

Borough of Roselle Park Regular Meeting of February 3, 2011

Attendee Name	Organization	Title	Status	Arrived
Larry Dinardo	Borough of Roselle Park	Councilman	P	7:00 PM
Michael Yakubov	Borough of Roselle Park	Councilman	P	7:00 PM
Modesto Miranda	Borough of Roselle Park	Councilman	P	7:00 PM
Carl Hokanson	Borough of Roselle Park	Councilman	P	7:00 PM
Tanya Torres	Borough of Roselle Park	Councilwoman	P	7:00 PM
Marc Caswell	Borough of Roselle Park	Councilman	P	7:00 PM
Joseph Accardi	Borough of Roselle Park	Mayor	P	7:00 PM

Mayor Accardi called the meeting to order at 7:08 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 as required 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.

Mayor Accardi said that after the last Council Meeting, there were some questions regarding the engineering of the Youth Baseball Fields. They have invited an Engineer from Hatch Mott MacDonald to come in to discuss it. He asked the Engineer to come forward for the discussion.

Mr. Gary Walker, from Hatch Mott MacDonald, said he is there to read a statement outlining responses to some of the comments made at the last meeting by representatives of the Roselle Park Youth Baseball League. He would then like to open it up to Mayor and Council for any questions they may have.

Mr. Walker said he is the Senior Project Manager with Hatch Mott MacDonald and the Project Manager for the Remediation and the Reconstruction of the Youth Baseball Field Project. He thanked Mayor and Council for the opportunity to respond to the statements made by the representatives of the Roselle Park Youth Baseball League. He proceeded to provide a brief history of the project and the remedial design. The work plan and site design was prepared by a previous consultant, ERM. The NJDEP approved the work plan, called for the excavation and offsite disposal of what was a significant quantity of contaminated soil, followed by capping the site with a synthetic liner and two feet of clean soil. The design involved raising the grade of the site in what they believed to be an effort to reduce the quantities of soil required in an off-site disposal and hence, lowering the remedial costs for the Borough by \$150,000 to \$200,000. When they were retained, they reviewed the design with an eye towards identifying elements in the design that could be improved up within the funding available for the project. They identified several items that were not addressed by ERM in the bid specifications or that needed

to be improved, including sub-surface drainage, electrical and field grading issues. Shortly after they were retained, contractor bids were received by the Borough for the Ballfield Remediation and Reconstruction Project. The lowest bidder for the project was Luzon, Inc. in Sewell, New Jersey.

Mr. Walker said he would now like to respond to statements made at the last meeting. First, a statement was made that whoever designed the field had no experience to design the field. He said he cannot speak for ERM, but HMM maintains a staff of Engineers and Landscape Architects that have designed over 100 athletic fields and have received several awards from the New Jersey Parks and Recreation Association. Several of the staff were involved in the project on somewhat of a daily basis. In addition, the redesigns conducted by them were limited by the original design, which was approved by the DEP and also by the funds available to the Borough. A statement was also made by the Little League that we never consulted them on the design and never included them in meetings on the project. Once they were brought on board, representatives of the Youth Baseball League were kept informed on the process of the project and were given the opportunity for input through meetings with the Borough on numerous occasions. These occasions included meetings with former Mayor DeIorio, the Borough CFO, the Borough Clerk, HMM and several representatives of the Baseball League, in which the project and possible improvements to the field were discussed. Additional meetings were held with the Borough and Baseball League Representatives, both at Borough Hall and the project site. Project drawings were also transmitted to League Representatives. In addition to formal meetings, frequent on-site discussions were conducted with a League Representative during construction. It was also stated that there were over 35 Change Orders to the project; to date, there have only been 14 Change Orders. Of these, two were related to design changes to address concerns that we have had with the prior consultant's design, which included drainage and grading in the area of the back stops. Two were related to unforeseen sub-surface conditions, additional sampling requirements for the contractor and they ran into the former incinerator building. The remainder were related to requests by the Youth Baseball League for various upgrades that were necessary to reduce safety hazards and to bring up to code prior work that was done at the field. This included conduits, strung through the fence out to scoreboards, electrical wiring irrigation conduit versus electrical conduit. Concern was also raised between the slope between the foul line and dugouts. As stated earlier, the design and remediation always called for the raising of the elevation of the fields. It was stated by the representative of the League that there was a three foot elevation difference. The original contract drawn from ERM had a slope leaving the playing surface at the foul line to the dugout of approximately 10.7%, which is an elevation change of eighteen inches over fourteen feet. The slope near the back stops was approximately 8.8% or an elevation change of eighteen inches over seventeen feet. They reduced the slope at the foul lines from the 10.7% to and approximately 7.5% slope, which is an average elevation change of 13.5 inches over fifteen feet. The elevation of the backstop areas was raised to allow for better playability of the fields and are now at a slope of approximately 1%. To put the 7.5% slope into perspective, it falls within the acceptable range of an ADA ramp. It is our professional opinion that the existing slope does not present a safety hazard. As an aside to this issue, the Youth Baseball League added additional concrete blocks, front and sides of all the dugouts following the cutting of the field elevations. During a site meeting with them and the Borough, the Youth Baseball League asked if they could place additional fill on the areas between the foul line and the dugouts at their cost in recognition of the financial limitations of

the Borough for the remediation. They informed the League that the fill would need to be certified clean fill and if they desired, they would supply them with the name of the supplier of the infield mix. The final concern that he wished to address was the washout of the stone duct in the warning track. Shortly after the installation of the sod and before it took hold, there was a significant rain event which was 1.5 inches of rain over a five hour period. In a rainfall of this magnitude, some washout can be expected. Runoff from this storm was exacerbated as the sod was not established, which would have reduced the runoff. In closing, he commented on the League's plan for holding Opening Day on April 2, 2011. The NJDEP has made it clear in previous correspondence to the Borough that the fields cannot be used until the DEP approves of the remediation. In several phone conversations that they have had with the DEP Case Manager, they have made them aware of the Borough and the League's desire to utilize the fields in the spring. The DEP Case Manager said he would do his best to review the submitted documents and issue an approval. But, he cautioned that the fields were not to be used until he issued the approval letter.

Mayor Accardi thanked Mr. Walker and said he had some questions. He asked if it is anticipated that there will be a problem with the DEP to have the fields open before April 2nd.

Mr. Walker said he did not think so. All indications that they have gotten from the Case Manager is that he is going to do his best to get it done. That is the only commitment that they have gotten from him; that he will try.

Mayor Accardi asked that if they decide to put fill dirt, as long as it is clear fill dirt, will that affect the DEP process.

Mr. Walker answered no, the DEP is concerned that the cap was installed. The cap was installed and the remediation is basically complete. The remaining punch list items are just really window dressings; the remediation is complete.

Mayor Accardi said that it sounds like from your statement, that along the way Mr. Walker had discussions with members of the Baseball League; and Mr. Walker answered yes.

Mr. Walker said there were several meetings and discussions on the field design and the number of improvements they requested. The remediation went well, so there is money available to accommodate some of the requests.

Mayor Accardi asked if the League asked at that point to have the slope remediated.

Mr. Walker said the impression they got from them was that they were going to take care of that, they understood the Borough had limited funds; this is what the slope was going to be. They had reduced it as much as we could, that it was about 7.5% and they added block to the front and sides of the dugout to accommodate extra fill, which was understood they were going to place.

Councilman Miranda asked who that was and Mr. Walker said the Little League.

Councilman Miranda asked who was present, and Mr. Walker said he knew exactly who it was, Mr. Bundy. At that meeting, Mr. Blum was present and a representative of his office.

Councilman Hokanson said when the bid went out it was one set of numbers; and Mr. Walker replied, yes it was. Councilman Hokanson asked who reviewed those numbers to reduce it down, and Mr. Walker said they did.

Mr. Walker said they thought they could reduce the slope to address some of the concerns the Borough and League people had originally with the slope. They could not lower the field any more; doing that would involve hundreds of thousands of dollars because of the excavation and disposal costs. Basically they reduced it the best they could within the existing contract; and they were hesitant many times to accommodate the League requests, because their primary goal was to get the remediation done within the funding available to the Borough.

Councilman Hokanson said by some chance by opening day that no one does anything with the pitch, is it acceptable by the American Disabilities Act.

Mr. Walker said in their opinion it is.

Councilman Hokanson said he gets the impression that if a game is played and something would happen, he is concerned with getting dragged into a lawsuit. Apparently they knew that the pitch was wrong, but tonight they are saying it is okay and we would be alright.

Mr. Walker said he has brought the issue up with all his senior people, landscape architects and field designers, and that everyone felt comfortable in him stating their opinion that it does not present a safety hazard.

Councilman Caswell said he remembered seeing the field and there was over a forty five degree drop off from where the field was graded to the dugout. It was quite a sharp drop off. He asked if that was something contemplated with the original plan.

Mr. Walker said on the original plan the elevation was even higher.

Councilman Caswell asked if there was ever a discussion with anybody why that was.

Mr. Walker said some of it had to do with existing structures that needed to be saved; the dugouts. There are also issues for field drainage because there is an area that is a little steeper, where new building and the new pad is. That has to be that way to achieve drainage from the field, or it won't dry quickly after a rainfall.

Councilman Hokanson said this could be addressed to Mayor and Council and the engineering firm to get it in writing based on their opinion. Do we need a rider or anything to protect us, or will that statement be enough.

Mr. Johnstone said he would prefer to receive a letter from the qualified engineer on letterhead indicating in your opinion that the slope is not a safety issue, and the field will qualify

for a playing field in order to protect the Borough. We need that in writing; in the event that someone has to come in and testify.

Mr. Walker said that is not a problem.

Ms. Cali said they received a letter from Joseph DeIorio and asked that the letter be read on the record and spread upon the minutes.

Dear Madame Clerk:

Please consider this correspondence to the Governing Body and be read on record and spread upon the minutes.

Points of clarification. I watched the recent Council Meeting of 1/20/11. There was a comment by League member Iachio that the League was not part of the specification process of the Little League restoration project. The point should be known that the League had been involved in the process along the several levels and phases of the project. The last meeting, in which I and members of the Governing Body were present, the League's representatives had direct access to the engineer of the project, at the meeting, on-site at the fields, and through Borough representatives. To imply that they did not have "any" knowledge is simply incorrect.

Secondly, Ken Iachio said that had they been aware of the 35 Change Orders, they would have been able to stop the Change Orders. Again, incorrect. League organization representatives were present for many of those Change Orders – some that the League representatives requested and/or agreed to at the last meeting in which I was present.

Clerk Cali had pointed out correctly that all parties knew the field would be raised "capped."

For the record – all parties were involved. To imply that the League did not know what was going on by commenting "the League was left in the dark," is not correct. Whether they were at certain meetings and not others is irrelevant, but it may give the appearance that an effort was made on purpose to leave them out. The more important question is; "Was there ample information and access available to bring concerns forward at the point of knowledge?" There most certainly was.

Joe DeIorio
Mayor Emeritus
824 Larch Street

Councilman Hokanson asked if the League was notified about tonight.

Mayor Accardi said he spoke to Mr. Bundy the day before because they were supposed to have their meeting yesterday; and he wanted to find out exactly what they were looking for from us. Mr. Bundy said two things. The first discussion started about viewing the books. He made it clear that they were going to be reviewing the books of any organization that we do business

with us, any organization that is requesting funds from us or any Recreation Department activity in the community. It is not really just picking and choosing; they are going to do it with everybody, particularly in these tough fiscal times. We need to take a look at every request and make sure that we have left no stone unturned. We are not charging taxpayers money that should be coming from other sources. His understanding was that they were going to be discussing at their meeting last night what their next step would be. Mayor Accardi said he did not know at that point that Mr. Walker would be here tonight.

Councilman Hokanson said he did not know either. He said we have had this ongoing dialogue and it should have been discussed here tonight.

Mayor Accardi said he cannot predict when people are coming to the meeting and he did not have the time today to make any additional phone calls. It was not done intentionally; it would have been much better to have someone there from the League. We now have the information on the record.

PUBLIC COMMENT

Councilman Miranda moved to open a public comment portion of the meeting; seconded by Councilman Yakubov and adopted.

Paul Endler, 143 East Grant Avenue

- Asked who originally made the determination of what ground to take out.

Mayor Accardi said both engineering firms were involved and they concluded that a certain amount of soil needed to be removed. The cost of going several feet deeper was approximately \$200,000 more than what we ended up paying by digging to a certain level and capping it. It was something that the DEP needed to approve and they ultimately made the decision of how deep we need to go and where we were going to be capping and how much soil would be put on top.

- Mr. Endler said the reason we were doing that was to protect the children that play there from the contamination of the soil.

Mayor Accardi answered that was his understanding.

- Mr. Endler said there are four dugouts buried in the ground above three feet; wouldn't you think that would be the most contaminated place where children slip into the dugouts.

Councilman Hokanson said he doesn't know which meeting it was, but he did ask the Engineer and he sent him an email that due to the fact the dugouts are solid concrete pouring; the contamination did not come through.

Mayor Accardi said when that is built, the concrete encapsulates it underneath and it serves the purpose.

Mr. Walker said to clarify; there was one dugout that did not have concrete on the bottom. The report says they excavated the bottom and poured six inches of concrete in the bottom. The type of contamination on the site will not reach through the concrete.

- Mr. Endler said the area between the two fields where the old buildings were and now there is a new building there, was not dug out either.

Mayor Accardi said most of that is blacktop and the DEP has taken a look at the plans and they will not open the fields if there is a problem of contamination on the fields.

- Mr. Endler said that is what caused this problem; they did not dig out under that area. When they came in to do the fields, they took some dirt out and then put plastic sheet with pipes for drainage. If they had taken all of that dirt out of there, then they would have had to fill in on top of that and it would all have been level. If it was thought about at the time, if the area is contaminated the whole thing is contaminated, so let's clean the whole thing up.

Mayor Accardi said we followed the DEP; and if they say there is a problem, then we address that problem. To dig out that area would have meant to tear out the existing electrical system and the building that is used for storage. There was a cost involved for removing soil and replacing it. To our understanding that was the most cost effective and easiest way to remediate the fields.

- Mr. Endler said now there is a problem that they are not going to play on the field if we say it is okay. Now we have a problem and if it would have been done all at one time it may have been another \$100,000 more; but it would have been done correctly.

Mayor Accardi said he is confusing the problem we are talking about now with a slope.

- Mr. Endler said what causes the slope is the dugouts and the other area is down at the original elevation.

Mr. Walker said the capping was a synthetic liner on top of which two feet of a combination of sand as a drainage layer, then fill, top soil and sod. There is a total of two feet on top of the synthetic liner.

- Mr. Endler said he watched as they did the work and took photographs. He said they put the fill in, they put the synthetic liner and then dirt on top of that; the synthetic liner was not put down first. It was put down on top of the fill and then they put more on top of that. He asked from the original elevation, how much more did they add?

Mr. Walker said two feet, no fill except for possibly a small amount in certain areas to protect the liner. Beneath the liner there were areas of glass and they were concerned about

cutting the liner so a geo fabric was put down in areas that were heavy with glass. The liner was put in most cases on top of the native soil that was excavated down to. No place was any significant quantity of material placed below the synthetic liner.

Mayor Accardi said it was based on guidance, is that correct?

Mr. Walker said it was done based on the Remedial Plan that was approved by the DEP. If you are to cap contamination of any sort in the State of New Jersey, you have to have at least a two foot cap or six inches of asphalt or concrete.

Mayor Accardi asked if they have that on the field.

Mr. Walker said you have more than the normal cap because of the synthetic liner.

- Mr. Endler said when they originally decided what would be excavated, one side of the field, Adase Field, they went down thirty feet, and what they took out they put back in. Then they put a cap on it, then the plastic with the drainage pipes, and then they covered it more fill. He said they are now at an impasse and wants to know who made the decision to raise it so high and there is nothing you can do about it.

Mayor Accardi said the decisions were made with the input of the DEP, the Engineers, Mayor and Council and the League. Hopefully the decisions will be approved by the DEP because they supervised the job. They will be back to inspect the job to make sure it is done properly. The main question is the League wanting the Municipality to pay for fill dirt. Our position is that the Borough needs to discuss this as part of the budget if we are going to do that. We are not willing to take on that expense until we iron out the issues. Our understanding is that the League was going to pay for it and now they are back to us asking for more money; that is the issue we are facing right now.

- Mr. Endler said he just wanted to give his input.

Mr. Walker said he would like to make one more clarification. There was an excavation on the Adase Field down to twenty feet and that was to remove contaminated soil that is required by the DEP. The contamination was down at a depth of about twelve feet to twenty feet. They excavated down to twenty feet, got clean samples and then the top twelve feet of dirt they saved and used to backfill the hole and that was brought up to the elevation of the surrounding cuts reading for capping, so there was a deep excavation done.

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

Councilman Yakubov asked after the DEP inspects the fields, when can they expect to open the fields.

Mr. Walker said the last conversation with the DEP was about three weeks ago at that point the Case Manager promised he would do what he could, but he would not make any guarantees. He thinks they will get it done by then, but he is not sure.

Councilman Yakubov said would it be appropriate for us to reach out and ask for an update.

Mr. Walker said he does not think it is inappropriate for the Borough to ask and express their desire to get the Fields open.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Hokanson

- January 31st there was a Public Safety Meeting.
- Met with the Chief to address the problem with the snow and parking.
- Attended the Fire Department monthly meeting and thanked the members of the Fire Department that took their time to shovel out hydrants.
- Thanked the residents that took the time to shovel out the hydrants.
- Thanked the Mayor for taking the initiative to get the DPW to clean the snow on the main avenues; it has become a safety issue.
- It is a Borough Ordinance that if there is a fire hydrant on your property, it must be shoveled out.
- Thanked the Mayor and Chief for taking an initiative to help a resident with a frozen pipe, which the Fire and Police Department took care of.
- Is looking forward to the Fire Department's Annual Dinner.
- Gave the January Financial Report for the Board of Health.
- Gave the Dog and Cat Report for January.
- Gave upcoming Rabies Clinic dates.

Councilman Yakubov

- Recognition of the Veterans plaque will take place at the next Council Meeting.
- Held an Environmental Committee Meeting.
- Reported on the DPW and the snow and ice issues.
- DPW has been working out their long hours; as well as the Police Department, Fire Department and First Aid Squad.
- Resident Nancy Belviso asked that her name be mentioned; she was very appreciative of the work the DPW is doing.
- There have been some complaints; they are working on addressing them.
- Would like feedback from Council to schedule the next Budget Meeting.
- It was agreed the meeting would be scheduled for February 10th at 6:30 p.m.
- Looking forward to attending the Shared Services Meeting at the County on March 2nd.

- When Beechwood Avenue was redone, the snow signs were not replaced.

Mayor Accardi said they have spoken to the Police Department and the signs will be replaced.

Ms. Cali met with Sergeant Jimenez and he suggested amending our current snow ordinance to include Avon Street on the east side, Hawthorne Street, Columbus Place and Roosevelt Street all on the west side between West Clay and West Westfield. He was also going to go out and meet with the Superintendent of Public Works and the Fire Chief to go over additional streets. We need an ordinance before we can place the signs.

Councilman Miranda

- Thanked the Chief and Superintendent of Public Works for going out and working together to get the streets cleared from the snow.
- Attended the Public Safety Meeting on Monday; there are some things they are looking into.
- Thanked all the outside Police Departments that came to our assistance with an incident on Westfield Avenue on New Year's Day.
- Thanked Mayor Accardi for staying on top of the snow issues and keeping all informed.

Councilwoman Torres

- On January 22nd attended the League of Municipalities training for newly elected officials.
- Looking forward to attending the Fire Department's Annual Dinner.
- Thanked residents for shoveling out the fire hydrants.
- There were many vehicles that were not moved, which prevented the town from doing a good job in clearing the snow in those areas.
- It causes many safety issues and she supports anything that is necessary to get these vehicles moved, even if it includes tickets or towing.
- Extended her condolences to the Bellante Family.

Councilman Caswell

- Attended the First Aid Squad Meeting and announced they have been sending out their fundraisers.
- They really need people to step up and donate.
- Reminded everyone they are the volunteers that come in your dire time of need.
- Reminded everyone to keep sidewalks and stairs clear of ice and snow.
- Please contain all pets when someone has to come to your home for assistance.
- Extended his condolences to the Bellante Family.

Councilman Dinardo

- Thanked the Fire and Police Departments during all of the snowstorms.
- Volunteer firemen are out shoveling out the fire hydrants.
- Looking forward to attending the Fire Department's Annual Dinner.

Police Chief – Paul Morrison

- Spoke about the snow; it has become a hazard in town.
- There is a resident on Westfield that is concerned with the difficulty seeing, due to the snow mounds in the intersections.
- They have contacted the DOT concerning this, to have them come and clear the roadway.
- They are not doing any more snow removal; all their crews are assigned to pothole detail.
- Our Superintendent will start clearing the snow from the highway tomorrow, which the DOT has approved.
- Residents must understand we have to have vehicles removed from the roadways.
- This week they have done towing of these vehicles because they are a hazard in the roadway.
- Residents are now allowed to park in municipal lots.
- Spoke about the Union County Alert System and encouraged all to register for it.
- They have received a donation of 40 cans of paint from Walmart in Watchung that can be used throughout the Borough.
- We again have a private donor of up to \$10,000 for emergency equipment to be used by Police personnel.
- Thanked the Fire Department during the ice storm regarding live wires that came down.

Mayor Accardi thanked each Police Office for the work they have been doing during the past few weeks.

Tom Solfaro – Borough Engineer

- Due to the weather there is no construction taking place.
- The New Jersey Department of Transportation has awarded a grant for W. Grant Avenue Improvements from Chestnut Street to W. Clay Avenue in the amount of \$200,000.
- The Borough is scheduled for a roadway hearing, before the County Public Improvements Committee on Friday, February 4th to present its case to secure grant funding for the chosen road segments.
- Has been speaking with Vince Cahill, Superintendent of Public Works regarding some crosswalks on Chestnut Street that are popping.
- They have contacted the contractor that put in the crosswalks and it will be revisited in the spring.

Blake Johnstone – Borough Attorney

- Spoke about a complaint filed against the Borough from Seville Auto Body.
- The basis of that complaint was our method of selling abandoned vehicles was improper.
- On behalf of the Borough, they have filed an answer denying it and filed a cross motion to dismiss the complaint.
- Briefs were submitted to the Court and documentation from Doreen Cali outlining specifically how the entire process is done.
- This week the Judge in Union County placed her opinion on the record indicating the Borough of Roselle Park has substantially complied with all of the ordinances, as well as the State Statutes concerning the sale of abandoned cars. The plaintiff's complaint was dismissed with prejudice, which means their only recourse would be to file a complaint with the Appellate Division. He said it was an excellent written decision by Judge Cassidy. He congratulated Ms. Cali on how she handled this; it was helpful having the exact specifications on how we were doing this.
- Has one Closed Session item, D'Agostino versus the Borough of Roselle Park.

Doreen Cali – Borough Clerk

- Applied for two grants: one for energy efficiency for Borough Hall and one for the Casano Center.
- They awarded \$50,000 to each building.
- She was notified yesterday that additional grant funds for 2011 in the amount of \$125,000 are available.
- She had the company go out today to look at the Youth Center and the Library and will be apply for the \$125,000.
- Spoke to the Township of Woodbridge to see if they would consider renewing the Animal Control Contract at the same rate as last year; they said there would be no problem.
- That will be put on the agenda for the next meeting.

Ken Blum – Chief Financial Officer

- The next Budget Meeting will be February 10th at 6:30 p.m. in the Conference Room.
- The Auditors are currently working on our financial statements.
- Received a letter from the Judge about the vacant part time position.
- This was discussed with Council; we will hold off until Budget Meetings.
- Spoke about Resolution #54-11; asked this be tabled until the Budget Meeting.
- Revenue is anticipated to come in from tickets issued.
- The way the system works, it is not paid through the Court; it is paid through a budget appropriation.

REPORTS OF DEPARTMENTS

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

- Borough Engineer Report for February 3, 2011
- Police Chief Report for January 2011

PUBLIC COMMENT

Councilman Miranda moved to open a public comment portion of the meeting; seconded by Councilman Dinardo and adopted.

Julia Henn, 20 E. Sumner Avenue

- She is nine years old and is there to request a speed bump or “Child at Play” sign on her street.
- Brought in a petition with 137 signatures.

Mayor Accardi said they will discuss this with the Police Chief and ask him what he thinks is best.

Councilman Hokanson said she did a wonderful job and on behalf of Mayor and Council, this should be forwarded to the Mayor of Union since we share the street.

Councilman Miranda said the Public Safety Committee and he will take a look at it.

Councilwoman Torres thanked Julia for coming in and is very proud of her work.

Jacob Magiera, 612 Sheridan Avenue

- Spoke about applying for emergency money from FEMA.
- Asked for an update on lights under the railroad bridge.
- Spoke about Chestnut Street being cleaned from the snow.
- Asked for a breakdown of cost to operate a municipality.
- Asked that resolutions have the amount of money put in the title.

Eugene Meola, 226 Sheridan Avenue

- Asked about the broadcast schedule for TV34.
- Spoke about his neighbor at 224 Sheridan Avenue, Carmen Glenn who has sold her house and is moving.
- He will miss her, as she has been a very good neighbor and was always there to help anyone.

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

REPORT AND RECOMMENDATIONS OF MAYOR

- Asked for a moment of silence for the Bellante Family.
- Thanked the DPW, Fire Department, Police Department and First Aid Squad for the good job they having been doing over the course of the past few weeks.
- Reminded everyone they must cooperate in removing their cars off the streets.
- Asked residents to continue cleaning the crosswalks at their homes and fire hydrants.
- He asked that the snow not be tossed back into the street.
- The Code Enforcement Office will continue to go out and check for sidewalks that have not been shoveled; he has been directed to issue citations.
- The Police Department has been directed to continue to try to remove vehicles that are covered with snow.
- Congratulated everyone that participated in the “Help a Neighbor Weekend”.
- He appreciates everyone helping out, especially now when there are a lot of people that cannot afford someone to go out and shovel for them.
- Reminded everyone to sign up for the Union County First Alert Program.

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Reorganization Meeting of January 6, 2011
- Regular Meeting of January 20, 2011

Vote Record – Minutes Acceptance of January 6, 2011					
		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"/>
	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"/>
	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"/>
	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Vote Record – Minutes Acceptance of January 20, 2011					
		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"/>
	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"/>
	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"/>
	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MOTION BILLS AND PAYROLL BE NOT READ
MOTION BILLS AND PAYROLL BE PASSED FOR PAYMENT

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

Mayor Accardi said the information that Julia Henn provided to them was very valuable and she has already spoken to the Police Chief.

Mayor Accardi responded to Mr. Magiera's questions:

- Whenever there has been a declaration of a State of Emergency, the Emergency Services Coordinator has applied FEMA grants to cover our costs. We have not received any money yet but there will be some money coming in that will go to defer the cost of the funds we have expended.
- Regarding the lights under the bridges on Chestnut and Locust Streets, he has referred this to Mr. Signorello and he is working on that issue.
- Regarding the cleanup of Chestnut Street, the DPW has gone out there with a back hoe to remove the snow.
- The business owners have cooperated as well.
- He will talk to Mr. Magiera after the meeting regarding the breakdown that he is requesting.
- They will look into the requirements regarding the money in the titles of resolutions and make sure that we are meeting those requirements.
- He spoke about the resolution pertaining to the hourly rate for the Borough Attorney.
- The Borough Attorney does not only attend Council Meetings, he also addresses all our legal issues.

Councilman Miranda said he spoke to Chief Signorello regarding the lights under the bridges, but it is Conrail's property and we have to get permission from them to install the electricity for the lights.

PASSAGE OF ORDINANCES
SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 2320

AN ORDINANCE AMENDING CHAPTER II, SECTION 2-37
COMMUNITY CENTER COMMITTEE

Councilman Miranda moved to open the public hearing on Ordinance #2320; seconded by Councilman Yakubov and adopted.

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

Councilman Miranda moved that Ordinance #2320 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Caswell.

Vote Record – Adoption of Ordinance #2320					
		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"/>
	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"/>
	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"/>
	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2321

AN ORDINANCE DELETING CHAPTER II, ARTICLE IV,
SECTION 2-36, OF THE CODE OF THE BOROUGH OF ROSELLE PARK
REGARDING PUBLIC ASSISTANCE AND HUMAN RESOURCES BOARD

Councilman Miranda moved to open the public hearing on Ordinance #2321; seconded by Councilman Dinardo and adopted.

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

Councilman Miranda moved that Ordinance #2321 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Yakubov.

This ordinance was for services that are no longer performed by the Borough.

Vote Record – Adoption of Ordinance #2321					
		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"/>
	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"/>
	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"/>
	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2322

AN ORDINANCE READOPTING CHAPTER VII OF THE CODE
OF THE BOROUGH OF ROSELLE PARK
REGARDING TRAFFIC

Councilman Miranda moved to open the public hearing on Ordinance #2322; seconded by Councilman Dinardo and adopted.

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

Councilman Miranda moved that Ordinance #2322 be adopted on second reading and advertised as prescribed by law; seconded by Councilwoman Torres.

Vote Record – Adoption of Ordinance #2322					
		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"/>
	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"/>
	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"/>
	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2323

AN ORDINANCE AMENDING CHAPTER XXVIII, SECTION 28-1 AND 28-2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK REGARDING SOLID WASTE MANAGEMENT

Councilman Miranda moved to open the public hearing on Ordinance #2323; seconded by Councilman Dinardo and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked that this ordinance be explained for the public watching at home.

Ms. Cali said this ordinance is five pages long and is posted on the webpage and on the bulletin board.

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

Councilman Miranda moved that Ordinance #2323 be adopted on second reading and advertised as prescribed by law; seconded by Councilwoman Torres.

Vote Record – Adoption of Ordinance #2323					
		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"/>
	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"/>
	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"/>
	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INTRODUCTION

ORDINANCE NO. 2324

AN ORDINANCE FIXING THE SALARY OF MUNICIPAL ALLIANCE ASSISTANT COORDINATOR

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: The following salary hereinafter is set forth below:

	<u>Minimum</u>	<u>Maximum</u>
Municipal Alliance Assistant Coordinator	1.00	4,000.00

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 in accordance with law.

Councilman Miranda moved that Ordinance #2324 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 17, 2011; seconded by Councilman Caswell.

ORDINANCE NO. 2325

AN ORDINANCE AMENDING CHAPTER 23, SECTION 23-5.3
OF THE CODE OF THE BOROUGH OF ROSELLE PARK FAILURE TO REMOVE;
REMOVAL BY BOROUGH; COSTS

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter 23, Section 23-5.3 of the Borough Code is hereby amended as follows:

23-5.3 Failure to Remove; Removal by Borough; Costs

In case snow or ice has not been removed from sidewalks or fire hydrants or snow and ice was cast, deposited or placed upon sidewalks or streets by the owner, tenant or occupant of any premises as provided in subsections 25-5.1 and 25-5.2, the same may be removed under the direction of the Superintendent of the Department of Public Works and the cost of removal, as nearly as can be ascertained, shall be certified by the Superintendent of the Department of Public Works to the Governing Body. The Governing Body shall examine such certification and, if found to be correct, shall cause such cost to be charged against such real estate abutting or bordering upon such sidewalks, and the amount charged shall become a lien and a tax upon such real estate or land and be added to, recorded and collected in the same way and manner as the taxes next to be levied and assessed upon such premises and shall bear interest and be enforced and collected by the same officers and in the same manner as other taxes. The imposition and collection of a fine imposed by the provisions of this section shall not constitute any bar to the right of the Borough of Roselle Park to collect the cost as certified for the removal of snow or ice in the manner herein authorized. The fee schedule for snow removal of residential properties is \$5.00 per linear foot. No additional warning, either in writing or verbally, shall be given for subsequent violations.

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 Miranda moved that Ordinance #2325 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 17, 2011; seconded by Councilman Caswell.

ORDINANCE NO. 2326

AN ORDINANCE AMENDING CHAPTER 7 SECTION 7-10
OF THE CODE OF THE BOROUGH OF ROSELLE PARK

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter VII, Section 7-10 of the of the Borough Code is hereby amended to add the following:

7-10 TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL.

a. Whenever snow has fallen and the accumulation is such that it covers the street or highway, an emergency shall exist and no vehicles shall be parked on the following streets or highways or portions thereof listed below.

The parking prohibitions listed below shall remain in effect after the snow has ceased, until the streets have been plowed significantly, and to the extent that parking will not interfere with the normal flow of traffic.

b. Any unoccupied vehicle parked or standing in violation of this section shall be deemed a nuisance and a menace to the safe and proper regulation of traffic and any Police Officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle. (Ord. No. 1184 § 11; Ord. No. 1260; Ord. No. 1374; Ord. No. 1792; Ord. No. 2109)

Temporary Parking Prohibition for Snow Plowing and Removal—Con.

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Avon Street	East	Magie Avenue to E. Westfield
Beechwood Avenue	Both	Between Amsterdam Avenue and Colfax Avenue
Chestnut Street (CR 627)	Both	Entire length
Clay Avenue	Both	Between Grant Avenue and Faitoute Avenue (CR 617)
Colfax Avenue	Both	Between Chestnut Street (CR 627)

		and Laurel Avenue
Colfax Avenue	South	Between Laurel Avenue and South Side Valley Road
Columbus Place	West	West Clay to West Westfield
Faitoute Avenue (CR 617)	Both	Entire length
Galloping Hill Road (CR 616)	Both	Entire length
Grant Avenue	Both	Entire length
Hazel Street	East	Between West Colfax Avenue and West Roselle Avenue
Hawthorne Street	West	Between West Clay and West Westfield
Lincoln Avenue	Both	Between Galloping Hill Road (CR 616) and Locust Street (CR 619)
Locust Street (CR 619)	Both	Entire length
Roselle Avenue	Both	From Colfax Avenue, northerly and easterly to the westerly curblines of Hazel Street
Roosevelt Street	West	Between West Clay and West Westfield
Valley Road	Both	Between Westfield Avenue (Route NJ 28) and Amsterdam Avenue
Walnut Street	Both	Between Grant Avenue and Clay Avenue
Westfield Avenue (Route NJ 28)	North and South	Between Elizabeth and Cranford City lines

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 Miranda moved that Ordinance #2326 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 17, 2011; seconded by Councilman Caswell.

Vote Record – Introduction of Ordinances #2324, #2325 and #2326					
		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"/>
	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"/>
	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"/>
	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS

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

RESOLUTION NO. 55-11

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 Fall Road Program Phase I
 CONTRACTOR Cifelli & Sons, 4 Coppola St., Nutley, NJ 07110
 CHANGE ORDER NO. 3 and Final
 AMOUNT OF CHANGE THIS RESOLUTION -\$24377.75 (-7.62% DECREASE)
 TOTAL AMOUNT OF CHANGE -\$20,929.00 (-6.54% DECREASE)

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

RESOLUTION NO. 56-11

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that the contract for the 2009 Fall Road Program was constructed by Cifelli and Son, accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The Contractor having supplied a 25% Guarantee Bond for a period of two (2) years from December 2, 2010. The said construction is hereby accepted and final payment in the amount of Twelve Thousand Eight Hundred Ninety Four Dollars and Fifteen Cents (\$12,894.15) is hereby approved.

This Resolution to take effect immediately.

RESOLUTION NO. 57-11

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 \$118.84 payable to U.S. Bank Cust/Pro Capital for a duplicate Sewer 2010 payment on Block 802/Lot 42 (otherwise known as 125 Webster Ave., E., Roselle Park, N.J.) and assessed in the name of Federal National Mortgage Association.

RESOLUTION NO. 58-11

WHEREAS, Carol Marasco, School Crossing Guard for the Roselle Park Police Department, is on an unpaid leave of absence under the Family Medical Leave Act from September 8, 2010 to December 1, 2010, she therefore requests an extension of unpaid leave until April 30, 2011; and

WHEREAS, the Mayor and Council of the Borough of Roselle Park desire to make clear the terms of Carol Marasco's leave for the purpose of record keeping;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Carol Marasco be and is hereby granted an extension of unpaid leave of absence under the Family Medical Leave Act effective September 8, 2010 to April 30, 2011.

RESOLUTION NO. 59-11

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector hereby authorizes the Treasurer to issue multiple checks in the total amount of \$43,702.69 payable to multiple lien holders for redemption of Tax Sale Certificates for the meeting of February 3, 2011 (paperwork available in the Tax Office); and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector hereby authorizes the Treasurer to issue multiple checks in the total amount of \$25,000.00 from the Tax Collectors Premium Account also payable to multiple lien holders for redemptions of Tax Sale Certificates for the meeting of February 3, 2011 (paperwork available in the Tax Office).

RESOLUTION NO. 60-11

WHEREAS, the Borough of Roselle Park no longer has use for the attached automobiles therefore, be it

RESOLVED, by the Mayor and Council of the Borough of Roselle Park that the Borough Clerk be and is hereby authorized to sell the attached items, as is, at public sale at a date within 60 calendar days. The auction will be advertised in the following media, Union Leader and Star Ledger and Borough of Roselle Park Web Site.

1. Said sale shall be conducted by the Borough Clerk or by any person so designated by her.
2. Said property is being sold "as is".
3. All prospective purchasers are put on notice to personally inspect the property.
4. At the Time of said sale, the purchaser shall deposit the entire purchase price with the Borough Clerk in cash or certified check made payable to the Borough of Roselle Park.
5. If the purchaser fails to take title and possession within ten (10) days of the date of purchase, the Governing Body of the Borough of Roselle Park may declare the contract of sale to be terminated and may retain all monies paid there under as liquidated damages, and the Borough may resell said property or pursue such other and further legal and equitable remedies as it may have. If the purchaser fails to take title or possession within said ten (10) days, purchaser will be liable for reasonable storage fees.
6. If the title to this property shall prove to be unmarketable, the liability of the Borough shall be limited to the repayment of the amount of any sums paid by said purchaser to the Borough without any further costs, expense, damage, claim against or liability upon the Borough.

7. The Borough of Roselle Park reserves the right to reject all bids and shall not be obligated to accept any bids
8. All prospective purchasers are put on notice that no employee, agent, officer, body or subordinate body has any authority to waive, modify or amend any of the within conditions of sale.

<u>Year</u>	<u>Make</u>	<u>Identification Number</u>	<u>Minimum Bid</u>
1992	Chevy	1GCCS14Z9N8182778	175.00

RESOLUTION NO. 62-11

WHEREAS, the Borough of Roselle Park maintains various insurances for the Borough and its employees, and

WHEREAS, the Mayor and Council are desirous of appointing a Broker of Record for the Borough for the period commencing January 1, 2011 through December 31, 2011; and

WHEREAS, N.J.S.A. 40A:11-5(m) provides for an exception of the Local Public Contract Law for the purchase of insurance coverage and consultant services, now therefore

BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle Park that Willis Group Holdings Limited, 14 Commerce Drive, Cranford, NJ be and is hereby designated as Broker of Record for the Borough in connection with all health and medical insurances for the period commencing January 1, 2011 through December 31, 2011; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to execute any and all documents required to establish such agency relationships; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the named firm and a notice in the form attached be published in a newspaper authorized to receive legal advertisements on behalf of the Borough of Roselle Park.

Vote Record – Resolutions #55-11 to #60-11 and #62-11					
		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"/>
	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"/>
	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"/>
	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following resolution was offered by Councilman Miranda; seconded by Councilman Yakubov.

RESOLUTION NO. 61-11

WHEREAS, there exists a need for a special legal consultant for labor relations matters concerning employees, and

WHEREAS, funds are available for this purpose, now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Borough is hereby authorized to retain Robert Donovan, Esquire of the firm McElroy, Deutsch, Mulvaney & Carpenter, LLP, 100 Mulberry Street, Newark, New Jersey 07102, to represent it in labor and employment matters assigned by the Borough or its representatives. The legal work shall include, if necessary, all court appearances, arbitrations, conference, negotiations, meetings,

research, investigations, correspondence, telephone calls, preparation and drafting of pleadings and other legal documents, trial preparation, related work and other matters assigned by the Borough at a rate of \$120.00 per hour, not to exceed the amount of \$10,000.00, and

BE IT FURTHER RESOLVED that this appointment is made and this agreement is entered into pursuant to a fair and open process under NJSA 19:44A-20.4 et seq., and

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

Councilman Yakubov thanked Linda Niedweski, who was our former Labor Attorney and did a great service to our Borough. He asked regarding the appointment of Robert Donovan, is it him or him and his firm. If he cannot make a meeting, will someone else step in.

Mayor Accardi said if an individual cannot attend, he can have someone in his place; it is most likely he will attend all meetings and negotiations. He pointed out his hourly rate is much lower than any of the other individuals applying for this position.

Councilman Dinardo said this year, there will be a lot of negotiations; will \$10,000 be enough.

Mayor Accardi said they all recognize this will be a very difficult year for the Borough.

Vote Record – Resolution #61-11		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"/>
	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"/>
	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"/>
	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Councilman Accardi made the following appointments;

- Appointment of Dawn Rannigan to Community Development Committee.
- Appointment of Teresa Santos to Community Development Committee Alternate.
- Appointment of Joseph Signorello to the Ad Hoc Center Advisory Committee.
- Appointment of Antonette Signorello to the Ad Hoc Youth Center Advisory Committee.
- Appointment of Tanya Torres as Council Liaison to the Ad Hoc Youth Center Advisory Committee.
- Appointment of Carl Hokanson as Alternate to the Ad Hoc Youth Advisory Committee.
- Appointment of Ralph Ortiz to the Environmental Committee.
- Appointment of Ralph Ortiz as Alternate to the Municipal Land Use Board.

- Appointment of Ralph Ortiz as Alternate to the Morses Creek Committee for one year.
- Appointment of Anita Szary to the Union County Air Traffic Noise Advisory Board.

INTERRUPT THE REGULAR ORDER OF BUSINESS

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

Mayor Accardi read the Closed Session resolution and said Council would be discussing the following matter:

- Litigation – D’Agostino

RESUME REGULAR ORDER OF BUSINESS

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

Mayor Accardi said that during Closed Session, Council discussed the following matter:

- Litigation – D’Agostino

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

Attest:

Borough Clerk