyman Program CDBG #008-443	<u>\$ 431.71</u>
Total HUD Trust Fund	<u>\$ 431.71</u>
Grand Total	<u><u>\$ 45,181.74</u></u>

2. That the Chief Financial Officer be and is hereby directed to take all necessary steps to cancel the following grant reserve balances.

<u>ACCOUNT #</u>	<u>GRANT NAME</u>	<u>AMOUNT</u>
02-3312-00-20080-301	Safe and Secure Grant Match	\$ 16,689.65
02-3372-00-20080-002	Municipal Alliance Grant	\$ 3.07
02-3372-00-20080-003	Municipal Alliance Grant	\$ 108.00
02-3372-00-20080-007	Municipal Alliance Grant	\$ 2.26
02-3372-00-20080-013	Municipal Alliance Grant	\$ 58.00
02-3532-00-20040-300	Union County Kids Recreation Trust Fund Grant	\$ 632.00
02-3532-00-20040-301	Union County Kids Recreation Trust Fund Grant	\$ 632.00
02-3532-00-20080-800	Union County Kids Recreation Trust Fund Grant	\$ 3,600.00
02-3532-00-20090-800	Union County Kids Recreation Trust Fund Grant	<u>\$ 9,025.00</u>
Total Federal and State Grant Fund		<u>\$ 30,749.98</u>
04-2150-55-22200-723	Hazel Street Reconstruction CDBG #007-173	<u>\$ 31,385.03</u>
Total General Capital Fund		<u>\$ 31,385.03</u>
14-8443-00-00000-801	Senior Citizens Handyman Prog CDBG #008-443	\$ 365.00
14-8443-00-00000-802	Senior Citizens Handyman Prog CDBG #008-443	<u>\$ 66.71</u>
Total HUD Trust Fund		<u>\$ 431.71</u>
Grand Total		<u><u>\$ 62,566.72</u></u>

Vote Record – Resolution #236-09					
		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 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 checked="" type="checkbox"/>

RESOLUTION NO. 238-09

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that Sandra Capaldo be and is hereby appointed to Position of Zoning Officer in the Construction Department effective July 1, 2009 at the annual salary of \$1,000.

Vote Record – Resolution #238-09					
		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 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 checked="" type="checkbox"/>

RESOLUTION NO. 239-09

WHEREAS, the Governing Body of the Borough of Roselle Park has been studying the potential of developing senior housing in the Borough and has been investigating various land sites to accomplish same; and

WHEREAS, the Governing Body of the Borough of Roselle Park has been researching and discussing with various agencies interested in assisting the Borough in accomplishing same; and

WHEREAS, Domus Corporation/Catholic Charities has indicated a sincere interest in assisting the Borough of Roselle Park in developing senior housing within the Borough; and

WHEREAS, of all of the sites located throughout the Borough, Lot 14 in Block 3000, a/k/a Lot 2 & 3 in Block 515 and Lot 13 in Block 3000 appear to be the most desirable properties (considering location and topography); and

WHEREAS, The Governing Body of the Borough of Roselle Park has been soliciting the current owner of the property, Consolidated Rail (Conrail), in an attempt to acquire said lot for the purposes of senior housing; and

WHEREAS, as a result of extensive and complex negotiations between the Borough Attorney and Consolidated Rail, an agreement has been struck, in which the Borough would purchase both the above-mentioned Lots for a total purchase price of \$90,000.00, subject to a number of conditions, i.e. environmental, zoning and planning, etc.; and

WHEREAS, the agreement has been reduced to a contract, which has been prepared, revised and ultimately approved by the Mayor and Council as well as by Consolidated Rail; and

WHEREAS, the agreement will include contingencies for the use of the property to be acquired to become the future location for the Roselle Park Department of Public Works, freeing up the current property occupied by the Roselle Park Department of Public Works for Senior Housing; and

WHEREAS, the agreement includes the contingency for the testing of the property for environmental purposes; and

WHEREAS, the agreement includes a contingency for the appropriate zoning and planning (use variances, bulk variances, and subdivisions); and

WHEREAS, the Mayor and Council of the Borough of Roselle Park deems it in the best interest of the Borough, to proceed with this transaction, in order to provide housing for its elderly citizens and for the elderly citizens throughout the County of Union.

THEREFORE, BE IT RESOLVED that the Mayor, and the Borough Clerk are hereby authorized to execute the agreements, which have been described above, allowing it to proceed with exploring the contingencies and ultimately to acquire title to the properties described above; and

THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Council is to take all reasonable steps to proceed consistent with the contracts agreed upon by both parties, with the ultimate goals of acquiring the properties in question.

Vote Record – Resolution #239-09		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 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 checked="" type="checkbox"/>

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Council President Yakubov appointed John W. Thompson, 209 Sheridan Avenue, Roselle Park, as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Lorraine Hose Company.

INTERRUPT THE REGULAR ORDER OF BUSINESS

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

Council President Yakubov read the Closed Session resolution and said Council would be discussing the following matters:

- Contractual – PBA
- Contractual – Red Light Camera
- Potential litigation
- Negotiations – Clerical Union
- Negotiations – Union Contracts and Health Benefits
- Litigation – ERM Associates regarding the Ballfield

RESUME THE REGULAR ORDER OF BUSINESS

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

Council President Yakubov said that during Closed Session, Council discussed the following matters:

- Contractual – PBA
- Contractual – Red Light Camera
- Potential litigation
- Negotiations – Clerical Union
- Negotiations – Union Contracts and Health Benefits
- Litigation – ERM Associates regarding the Ballfield

There being no further business to come before the meeting, Councilman Matarante moved to adjourn; seconded by Councilwoman Chen-Hoerning.

Attest:

Borough Clerk