

Borough of Roselle Park Regular Meeting of November 3, 2011

Attendee Name	Organization	Title	Status	Arrived
Michael Yakubov	Borough of Roselle Park	Councilman	P	8:46 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
Eugene Meola	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.

COMMUNICATIONS

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

- Request from the Westfield Board of Health to hang a Health Fair banner on the DPW fence (across the street from the High School).

CERTIFICATES/PROCLAMATIONS

Certificates

- Church of the Assumption 7th and 8th Grade Basketball Team
- Halloween Exterior Home Decorating Contest

REPORT AND RECOMMENDATIONS OF MAYOR

- Would like to go over a series of points that are important with Council.
- At the next meeting, he will address the situation as to how we are heading as a community.
- Some of the points he will be bringing up tonight Councilmembers will be hearing for the first time.
- Had discussions with the owner of Park Theater in order to reopen the theater.

- They have a situation where they cannot make ends meet.
- Asked the Borough Clerk to research what kind of tax abatement plans might be out there that would benefit the community, draw business in and help existing businesses.
- Would like Council to get involved and by the next meeting set up a committee to review the potential of tax abatements.
- SID held their Reorganization Meeting.
- They are in the process of selecting who the actual board is going to be.
- Would like to discuss an issue at the Casano Center, which occurred several weeks back regarding someone having a party when the power went out.
- Would like to discuss whether they are going to provide that resident with a refund for the portion of the time they were not able to use the Center.
- Interest has been expressed in the Sullivan property.
- The property is now owned, but has had somebody else that might be interested in developing there.
- He is trying to make the present owner speak to them; maybe we can make something happen on that property.
- Asked about the upgrade to TV34.

Mr. Blum said they finally got the required information from the vendor and we are just waiting for the Finance Chair to come in and sign the purchase order.

- Mayor Accardi said in the near future we will see some upgrades to TV34.
- Asked Ms.Cali to schedule a meeting to discuss the events following the snowstorm.
- Spoke about the several businesses along Westfield Avenue, which have garage door type shutters on their storefronts.
- It is something they should be looking at; he will be talking to the Municipal Land Use Board to see what their position is on that.
- The Mayor's position is part time; it is taking more and more of his time.
- A full time employee at Borough Hall is needed to handle the day to day operations at Borough.
- In the past, the Borough Clerk has also worn the hat of Chief Administrator.
- He is asking Council to consider the possibility of naming the Borough Clerk as the Chief Administrator.
- There would not be an increase in salary; it would give him the ability to make only one phone call when something happens.
- Formerly, the Borough Clerk has been doing that, but would like to name her so it is very clear what the chain of command is because we do not have one in writing right now.
- It is imperative we have a focal point during the day, every day.
- He welcomed Mr. Harms and Mr. Miller to the meeting.
- Thanked the Board of Education for the delayed opening of the schools due to the conditions from the storm.
- It was in the best interest of the children to keep them safe at home when there were 45 live wires down all over town.

- Less than a week after the storm, everything is pretty much cleaned up.
- Power has been restored, as there were approximately 120 residents without power.
- Appreciates everyone's cooperation in the postponement of Halloween.

REPORTS OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Hokanson

- Thanked all who attended the Jeff Henry Fundraiser.
- Next week is the Marine's 135th birthday.

Councilman Meola

- Spoke about the Halloween festivities.
- Due to it being a smaller event and it being a local trick or treating, we do not need the barricades.
- People will be going to the Bender area anyway.
- Residents on that block do not want the barricades.
- Perhaps there should be a stronger than normal Police presence in that area.
- If the barricades are going to be there and if the Police want them, then maybe the Police can take it easy on the residents parking there.
- After the storm, walked the First Ward and noted branches, trees, etc. that came down.
- Was not able to attend Pet Appreciation Day.
- Prefers speaking to residents in person or by phone rather than by email.

Mayor Accardi said Councilman Hokanson and Mr. Casais spoke to residents on Bender Avenue. He said he has received phone calls both pro and con about blocking off the street. He said they need to make some decisions before next year because we are heading in the same direction as this year. We can anticipate small crowds this year because we haven't advertised; it was posted that it was cancelled. He said they can address the residents concerns regarding getting tickets with the Police Chief.

Councilman Caswell

- Attended the Jeff Henry Fundraiser.
- October 25th attended the First Aid Squad Meeting.
- Many houses in Roselle Park still do not have visible house numbers.
- They are looking for First Aid Squad volunteers.
- Attended Pet Appreciation Day; it was a nice event.
- Saturday is the Casano Center Pig Roast.
- The snow storm cause considerable damage in town.
- Thanked everyone for reporting the problems and being patient while the DPW emergency personnel came to the assistance of everyone.

Councilwoman Torres

- October 22nd attended the Cheerleading Exhibition at the High School.
- Met with Councilman Miranda regarding sign ordinances that we need to discuss further with Council.
- Requested a poster that was made by one of the classes in town be considered to be painted on the wall of the Anthony Signorello Youth Center.
- It shows all the good points about having good character.
- Recommended Angie's Boutique on the corner of Chestnut Street and Grant Avenue to be considered for Business of the Month.

Councilwoman Torres moved the character poster be painted on the wall of the stairwell of the first and second floors of the Anthony Signorello Youth Center; seconded by Councilman Miranda, all members present voting Aye, said motion was adopted.

Councilman Miranda

- October 26th attended a Public Safety Meeting.
- Attended Pet Appreciation Day.
- Saturday is the Pig Roast at the Casano Center.

Joe Signorello – Fire Chief

- The snow storm was very bad and caused a lot of damage for many towns.
- We were fortunate in Roselle Park.
- The Fire Department responded to 100 calls from 1:00 p.m. Saturday afternoon through Sunday afternoon.
- It was a very successful Fire Prevention Week; they visited all the schools.
- They also went to Children's Specialized Hospital.
- They have smoke detectors available from a grant for anyone that needs them.
- They will install them and put a new battery in.

Mayor Accardi said the Fire Department did a great job.

Paul Morrison – Police Chief

- Thanked the residents for their patience and cooperation during the storm and the days that followed.
- The cancellation of the trick or treating on Bender Avenue was in the best interest of the children to insure their safety.
- They are filing with FEMA as a result of the storm for reimbursement.
- FEMA will start inspections on November 7th.
- There is an issue with a resident on E. Colfax Avenue regarding speeding vehicles.
- They did two traffic studies; put the radar unit there for a week, morning and afternoons.

- Looking at the area, he noticed there is no stop sign on the south east corner of Woodland Avenue and E. Colfax Avenue.
- It is his recommendation they adopt an ordinance to support a stop sign at that location.
- It would slow the traffic coming from Galloping Hill Road onto E. Colfax Avenue traveling westbound.
- It would be a four way stop.
- October 21st there was a DWI checkpoint; they intend to make it a regular practice.
- There was a damaged patrol vehicle and George's Auto Repair in Roselle Park has offered to repair it at no cost to the Borough.
- A resolution is needed to accept the donation.
- Hoping for a smaller turnout on Bender Avenue, but are prepared for a large turnout.

Mayor Accardi said the Police Department did a great job during the storm. He thanked two Officers he was in constant contact with, Sergeant Ted Dima and Sergeant Dom Frino. They kept him informed as to when the PSE&G crews came into town and made sure they stayed here and the work got one.

Councilman Meola asked that the Police Department take it easy on the people on Bender Avenue that have cars already parked on the street. The people he spoke to in the area do not want to be inconvenienced because they have no where else to park.

Chief Morrison said they do understand it is an inconvenience to the residents on that block and as long as their vehicles are parked there and not going to be moved, they would not tell them to move them with a large crowd in the street.

Councilwoman Torres said if the cars are parked on the street and damaged, that is not the responsibility of the town.

Councilman Hokanson said two weeks ago in the Local Source, he was pleased to read the FBI Report that all crime rate in Roselle Park is down. He also requested if they could work with the DPW on Election Day to try and get some handicapped parking spaces.

Chief Morrison said they can find some areas and cone them off.

Councilman Hokanson said with the two Officers retiring, are they working on a contingency plan.

Chief Morrison said two Officers are retiring on December 1st, which was discussed at the Public Safety Meeting. They are going to begin the interview process to have a list in place in the event we move forward to replace these Officers.

Councilman Caswell said wouldn't the discussion regarding hiring new Officers be done in Closed Session.

Mayor Accardi said the positions we can talk about in open, the rest we can talk about in Closed Session.

Councilman Caswell said they talked about the need to fill the two positions and in the event they are filled to necessity to possibly promote.

Mayor Accardi said if we speak about a specific employee, they must be riced.

Councilman Caswell said they only spoke about it in general at the Public Safety Meeting.

Councilman Hokanson said since it wasn't allocated in the 2011 Budget, they are looking to fill the two Officers that are retiring to cut down on the overtime. As far as the promotions go, we are ready for 2012.

Councilman Miranda said they were talking about two Officers retiring, so we have to fulfill those two spots. The Chief wanted permission to go out and start interviewing. He said he asked Mr. Blum to give him a breakdown. He said if he wants to start the interview process, he doesn't have a problem with it.

Mayor Accardi asked if any Councilmembers have an issue with the interview process.

Councilwoman Torres said the only problem she has is that we are down three DPW workers and those spots have remained empty and we have no plans of filling them. She would like to discuss other open positions in town; that department is really behind and has a lot of overtime. She said she does not want to only look at one department and overlook other departments. This is the first she is hearing about this and would like to have time to talk about it.

Councilman Caswell said the other topic he would like to discuss is Halloween. There has been some confusion with flyers that went out in the backpack program saying Halloween is between 4:00 p.m. and 7:00 p.m. We are not telling anyone Halloween trick or treating is limited between those hours; just a guideline for Bender Avenue only. It is up to the parent's discretion as to what hours they can trick or treat.

Mayor Accardi said regarding the hiring of the Police Officers, is this something we should discuss tonight.

Councilwoman Torres said she is not sure what type of Officers are retiring.

Mr. Blum said there is a Lieutenant retiring December 1st and a top level Patrolman retiring December 1st. As was brought up in budget discussions last year, the difference between the DPW and the Police is the Police have a grant; if we don't keep the manpower, we lose the grant.

Mayor Accardi said the Chief can begin the interviewing and getting everything in line, but they need to talk about a lot of issues because Councilwoman Torres has made a valid point. The Police Department has not lost any manpower and the DPW has lost manpower over the last year or two. We have to discuss this a little further.

Vince Cahill – Director of Public Works

- Thanked the Police Department, Fire Department and everyone on Council for their assistance during the storm.
- They are probably about 60% to 70% done collecting tree parts.
- Some branches are so large they have to be cut before they can be put on the trucks.
- Hopefully tomorrow we will hit the 80% to 90% mark, not knowing what people will be pulling out of their yards.
- Our Arborist has been out there almost every day.
- The trees on homes have been removed.
- There are a couple we are not sure if they will get to early next week.
- They develop a list just about everyday and they are checked to make sure there is a priority of what needs to be done.
- He had applied a while ago for a white pine space shuttle tree.
- Next spring the Borough will receive from New Jersey Shade Tree Federation, a white pine tree that was flown on the space shuttle and has been growing since then in South Jersey.
- It was on the space shuttle flight of April 4, 1997.
- He would like Council to start thinking about where this will be planted and some type of a plaque.

Mayor Accardi said he would like him to look into how to maintain the tree.

- Mr. Cahill said Mike will know how to care for this type of tree. He said it is a white pine and will not grow very tall or very wide.

Mayor Accardi said comments he heard over the course of the past week is that we do not have a tree maintenance program in place. He said we do have a tree maintenance program in place and we are actively seeking trees that could cause problems, trimming them and replanting trees. He said the healthiest trees suffered the most damage as a result of the storm. The reason is because the healthier the tree, the more leaves it has on it; and the more leaves, the more snow it held and the branches broke. He also thanked the men who came in for overtime and then came in for regular hours on Monday.

Mr. Cahill said if trees are damaged by the storm and the resident brings it to the curb, the DPW will pick it up. He said at this point in time because the branches are so long and bulky, it is easier for them to bring them to the curb; it is brought out quicker if it is brought out in larger pieces. This is only because of the storm; normally any other time, we require the branches to be in four foot lengths.

Councilman Miranda asked if they are using SLAP to assist.

Mr. Cahill said yes, we are using everybody. He spoke to the Captain at the Sheriff's Department and he has sent them seven people.

Councilman Miranda said there are many branches on W. Grant Avenue between Locust and Meadow Streets.

Councilman Meola said a resident in his Ward asked if he could collect the branches and bring them to the DPW yard.

Mr. Cahill said we are only permitted as a recycling facility for the Borough, but not a transfer facility for private residents and/or landscapers.

Tom Solfaro – Borough Engineer

- Due to the snowstorm, the road projects on E. Roselle Avenue and Walnut Street have been postponed.
- Contractors have anticipated being on E. Roselle Avenue on Friday and next week they will be on Walnut.
- Rich Picerno has initiated work for Aldene Park and should be done within two to three weeks.

Mayor Accardi said he just wants to make sure a project is not begun, milled and sits until the spring.

Blake Johnstone – Borough Attorney

- The litigation of Concerned Citizens of Roselle Park versus Roselle Park was resolved.
- The plaintiff requested documentation in a different format.
- The Borough does not have to change its format.

Doreen Cali – Borough Clerk

- Regarding Resolution #221-11, the bids came in for Aldene Park at \$72,000 and we did have a \$100,000 grant.
- Rather than lose the money, we extended the rubberized surface to where the tire swing is and they will not exceed the \$100,000.

Mr. Solfaro said when the contractor was excavating the area for some of the rubberized play surface; they came across a very large concrete structure. No one was aware it was there and was buried beneath one or two feet of material and debris. It was an unknown condition and they had to alter some areas of the facility.

- Ms. Cali has two personnel matters for Closed Session and also contract negotiations with the Borough Attorney.

Ken Blum – Chief Financial Officer

- The tax bills are out and the due date has been extended to November 23rd.
- The tax sale list is out and was published in the Local Source newspaper.
- The tax sale will be held on November 22nd.
- The Audit Report has been received and there were six recommendations on the report.
- One to the Construction Code, four to the Library and one to Recreation.
- Council has received their copies and it is posted on the Borough website.
- He will be out of the office on vacation next week and the following week is the League of Municipalities and then Thanksgiving week.
- He would like to schedule a Budget Meeting for the week of December 5th through the December 9th.
- Budget requests have gone out to all departments; they are still waiting to get some back.

Ms. Cali said an auction will be held in the parking lot of Borough Hall on Saturday. The items can be viewed at 10:00 a.m. and the auction will begin at 11:00 a.m. There are 28 bicycles, scooters and 4 vehicles.

REPORTS OF DEPARTMENTS

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

- Police Chief’s Report for October 2011
- Construction Code Enforcement Report for October 2011

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Regular Meeting of October 6, 2011

Vote Record – Minutes Acceptance of October 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"/>
	Meola	<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 Meola, all members present voting Aye, said motion was adopted.

PUBLIC COMMENT

Councilman Miranda moved at 8:26 p.m. to open the public comment portion of the meeting; seconded by Councilman Caswell and adopted.

Jacob Magiera, 612 Sheridan Avenue

- E. Colfax Avenue on the corner of Woodland can be made a one way street toward Galloping Hill Road.
- Trees go into hibernation this time of the year, making the tree limbs weaker.
- There should be tax abatements to entice new businesses to come into town.
- Tax abatements should only be for improvements.
- November 2nd he took pictures of limbs, trees and debris on E. Lincoln Avenue.
- County used a clam shell truck to pick up branches.
- November 11, 2011 is Veteran's Day.
- Asked who will take Ms Cali's place if she is not available in an emergency.
- Regarding Resolution 218-11, will there be a lawsuit.
- Would like to address a comment made that he is not doing his job with the Union County Air Traffic Noise Advisory Board.
- Read a statement regarding his work on the Board.
- As of October 20th, there will be more jet noise over Roselle Park.

Mayor Accardi responded as follows:

- He appreciates the work Mr. Magiera is doing on Union County Air Traffic Noise Advisory Board.
- He went online and saw the website that shows the routes the planes are taking over Roselle Park.
- Regarding the question about Ms. Cali being unavailable, all organizations have a chain of command.
- There has to be a focal point for day to day operations.
- Regarding Resolution #218-11, it is not the result of a lawsuit.
- He has mentioned Mr. Magiera's statement regarding E. Colfax Avenue and Woodland Avenue.
- Trees go into hibernation which was statement.
- Tax abatements for improvements was a statement.
- The County using a clam shell machine to pick up trees and branches was a statement.
- November 11, 2011 is Veteran's Day.

Laura Hahn, 40 E. Sumner Avenue

- Amounts on Resolution #221-11 are different.
- She is spearheading an effort to create a new strategic plan for the Library for the next year, which is required by law.
- She is looking for help with this process.

Councilwoman Torres asked if she would consider shared services with Cranford.

- Ms. Hahn said it is something that can be discovered; she will bring it to the attention of the Board.

Glen Marczewski, 622 Sherman Avenue

- Is concerned about a tree that is next door to him.
- This is the second time a limb has fallen.
- It is rotted and if it falls again, it will cause real damage.
- Asked when potholes are going to be filled.
- There are many on Larch and Charles Streets and by the High School.

Mayor Accardi responded as follows:

- Mr. Cahill will address the potholes.
- He will take a look at the tree at 626 Sherman Avenue.

Councilwoman Torres thanked Mr. Marczewski for wearing his helmet on his motorized vehicle.

Saul Qersdyn, 150 Berwyn Street

- Asked if the telescope is still available at the auction.

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

PASSAGE OF ORDINANCES

SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 2340

AN ORDINANCE AMENDING ARTICLE XXXIX, OF THE CODE OF THE BOROUGH OF ROSELLE PARK TO INCLUDE THE "BOROUGH OF ROSELLE PARK OPERATING MANUAL FOR THE ADMINISTRATION OF REHABILITATION UNITS", DATED SEPTEMBER 2011

Councilman Miranda moved to open the public hearing on Ordinance #2340; seconded by Councilman Caswell and adopted.

Councilman Miranda moved to close the public hearing on Ordinance #2340; seconded by Councilman Meola and adopted.

Councilman Miranda moved that Ordinance #2340 be adopted on second reading and advertised as prescribed by law; seconded by Councilwoman Torres.

Vote Record – Ordinance #2340					
		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"/>
	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"/>
	Meola	<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. 2344

AN ORDINANCE AMENDING CHAPTER XL (40) ARTICLE VI (6),
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
TO AMEND ARTICLE VI DEFINITIONS

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter XL, ARTICLE VI of the Borough Code is hereby amended as follows:

Part 2 Land Subdivision and Site Plan Review
Article VI Definitions

SECTION I: 40-601 Terms Defined.

The following words, terms or phrases, when used in Chapter XL, Land Use, shall have the meanings described in this section:

Sign, Temporary shall mean a sign in place for thirty (30) days or less, which may be constructed of material of a nonpermanent nature, such as paper, canvas or nondurable plastic. A sign of any political, educational, charitable, philanthropic, civic or religious campaign, drive or event not more than six (6) square feet in area and which may be two-sided shall be permitted, provided that such signs are not illuminated and are placed with the property owner's consent and comply with all applicable provisions of this chapter. Political, educational, charitable, philanthropic, civic or religious campaign, drive or event -related signs shall be posted no earlier than thirty (30) days prior to the election, campaign, drive or event and shall be removed no later than five (5) days after the election, campaign, drive or event. The posting of such signs on fire hydrants, public telephone booths, utility poles or on trees in public right-of-way is expressly prohibited. The sign displayed inside the window of a business establishment, to be constructed of a nonpermanent material, shall be permitted, provided that is

does not obstruct more than thirty (30%) percent of the window area and is not illuminated.

SECTION II. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

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

Councilman Miranda moved that Ordinance #2344 be adopted upon first reading and advertised as prescribed by law for second reading and public hearing on November 17, 2011; seconded by Councilman Meola.

Vote Record – Ordinance #2344		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input checked="" 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"/>
	Yakubov	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input 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"/>
	Meola	<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. 216-11

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S. 40A: 5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled;

General Comments
Recommendations

and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the Governing Body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, in the County of Union, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION NO. 217-11

CORRECTIVE ACTION PLAN – 2010 MUNICIPAL AUDIT

WHEREAS, in accordance with the Single Audit Act, US Office of Management and Budget Circular A-133 and the New Jersey Office of Management and Budget Circular Letter 98-07, and regulations of the Division of Local Government Services, all municipalities are required to prepare and file a Corrective Action Plan; and

WHEREAS, this plan must be filed with the Division within sixty (60) days from the date the statutory audit is received by the Governing Body; and

WHEREAS, such a plan was prepared by the Chief Financial Officer and reviewed by the members of the Governing Body of the Borough of Roselle Park;

NOW, THEREFORE, BE IT RESOLVED that the Corrective Action Plan is hereby approved by the Mayor and Council of the Borough of Roselle Park and filed with the Division of Local Government Services.

RESOLUTION NO. 218-11

WHEREAS, Joseph Palitto has notified the Borough of Roselle Park that he will be retiring effective February 1, 2011; and

WHEREAS, as Joseph Palitto is entitled to certain compensation upon retirement as indicated in the Borough of Roselle Park Department of Public Works Agreement which includes accumulated sick, personal and vacation days; and

WHEREAS, it has been agreed by the Mayor and Council of the Borough of Roselle Park and Joseph Palitto that the above compensation will be paid as follows:

<u>Description</u>	<u>Amount of Days</u>	<u>Daily Rate</u>	<u>Amount Due</u>
Vacation Days for 2011	25	\$ 232.07	\$ 5,801.75
Personal Days for 2011	3	\$ 232.07	\$ 696.21
Sick Days for 2011 (1 day for 3 days on cash in 15 days get paid for 5)	5	\$ 232.07	\$ 1,160.35
Vacation Days for 2012 (25 days prorated for 1 month)	2.08	\$ 232.07	<u>\$ 482.71</u>
Total Due			\$ 8,141.02

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Chief Financial Officer is hereby directed to pay Joseph Palitto the entitled compensation due upon retirement at the above schedule.

RESOLUTION NO. 219-11

WHEREAS, the Open Public Records Act (NJSA 47:1A-et seq.) was adopted to ensure the public's access to sufficient information and to enable it to understand and evaluate the actions of public bodies by making accessible for inspection or copying all government records; and

WHEREAS, since the adoption of OPRA, there have been an escalating series of requests by private sector firms from all over the nation for voluminous public records, already freely accessible to the general public through government websites, with the intent of selling said information to the general public for a profit; and

WHEREAS, said information, primarily property records maintained by the Offices of the County Clerk has been freely available to the public on the websites since September 2010 pursuant to, P.L. 2010, Chapter 5; and

WHEREAS, this information freely obtained for resale to the public involves a tremendous extra cost to the general public once upon its creation by employees, second upon extraction, copying and frequently, conversion to specific formats by government employees and thirdly by sale to the same public which has already paid twice for this information; and

WHEREAS, this constitutes an additional substantial cost to the taxpayer solely to benefit a private entity; and

WHEREAS, in the new renaissance of fiscal responsibility, unnecessary expenses by government entities should be strictly curtailed.

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

1. That the current Open Public Records Act be amended to preserve its original intent and reduce expenses to the public by providing that in situations where the requested documents are already available to the public on a downloadable government website, regardless of the format, a referral of the requested to the said website shall fully comply with the OPRA obligation of the government unit, with no need to convert the data contained therein to any other format.

2. That a copy of this resolution be distributed to Roselle Park’s Legislative Delegation requesting the drafting and introduction of legislation.
3. That a copy be sent to Governor Chris Christie, the Senate President and the Assembly Speaker urging adoption and execution of such legislation.
4. That a copy of this Resolution be sent to all municipalities in the County of Union urging them to adopt and distribute similar resolutions.

RESOLUTION NO. 220-11

BE IT RESOLVED By the Mayor and Council of the Borough of Roselle Park that the Collector hereby authorize the Treasurer to issue a check in the amount of \$940.07 payable to US Bank Cust/Pro Capital, LLC for redemption of TSC #10-018 on Block 408/Lot 2 (otherwise known as 726 Hazel St., Roselle Park, NJ) and assessed in the name of Julian Arboleda as follows:

Certificate Amount	\$ 265.46
2% Flat Penalty	5.31
Recording Fee	43.00
Search Fee	12.00
Subsequent taxes paid	561.01
Interest paid on subsequent taxes	<u>53.29</u>
	\$ 940.07

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector hereby authorizes the Treasurer to issue a check from the Tax Collector’s Premium Account in the amount of \$200.00.

RESOLUTION NO. 221-11

WHEREAS, the Borough of Roselle Park wishes to purchase additional rubberized surface at Aldene Park from an authorized vendor under the State of New Jersey Cooperative Purchasing 1-NJCP; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A11-12; and

WHEREAS, Giordano Contracting, LLC, 500 Hoiles Drive, Kenilworth, New Jersey 07033 has been awarded New Jersey State Contract Number A59068; and

WHEREAS, the actual cost for additional rubberized surface at Aldene Park is expected not to exceed \$15,957.00; now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Giordano Contracting, LLC from Kenilworth, New Jersey be awarded the contract for additional rubberized surface at Aldene Park.

Vote Record – Resolutions #216-11 to #221-11					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meola	<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 Caswell.

RESOLUTION NO. 222-11

WHEREAS, the Mayor and Council of the Borough of Roselle Park passed Resolution 177-11, on September 1, 2011, entering into an agreement with the County of Union to work together in the recovery efforts from Hurricane Irene and defining the responsibilities and expectations of the parties hereto as may be required from Hurricane Irene; and

WHEREAS said agreement was to continue until the services requested are completed; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby determine that the potential need for recovery services as a direct result of Hurricane Irene are completed and said agreement should therefore be terminated.

Vote Record – Resolutions #222-11					
		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"/>
	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"/>
	Meola	<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"/>

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Mayor Accardi made the following appointment:

- Appointment of William Peter Ferdinando, 412 Walnut Street, Roselle Park, as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Lorraine Hose Company.

INTERRUPT THE REGULAR ORDER OF BUSINESS

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

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

- Two (2) Personnel Matters
- Contract Negotiations – Borough Attorney
- Litigation – D’Agostino

RESUME REGULAR ORDER OF BUSINESS

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

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

- Two (2) Personnel Matters
- Contract Negotiations – Borough Attorney
- Litigation – D’Agostino

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

Attest:

Borough Clerk