

orough of Roselle Park Regular Meeting of June 16, 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 Mr. James Vigliotti singing the National Anthem.

BUSINESS OF THE MONTH

- Dancers Pointe

COMMUNICATIONS

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

- Request from the residents of the 800 block of Elm Street to hold a Block Party on Saturday, June 25, 2011 from 2:00 p.m. until 10:00 p.m., with a rain date of Sunday, June 26, 2011 from 12:00 Noon until 8:00 p.m.
- Request from the West End Community Center to block off West Clay Avenue from Hexacon Electric Company to West Grant Avenue to hold their Annual Family Picnic on Saturday, September 10, 2011 from 1:00 p.m. until 7:00 p.m., with a rain date of Sunday, September 11, 2011 and to use Girl Scout Park for children's activities.
- Request from the residents of the 500 block of Amsterdam and Ashwood Avenues to hold a Block Party on Monday, July 4, 2011 from 10:00 a.m. until 10:00 p.m.
- Request from the residents of the 100 block of Avon Street to hold a Block Party on Saturday, July 16, 2011 from 8:00 a.m. until 10:00 p.m., with a rain date of Saturday, July 23, 2011.

- Request from the residents of the 500 block of Spruce Street to hold a Block Party/Birthday Party on Saturday, July 16, 2011 from 12:00 Noon until 9:00 p.m., with a rain date of Sunday, July 17, 2011.

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

- Request from the Indo American Senior Association of Union County for bus transportation to two picnics in Woodbridge on July 16, 2011 and July 30, 2011 between the hours of 10:30 a.m. and 5:00 p.m.

Councilman Caswell asked if this is something that is available to all groups. This can cause a problem providing free transportation to all types of groups all over. He asked for more information on this request.

Ms. Cali said she spoke to Ms. Intile; this has been done once a few years ago as a senior program.

Ms. Intile said this has been done two years in a row. The bus driver's fee is paid by a Union County Grant, which pays the senior citizen bus driver for any trips the seniors take. She said under this Union County Grant, it is permissible in that respect.

Mayor Accardi said this is grant funded, so it is not costing the Borough anything. The issue here is if this is Borough business and any Borough equipment that is used out of the norm should be approved by Council and not a blanket approval.

Ms. Intile said the Association hand wrote a request and she typed and forwarded it to Council.

Mayor Accardi said it follows all the criteria being a senior group and senior residents, and is going to be covered by the Union County Grant; not costing the residents anything.

REPORT AND RECOMMENDATIONS OF MAYOR

- Had second round of interviews with Comcast and spoke on two separate issues.
- Spoke on the housing stock in Roselle Park.
- There are 92 homes for sale in Roselle Park.
- Encourages everyone to talk up Roselle Park.
- Spoke on the value of the downtown area.
- Both interviews will be on July 14th on Comcast.
- Attended the Library Board Meeting.
- The Library Budget is now in place; appreciates all the work that everyone did on the budget and attended the meeting.
- He announced some programs that will be taking place at the Library.
- The Car Show has been rescheduled for Saturday, June 25th from 5:00 p.m. to 8:00 p.m.

- Requests all Borough vehicles that are not being used for police purposes be identified with decals for identification.
- The Band Parents Carnival will be Fourth of July weekend, with the fireworks on the 4th at 9:15 p.m.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Caswell

- June 3rd attended the Cub Scout Round Up.
- June 4th attended the Cub Scout Car Wash.
- June 8th attended the Capital Budget Meeting.
- June 9th attended the Public Safety Meeting.
- June 9th started the St. Anthony's Feast at the Assumption Church.
- June 11th attended the Cub Scout Clean Up.
- June 15th attended the Library Board Meeting.
- The Library now has free museum passes that residents may borrow, which is being done by the Friends of the Library.
- They will be putting out book friends cards in the Library, which is a fundraiser.
- The All Star Baseball Tournament will be beginning.
- Requesting more recycling bins be donated for that event.
- Asked that the valedictorians and salutatorians from the schools be invited to a Council Meeting to be recognized.

Mayor Accardi spoke about providing temporary recycling bins for the event; then eventually getting permanent ones.

Councilwoman Torres said she has no objections to doing that.

Mayor Accardi said this would benefit the town because recyclable products that would have gone into the trash will now be recycled.

Ms. Cali said E. Roselle Avenue can be submitted in the next grant application for repair.

Mr. Solfaro said the applications are due in July; are usually awarded the next year, and the job completed the spring of the following year.

Councilwoman Torres

- June 4th attended the Relay for Life at the High School.
- June 9th attended the St. Anthony Feast at Assumption Church.
- June 11th attended the Townwide Clean Up with her Girl Scout Troop.
- Tuesday attended the Flag Ceremony at the Elk's Lodge.

- Congratulated the Roselle Park High School team for winning the conference.
- Commented on how great the baseball fields are being maintained.

Councilman Miranda

- June 8th attended a Municipal Services Meeting.
- June 9th attended the Public Safety Meeting.
- June 11th attended the Townwide Clean Up.
- June 14th attended the Community Watch Meeting.
- Thanked the Crossing Guards for their invitation to their end of the year breakfast.
- There is a new sign on Chestnut Street for the pedestrian walkway.

Councilman Yakubov

- Met with the Environmental Committee; they would like to identify any areas that need improvement on Chestnut Street.
- Would like to schedule a meeting the week of June 27th.
- June 14th attended the Community Watch Meeting.
- Thanked the DPW for their help with the Townwide Clean Up.
- Had the opportunity to see the new fire ladder truck.
- The issue of painting under the bridge at Galloping Hill Road was brought up at the Community Watch Meeting; that was completed yesterday by the DPW.
- Will be reaching out to Printfast as the Business of the Month for the next meeting.
- Would like to schedule a date for a Capital Budget Meeting for Thursday, June 23rd at 6:30 p.m.

Mayor Accardi asked that all the Committee Chairs schedule meetings for review.

- Councilman Yakubov thanked Alex Balaban for his work with the Clean Communities.
- Thanked everyone that participated in the Relay for Life at the High School.

Mayor Accardi spoke about all the wonderful activities taking place in Roselle Park, and thanked all the dedicated volunteers that are making that happen.

Councilman Hokanson

- June 3rd attended the Fire Department training of the new fire truck.
- June 5th attended the Backing in Ceremony and the blessing of the new truck.
- June 7th attended the Union County Fire Academy Graduation; they recognized Ben Laganga.
- Attended the Capital Budget Meeting; they are still looking for ways to save.
- Attended the Public Safety Meeting.
- The Fire Department is updating their policies.

- Commended Alex Balaban and all of Council's help at the Townwide Clean Up on Saturday.
- Commended all Councilmembers that helped and attended the St. Anthony's Feast.
- Commented on the parade that took place at the beginning of the Feast.
- Thanked the Police Department for the security for the people walking in the parade.
- Invited all to come to the July 4th Fireworks.
- The next Council Meeting will be on July 14th.
- Requested the use of Council Chambers on June 29th from 6:00 p.m. to 8:00 p.m. for his Open Meeting.
- Congratulated Kathy Karosick and Dancers Pointe for being Business of the Month.

Councilman Dinardo

- Apologized for not attending the Community Watch Meeting.
- Congratulated all the 2011 Graduates.
- Commented on the pedestrian sign on Chestnut Street.
- Commented on the disrepair of the crosswalks on Chestnut Street.

Councilwoman Torres thanked Councilman Hokanson for responding so quickly to two animal issues she had. She said she also attended the blessing of the new fire truck.

Karen Intile – Administrative Assistant

- Thanked everyone that attended the first anniversary of the Grand Opening of the Garden Terrazzo.
- Requested they explore the options for the purchase of a retractable awning for the back of the Casano Center sometime in the future.
- Thanked the Girl Scout Troops for the luncheon they gave to the seniors.
- The Crusin' Car Show has been rescheduled for June 25th from 5:00 p.m. to 8:00 p.m.
- The Magic Show scheduled for June 20th will take place at the Casano Center because of the large number of children that have signed up.
- Wednesday, July 6th starting at 1:00 p.m. at the Casano Center, the Union County Division on Aging will be giving out vouchers in \$5.00 increments to senior citizens for the Farmer's Market.
- Looking for a zumba or an aerobics class, or both, for the Casano Center.
- Thanked Mr. Joseph Ashione, an attorney from the Division on Aging, who spoke to the seniors at the Center about wills and other legal documents.
- The Local Artist Gallery is still taking place.
- Fireworks will be July 4th; rain date will be National Night Out on August 2nd.
- Reviewed summer projects that are taking place at the Library.

Councilman Caswell spoke about a program that Macy's will be conducting for seniors to get a discount. Perhaps they can have the bus take them to the mall for this program. Also, the Boy Scouts will be running a food drive this weekend for the food pantry at the Casano Center.

Mayor Accardi invited Mr. David Biagini from SID to come forward to answer any questions Council may have pertaining to the SID and its budget.

Councilman Hokanson asked how many SID towns Mr. Biagini represents; he answered he represents six.

Councilman Hokanson said he has been inundated with many complaints from merchants regarding the cost of the office and office management. He said if you already have the six and running the office, why can't the \$14,000 allotted for the office and management be used for other things.

Mayor Accardi said that would be the cost from all of the six SID for Mr. Biagini and support staff. If you were to hire one person, it would be more than \$14,000.

Mr. Biagini said when he did the budget; he did not assume it would be his company. The \$14,000 is for whoever the Board decides to hire.

Mayor Accardi said the problem has been with the meetings they have had; they have not been able to get all the businesses in to discuss it. At the last meeting, they had about 15 owners and the reaction had not been all positive; one business owner that was totally opposed to it was willing to give it a try. The three largest taxpayers would support it, as long as there is an escape clause after three years. If the business owners only take a look at what is being offered, they would realize what a bargain it is for them. Mayor Accardi said he has spoken to every business owner on Chestnut Street, and may have missed one or two on Westfield Avenue. If any of the businesses have any issues, call him and he will discuss it.

Mr. Biagini said his job is to present a budget that is realistic; he would do the town a disservice, if he didn't budget for a manager and an office. There has been talk that you could get a volunteer, which is good and should be explored. He said not including a manager and an office in the budget would be unprofessional on his part and could backfire down the road, if you don't find a volunteer because it was not budgeted. He said he budgeted as little as he could based on all the other SID. If a volunteer and space is found, then they can save that money.

Councilman Miranda said under special projects there are some things listed such as supplemental police patrol, graffiti removal and snow removal, which we already do. Since we already do that, would it eliminate the \$7,000.

Mr. Biagini said the term supplemental means they recognize the town does those things, but the board felt they need more than what you already do. If there is a gap between what you provide and what they need, that is where the SID comes in.

Councilman Yakubov said one of the budget items indicates that most of the properties in the downtown corridor would be paying a 3% portion towards the cost of the budget. He said one of them says it will be a PILOT program.

Mr. Biagini said there are two not going to be assessed, because they are residential with a home office. They want to be part of the SID, so they will voluntarily pay.

Councilman Yakubov said as the SID is implemented and becomes successful, can the committee look to expand that corridor.

Mr. Biagini said it is in his two year plan to expand. He said this is a tough budget because it is so small and there are only 52 properties. It has been recognized that it should have gone further down Westfield Avenue. For example, McDonald's is right across the street from the zone and are not in it. They will be working on talking to other businesses in the area to join and that will lighten the burden on the existing budget. They wanted to get if off the ground this year and then they can expand in the future. It is not easy to expand; the ordinance would have to be amended and we would have to start all over again.

Mayor Accardi said in Jersey City, it was very successful and many of the businesses want to join it.

Councilman Yakubov asked if the budget is a non-profit account, where does that money sit; it is not a Borough account.

Mr. Biagini said it is a separate account set up for SID and managed by the Board of Directors.

Mayor Accardi said he welcomes all business owners in town to call Mr. Biagini or him, if they have any questions regarding the SID. He said it is a little bit of money for a great benefit in the end.

Councilwoman Torres asked when the next SID Meeting would be, because she would like to get the percentage of businesses who would or would not like to join before she makes a decision.

Mayor Accardi said the ordinance has already been passed by Council and what we are doing tonight is introducing the budget; it is up to the SID Committee to fine tune the budget. He said the ordinances were passed in 2005 and this is just the next step in the SID process. Mr. Biagini, at the request of the SID, has contacted every business and property owner to come to the meetings and some have come or called. People do come in objecting, and then they hear what a benefit they will get from it.

Mr. Biagini said he put the budget together, but the SID Committee approved this budget.

Mayor Accardi said the budget initially submitted by Mr. Biagini was a 5% assessment; at the request of the business owners, they approved 3%.

Councilwoman Torres spoke about the beautification of the downtown and the difficulty of getting the business owners to just water potted plants.

Mr. Biagini said the SID will help with those issues, hiring someone to water plants, etc.

Mayor Accardi said this is a starting point.

Councilwoman Torres said if the business owners want it, then she supports it.

Mr. Biagini said a vote of the business owners is not a requirement. Usually a SID is formed because a small group is doing everything; it is to address the problems that you face.

Councilwoman Torres said beyond the magazine, she does not see very much beyond that, which active people in the community couldn't be doing without a SID.

Mayor Accardi said it is a good idea, but it hasn't happened.

Mr. Biagini said this is not his budget; it is what the Committee gave him to work with and what they want.

Councilman Caswell said if this is enacted, is the tax on all the businesses.

Mr. Biagini said it is enacted on all the businesses and apartment buildings on Schedule A, which was passed in 2005; for those it is mandatory. This budget is from them to you; you are not imposing it on them.

Tom Solfaro – Borough Engineer

- The contractor for the Acker Park Project will be on the site next week to address any issues that are on the punch list to close out that project.
- The contractor on the road project on E. Grant Avenue will be milling and paving the week of the 27th; it will be done by the end of the month.
- That schedule was to satisfy the school session closing.
- The contractor has done more smoke testing on the sanitary sewers and he will provide more information to the Governing Body as it comes forward.
- They are doing the manhole inspections and will report to the Governing Body at a later date.
- They received three quotes for the Reindel Place Sanitary Sewer Repair; Montana Construction was the low bidder.
- Has spoken to the contractor regarding the Chestnut Street Crosswalks and they will be out there the 27th of this month addressing all the crosswalks.

Councilman Hokanson asked for an update on Peach Creek.

- Mr. Solfaro said he is putting together a proposal for the Governing Body and has been in contact with the DEP.

Blake Johnstone – Borough Attorney

- Has two items for Closed Session: D’Agostino Litigation and Cicariello Contract.

Doreen Cali – Borough Clerk

- Received a request from Loren Reinoso, an Eagle Scout who submitted a proposal for a project.
- He will construct six planters to go in front of the Post Office on Chestnut Street.
- If everyone agrees, she will forward to the Postmaster to get permission for him to do that.

Mayor Accardi said four of the planters would be on Chestnut Street and the other two on W. Grant Avenue. He said they have to wait for the approval from the Post Office before they can do it.

- Ms. Cali said there are items for Closed Session: Potential Litigation on a Liability Retirement and a Workers’ Comp Claim.

Ken Blum – Chief Financial Officer.

- Followed up on Solid Waste Contract with the Union County Utilities Authority.
- It is expected to be approved by the DEP next week.
- The State will not allow us to adopt that budget until it is signed off.

Councilman Miranda said they had the Special Olympics run in town. At the Police Conference next week, the Roselle Park marked car will be on display in Atlantic City. He congratulated the Police Department for that.

REPORTS OF DEPARTMENTS

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

- Administrative Assistant Report for May 10, 2011 through June 10, 2011
- Treasurer Report for May 31, 2011
- Engineer Report of June 16, 2011

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Regular Meeting of June 2, 2011

Vote Record – Minutes Acceptance of June 2, 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 PAYROLLS BE NOT READ

MOTION BILLS AND PAYROLLS BE PASSED FOR PAYMENT

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

PUBLIC COMMENT

Councilman Miranda moved at 8:50 p.m. to open the public comment portion of the meeting; seconded by Councilman Dinardo and adopted.

Andrew Casais, 166 Berwyn Street

- Asked if the organization of the SID is the same as it was in 2005.

Laura Hahn, 40 E. Sumner Avenue

- Thanked Mayor and Council for their support and donation to Relay for Life.
- Thanked Andrew Casais and Joe DeIorio for their work on the Library Budget.

Saul Qersdyn, 150 Berwyn Street

- Regarding Ordinance #2335 why is there a fine for early placement of bulk waste.

Mayor Accardi said they must control when people put their bulk waste out. It cannot be sitting out there a week before, because of the sanitation and esthetic problems and we don't want people sorting through garbage when it is at the curb. Also, there are health and safety issues with having the trash out there ahead of time.

Keith Hyman, 300 E. Westfield Avenue

- Sees the SID as a positive thing.
- The business can write the fee off, because it is an advertising expense.
- Right now nothing is happening.

Milt Woodruff, 134 Bender Avenue

- Asked a question about the sewer bill.

- The sewer bill was supposed to be adjusted, but never was.

Mayor Accardi said the bill this year is not an estimated bill.

Mr. Blum said the Borough has never sent out an estimated sewer bill; it has always been an annual final bill.

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

PASSAGE OF ORDINANCES

PUBLIC HEARING ORDINANCE NO. 2335

AN ORDINANCE TO CREATE ARTICLE VII, SECTION 7-40.7 OF THE CODE OF THE BOROUGH OF ROSELLE PARK REGARDING LOCAL TRAFFIC PENALTIES, INCREASING VIOLATION FEES

Mayor Accardi said there will only be a public hearing on this ordinance this evening.

Councilman Miranda moved to open the public hearing on Ordinance #2335; seconded by Councilman Yakubov and adopted.

Andrew Casais, 166 Berwyn Street

- Referred to Ordinance #2335 and Code #9-1 regarding raising fees.
- The penalty of \$100, and the term of imprisonment of 15 days for not returning Library books.
- He said that imprisonment of 15 days for not returning Library books is a bit excessive and Council should reconsider.

Mayor Accardi said he agrees that may be excessive, but other levels of discretion can determine what the appropriate fine or levels of imprisonment would be. The ultimate level of discretion would be the Municipal Court.

- Mr. Casais asked if the fee is a flat \$100, or is the cost of the book in addition to that.

Mayor Accardi said it is two separate issues; the first being the return of the book and the late fees, and the second is the Municipal Court fine.

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

INTRODUCTION

ORDINANCE NO. 2336

AN ORDINANCE AMENDING ARTICLE VI, OF THE CODE OF THE
BOROUGH OF ROSELLE PARK TO INCLUDE SECTION 6-8
REGARDING POSSESSION OR CONSUMPTION BY UNDERAGE
PERSONS ON PRIVATE PROPERTY

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 6-8 of the Borough Code is hereby amended in its entirety to read as follows:

SECTION 1: 6-8 POSSESSION OR CONSUMPTION BY UNDERAGE
PERSONS ON PRIVATE PROPERTY.*

6-8.1 Possession or Consumption of Alcoholic Beverages by Underage Person on Private Property Prohibited.

It is hereby unlawful for any person under the legal age to, without legal authority, knowingly possess or knowingly consume an alcoholic beverage on private property. Any person under the legal age to purchase alcoholic beverages who knowingly possesses or consumes any alcoholic beverage in or on any school property, public conveyance, public place or place of public assembly or on private property shall be in violation of this article.

6-8.2 Violations and Penalties.

a. Any person found guilty of violating the terms of this section shall be subject to a fine of two hundred fifty (\$250.00) dollars for the first offense and a fine of three hundred fifty (\$350.00) dollars for any subsequent offense; perform community service for a period not to exceed 180 days; and, if considered necessary by the court, be referred to an alcohol treatment program at the defendant's expense; at the discretion of the court, upon a finding of guilty, in addition to the fine authorized for this offense, suspend or postpone for six (6) months the driving privileges of the defendant. Upon the conviction of any person and the suspension or postponement of that person's driver's license, the court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement period imposed by the court pursuant to this section. If a person at the time of the imposition of a sentence is less than seventeen (17) years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six (6) months after the person reaches the age of seventeen (17) years. If the defendant at the time of the imposition of the sentence has a valid driver's license issued by this State, the court shall immediately collect the license and forward it to the Division of Motor Vehicles along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color, and sex of the person, as well as the first and last date of the license suspension period imposed by the court.

b. The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. The defendant shall be required to

acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of the written notice shall not be a defense to a subsequent charge of a violation of N.J.S.A. 39:3-40.

c. If the person convicted under this section is not a New Jersey resident, the court shall suspend or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person and submit to the Division the required report. The court shall not collect the license of a nonresident convicted under this section. Upon receipt of a report by the court, the Division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

6-8.3 Exceptions.

a. This section shall not prohibit an underage person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony, or rite or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.

b. This section shall not prohibit the possession of alcoholic beverages by any underage person while actually engaged in the performance of employment by a person who has been licensed under Title 33 of the Revised Statutes, or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a County vocational school or post-secondary educational institution; however, this section shall not be construed to preclude the imposition of a penalty under this section, N.J.S.A. 33:1-81, or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

6-8.4 Definitions.

As used in this section, the following terms shall have the meanings indicated.

Guardian shall mean a person who has qualified as a guardian of the underage person pursuant to a testamentary or court appointment.

Relative shall mean the underage person's grandparent, aunt or uncle, sibling, or any other person related by blood or affinity.

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 #2336 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on July 14, 2011; seconded by Councilwoman Torres.

Vote Record – Ordinance #2336					
		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. 127-11

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector is hereby authorized to cancel a Sewer Utility Charge for the year 2011 charged incorrectly by New Jersey American Water in the amount of \$57.00 on Block 507/Lot 15 T002 (otherwise known as 161 W. Clay Ave., Roselle Park, N.J.) and assessed in the name of Hexacon Electric Company.

RESOLUTION NO. 128-11

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that the request for permission to hang a banner on Chestnut Street from July 5, 2011 thru August 6, 2011 to announce the Roselle Park Fire Department Wetdown on August 6, 2011 be and is hereby granted.

RESOLUTION NO. 130-11

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 \$6,000.00 payable to Richard M. Citron, Esquire for a redemption that was recorded the meeting of January 20, 2011 on Block 311/Lot 9 (otherwise known as 119 Columbus Place, Roselle Park, N.J.) and assessed in the name of Ann Placca. Redemption check from Attorney included \$6,000.00 premium payable to the Borough in error.

RESOLUTION NO. 131-11

WHEREAS, the Governing Body of the Borough of Roselle Park desires to further the public interest by obtaining a grant from Union County, Open Space, Recreation and Historic Preservation Trust Fund: Greening Union County 2011 in the amount of approximately \$10,000.00;

NOW, THEREFORE, BE IT RESOLVED that Mayor and the Chief Financial Officer are authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the County of Union for the grant in an amount of \$10,000.00 and execute any amendments thereto which do not increase the Grantee's obligations; and

BE IT FURTHER RESOLVED the Borough of Roselle Park authorizes and hereby agrees to match 50% or \$10,000.00 of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified; and

BE IT FURTHER RESOLVED the Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

RESOLUTION NO. 132-11

WHEREAS, it is anticipated that the Borough of Roselle Park will not be able to adopt its budget sufficiently in advance of the third quarter tax due date of August 1, 2011; and

WHEREAS, the Borough of Roselle Park has determined that there will be insufficient cash flow to support operations in late July without third quarter revenue being received on time;

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

1. The Tax Collector be and is hereby directed to take all necessary steps to send out estimated bills for the third quarter 2011 in accordance with the provisions of NJSA 54:5-66.2 et seq.
2. That the Chief Financial Officer has reviewed the permissible tax levy range and found the range should be set at 1.029459929 of the previous year's tax levy. (2010 Tax Levy \$33,498,724.45 x 1.029459929 = \$34,485,594.51 or a tax rate of 11.982)
3. That the Tax Collector take any and all additional steps to implement the substance of this resolution.

RESOLUTION NO. 133-11

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

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector is hereby authorized to refund a tax overpayment in the amount \$1,836.91 payable to Triarsi, Betancourt & Wukovits, LLC for overpayment created by a duplicate payment made on 2nd quarter 2011 taxes on Block 905/Lot 8 (otherwise known as 115 Camden St., Roselle Park, N.J.) and assessed in the name of Jose & Kayra Medina. Overpayment was created by sale of property.

RESOLUTION NO. 135-11

WHEREAS, all Plenary Retail Consumption, Retail Distribution, Limited Distribution and Club Licenses will expire on June 30, 2011; and

WHEREAS, the following applicants have complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable, thereto, now therefore

BE IT RESOLVED, that the Borough Clerk be and is hereby authorized to issue licenses to expire June 30, 2012, to the following as approved by the License Committee:

PLENARY RETAIL CONSUMPTION LICENSES - \$1,385.00

2015-33-008-004 La Catena Restaurant Inc, 386 E. Westfield Avenue

2015-33-015-003 Caracitas Corporation, 157 East Westfield Avenue

2015-33-016-007 Spilanga Food Inc, 120 Chestnut Street

PLENARY RETAIL DISTRIBUTION LICENSES - \$931.00

2015-44-003-003 Gjani Inc, 117 West Colfax Avenue

2015-44-001-007 R and K Corp, 596 Chestnut Street

RESOLUTION NO. 136-11

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 II
CONTRACTOR Crossroads Construction Corp.
CHANGE ORDER NO. 3 and Final
AMOUNT OF CHANGE THIS RESOLUTION -\$56,269.67) -15.31%
TOTAL AMOUNT OF CHANGE -\$20,324.52) -5.53%

RESOLUTION NO. 137-11

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- Phase II was constructed by Crossroad Construction Corp. in 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 8/31/2010. The said construction is hereby accepted and final payment in the amount of Twenty-Five Thousand Seventy-Nine Dollars and Twenty-One Cents is hereby approved.

RESOLUTION NO. 138-11

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey hereby authorize an agreement between Pitney Bowes, 34 Maple Avenue-Suite 1000, Pine Brook, NJ 07058 and the Borough of Roselle Park for the lease agreement meter rental and service of a postage machine, for a period of five years, from July 1, 2011 thru June 30, 2016 at the monthly rate of \$187.00 in the total amount of \$11,220.

RESOLUTION NO. 139-11

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey hereby authorize the attached shared service agreement between the Township of Cranford and the Borough of Roselle Park for the services of the Construction Code/Building Code Official, Richard Belluscio for the period June 30, 2011 thru June 30, 2015 at the annual rate of \$25,000.

RESOLUTION NO. 140-11

WHEREAS, the Borough of Roselle Park has expressed an interest in having the County of Union provide document imaging, electronic retention and archival services; and

WHEREAS, pursuant to the proposed arrangement the County would serve as Municipality Host for the Electronic Data Base Management System (OnBase); and

WHEREAS, the Borough of Roselle Park and the County, acknowledge that the implementation of a Shared Services Agreement will require the upgrading of the municipalities' current retention system using OnBase; and

WHEREAS, in order to facilitate the continuity of operations between both parties, the County will also provide ancillary services necessary for addressing document retention services; and

WHEREAS, the County of Union, in its effort to assist the Borough of Roselle Park, in meeting their needs has agreed to enter into a Shared Services Agreement, mainly in the form attached hereto, pursuant to N.J.S.A. 40A:65-4 to provide this service to the Borough of Roselle Park ; and

WHEREAS, the purpose of this Shared Services Agreement is to expand an existing pilot program for the shared services and to set forth the responsibilities of the Parties under this Agreement:

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Mayor and the Borough Clerks are hereby authorized to execute the attached Shared Services Agreement between the County and the Borough of Roselle Park to share usage of the Electronic Data Base Management System (OnBase); and

BE IT FURTHER RESOLVED that pursuant to NJSA 40A:65-4(b), a copy of the Shared Services Agreement shall be filed with the New Jersey Department of Community Affairs, Division of Local Government Services; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

RESOLUTION NO. 143-11

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq., provides a mechanism through which counties and municipalities may enter into agreements for the provision of joint services; and

WHEREAS, Title I of the Housing and Community Development Act of 1974 provides for substantial federal funds being made to certain urban counties for use therein through the Community Development Block Grant (“CDBG”) Entitlement Program; and

WHEREAS, a Cooperative Agreement between the County of Union and the Borough of Roselle Park shall be utilized to establish a legal mechanism through which the County government may apply for, receive and disburse federal funds from federal fiscal year 2012, 2013 and 2014 appropriations; and

WHEREAS, it is the desire of the Borough of Roselle Park to enter into a Cooperative Agreement with the County of Union for successive three year periods.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Roselle Park hereby is authorized to enter into and execute said Cooperative Agreements. Said Cooperative Agreements are to be substantially in the form of Agreement attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED, that a copy of the Resolution shall be forwarded to the County of Union.

RESOLUTION NO. 144-11

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO
EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION
TO MODIFY THE INTERLOCAL SERVICES AGREEMENT
DATED JUNE 2011

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership Program; and

WHEREAS, the Emergency Shelter Grants Program (“ESG”) provided through Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act permits for substantial federal funds allocated to prevent homelessness and to establish homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Interlocal Services Agreement for the County of Union and its people from this program; and

WHEREAS, it is in the best interest of the Borough of Roselle Park and the County of Union in cooperation with each other to enter into a modification of the Interlocal Services Agreement pursuant to N.J.S.A. 40:8A-1;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Borough of Roselle Park that the agreement entitled “COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES,” dated June 2011, for the Purpose of Inserting a Description of Activities for Fiscal Year 2011-2012 of the Union County Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Shelter Grant Program (ESG), a copy of which is attached hereto; be executed by the Mayor and Borough Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

RESOLUTION NO. 145-11

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby amend Section VI Vacation Leave and Personal Leave of the Employee Manual to include the following:

Section VI
Vacation Leave and Personal Leave
Vacation Leave

I. Policy

Regular employees are entitled to vacation leave, with pay.

II. Procedure

Employees are encouraged to schedule vacation leave with the department head as soon as reasonably practicable. Employees are to use vacation leave in either half or full days only.

Personal Leave

I. Policy

“Personal leave” means leave taken for any reason other than sickness, military service, vacation, bereavement, leave without pay, jury duty and family and medical leave.

Regular employees are entitled to personal leave, with pay.

II. Procedure

Employees are encouraged to schedule personal leave with the department head as soon as reasonably practicable. Employees are to use vacation and personal leave in either half or full days only.

RESOLUTION NO. 146-11

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize the Conditional Lease between Cicariello Brothers, Inc. and the Borough of Roselle Park in the amount of \$1,500.00 per month for the calendar year 2011 as per the attached Conditional Lease.

RESOLUTION NO. 147-11

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that the Borough Engineer’s Office, Neglia Engineering Associates of Lyndhurst, New Jersey, is hereby authorized to execute Treatment Works Approval Applications as presented to the Municipality for the 2011 calendar year.

Vote Record – Resolution #127-11, #128-11, #130-11 to #133-11, #135-11 to #140-11 and #143-11 to #147-11					
		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"/>
	Dinaro	<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 Dinaro.

RESOLUTION NO. 129-11

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that the contract for the Youth Baseball Field Complex Remediation was constructed by Luzon, Inc., in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Environmental Consultant. The Contractor having supplied a 25% Guarantee Bond No. PAIFSU0537344 for a period of one (1) year from April 12, 2011. The said construction is hereby accepted and final payment in the amount of Ten Thousand Dollars and Zero Cents (\$10,000.00) is hereby approved.

This Resolution to take effect immediately.

Councilman Caswell said he just wanted an explanation as to what the \$10,000 payment is for.

Mayor Accardi said at the end of these projects we always hold back a final payment, but we are still holding the 25% bond for the entire cost of the project.

Vote Record – Resolution #129-11		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	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 Dinardo.

RESOLUTION NO. 134-11

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize the agreement between Jersey Elevator Company, Inc. and the Borough of Roselle Park for an Elevator Preventative Maintenance Agreement, for a period of three years, for the elevator in the Municipal Building and the Library at the rate of \$250.00 per month.

Councilman Hokanson said he will vote yes and wanted to thank Vince Cahill for his efforts in saving the taxpayers money.

Mayor Accardi said there were two contracts for the elevators for the Library and for Borough Hall. We will now be paying less for both locations than we were paying just for the Library.

Vote Record – Resolution #134-11		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Dinardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	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 Yakubov; seconded by Councilman Miranda.

RESOLUTION NO. 141-11

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize the Chief Financial Officer to issue a check in the amount of \$400.00 to each of the following named persons pursuant to N.J.S.A. 40:44-12 for services as the Board of Ward Commissioners of the Borough of Roselle Park.

Dennis Kobitz
 Clara Harelik
 Mary Ellen Harris
 John DeSimone

Marie Oakie
Doreen Cali
Joanne Arena

Councilwoman Torres asked what the Board of Ward Commissioners does.

Ms. Cali said that once every ten years, a Board of Ward Commissioners is formed to review election districts. The committee meets and goes over the numbers to see if it meets the statutory requirements.

Vote Record – Resolution #141-11		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 Councilwoman Torres.

RESOLUTION NO. 142-11

A RESOLUTION APPROVING THE INTRODUCTION OF THE 2011-2012 BUDGET
OF THE ROSELLE PARK SPECIAL IMPROVEMENT DISTRICT AND
AUTHORIZING A PUBLIC HEARING TO BE HELD THEREON

WHEREAS, the Borough of Roselle Park established a Special Improvement District within the Borough by Ordinance #2159 on July 7, 2005; and

WHEREAS, the Roselle Park Business Improvement District Advisory Board (the “Advisory Board”) has submitted its initial budget for the fiscal year 2011-2012 for review and approval by the Mayor and Borough Council in accordance with the procedures established in NJSA 40:56-84; and

WHEREAS, the Mayor and Borough Council heard a presentation on the budget by the Advisory Board consultant at its May 19, 2011, Council meeting and wish to approve same on first reading; and

WHEREAS, prior to final adoption of the budget, a public hearing must be held thereon; and

WHEREAS, the Mayor and Borough Council wish to conduct said public hearing on August 11, 2011 at its regular Borough Council meeting.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Roselle Park, in the County of Union, and State of New Jersey, that the 2011-2012 budget of the Roselle Park Special Improvement District as submitted by the Advisory Board attached hereto and made a part hereof, is hereby introduced and approved on first reading.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to advertise a public hearing on said budget at the Borough of Roselle Park Municipal Building on August 11, 2011, at 7:00 p.m., at which time and place all interested persons shall be given

an opportunity to be heard. Said advertisement shall contain a copy of the budget and include the date, time, and place of the hearing; and

BE IT FURTHER RESOLVED, that the Borough Clerk, at least one week prior to the August 11, 2011 public hearing, shall (i) cause a complete copy of the approved budget to be posted in a public place where public notices are customarily posted in the Municipal Building, and (ii) make available a copy of the budget to each person requesting same during that week and during the public hearing.

Councilman Yakubov said because this is a large initiative taking place in town, if anyone has any issues, they can bring them up now.

Mayor Accardi said this is a very small investment for business owners and he would not have put this out there if he did not think it would benefit them. This is a new idea worth trying in our community and just the benefit of their advertising should cover their expenses. It is something that needs to be tried as other plans have not worked, and it has worked in other communities.

Ms. Cali said the date for the public hearing is August 11, 2011 at 7:00 p.m.

Vote Record – Resolution #142-11					
		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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 matters:

- Litigation – D’Agostino
- Contracts – Cicariello
- Potential Litigation – Disability Retirement
- Workers Comp Claim
- Negotiations – Romerovski Property

RESUME REGULAR ORDER OF BUSINESS

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

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

- Litigation – D’Agostino
- Contracts – Cicariello
- Potential Litigation – Disability Retirement
- Workers Comp Claim
- Negotiations – Romerovski Property

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

RESOLUTION NO. 148-11

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize Surenian & Associates to re-open negotiations between the Borough of Roselle Park and Avalon Bay Developers regarding the court ordered agreement in the amount not to exceed \$2,500.00

Mayor Accardi said the reason this has come to the forefront again is because Mr. Ladell from AvalonBay has contacted the community offering to increase the amount of payments that they would provide to the community, if we fully agreed to certain concessions. As the ending method to do so, we have agreed we would prefer to have a professional, namely Jeffrey Surenian & Associates, to deal with them going forward and making sure any discussions that take place they would handle in a manner that would protect the interest of Roselle Park. The purpose of this motion is to see what else can be put on the table as we move forward with this potential project.

Vote Record – Resolution #148-11					
		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"/>

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

Attest:

Doreen Cali