

Borough of Roselle Park Regular Meeting of May 3, 2012

Attendee Name	Organization	Title	Status	Arrived
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	A	-
Tanya Torres	Borough of Roselle Park	Councilwoman	P	8:15 PM
Marc Caswell	Borough of Roselle Park	Councilman	P	7:37 PM
Andrew Casais	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 7:02 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.

Mayor Accardi requested a moment of silence for Mr. Pat DeMarco who recently passed away.

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

COMMUNICATIONS

Councilman Miranda moved the following communication; seconded by Councilman Casais and adopted.

- Request from the RPFD for use of the portable sound system for the Volunteer Memorial Services on May 16, 2012 at 7:00 p.m.

REPORTS AND RECOMMENDATIONS OF MAYOR

- In the process of scheduling bulk waste pickup dates.
- There will be a Garage Sale in coordination with the bulk waste pickup.
- It was recommended they not only have the town-wide bulk pickup, but also a user fee bulk pickup.
- A permit would be purchased for up to 750 pounds of bulk waste.
- Households will be allowed to share the cost of the permit; not yet sure of the cost.
- Gave dates for special waste pickups in other locations in the County.

CERTIFICATED/PROCLAMATIONS

Proclamations

- Unity in Prayer Day

REPORTS OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Yakubov

- Conducted a safety community walk through in his Ward, checking for areas that need to be addressed.
- Checked for missing signs, tree problems, sidewalk issues, lighting and grass, etc.
- They identified 28 problem areas.
- Would like to schedule a Community Watch Meeting for June 5th.
- There was a very good turnout at the last meeting.
- Has received several emails and calls from residents requesting to be Block Captains.
- Wished Lyman Thompson a speedy recovery.

Mayor Accardi thanked the three Police Officers for their quick response and saving Lyman Thompson's life.

Councilman Casais

- The Capital Budget Meetings continue.
- Spoke about potential Capital Budget projects.
- The next meeting will be on May 10th at 6:00 p.m.
- Has a few items for Closed Session.
- If anyone hears any type of rumors, please contact Mayor and Council.

Mayor Accardi said the recent rumor involving a business in town that was spread across the internet was completely false. It creates a negative affect when this happens. The business wanted to come to the meeting tonight to explain. Any anonymous postings on the internet are never reliable.

Councilman Miranda

- Wished Lyman Thompson a speedy recovery.
- Thanked everyone that participated in the town-wide cleanup.

Councilman Yakubov said they received grant money for Clean Communities; thanked Alex Balaban for his work on that.

Pat Pagnetti – Roselle Park Historical Society

- The Historical Society will host a book signing on May 21st at the Museum.
- It is in conjunction with the Civil War display that is now at the Museum.
- The Museum is open each Wednesday from 10 a.m. to 1:00 p.m.

Mayor Accardi commended the Officers involved in the resuscitation of Lyman Thompson. He also commented on the arrests that were made and said good detective work was done.

Paul Morrison – Police Chief

- Commended the Police Officers that saved the life of Borough Employee Lyman Thompson.
- Officer Cantrell took it upon himself to drive the paramedic vehicle.
- Friday there was a residential burglary; detectives followed up on it very quickly.
- As of today, there are two people under arrest and in the Union County Jail.
- Received a \$4,000 grant from the State for the Click It or Ticket Program, which is for people not complying with the seat belt law.
- The program goes from May 21st through June 3rd.
- The Officers assigned to this detail will be paid through the grant, so there will be no cost to the town.
- June 12th Officer Gregory Polakoski will receive an award from Mothers Against Drunk Driving for his number of DWI arrests.
- Attended a program at the High School that alerts students to the dangers of drinking and driving.
- It was very well received by all; thanked all who participated in the event.
- Red Light vendor applied to the State for red light camera on Linden Road and Westfield Avenue; we are under no obligation to proceed with the project.

Richard Huxford – Borough Attorney

- Spoke about taping meetings.
- The ordinance allows taping, but it does not take place until the Mayor starts the meeting.
- Taping ends when the meeting is concluded.
- Has some items for Closed Session.

Doreen Cali – Borough Clerk

- No report.

Ken Blum – Chief Financial Officer

- Reminder the next Budget Meeting will be next Thursday on May 10th.

REPORTS OF DEPARTMENTS

Councilman Miranda moved to approve the following reports; seconded by Councilman Yakubov and adopted.

- Treasurer Report for March 31, 2012
- Police Chief Report for April 2012
- Fire Chief Report for April 2012

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Regular Meetings of April 5, 2012 and April 19, 2012

Vote Record – Minutes Acceptance of April 5, 2012 and April 19, 2012					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Torres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Caswell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Casais	<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 Casais, all members present voting Aye, said motion was adopted.

PUBLIC COMMENT

Councilman Miranda moved at 7:30 p.m. to open the public comment portion of the meeting; seconded by Councilman Casais and adopted.

Borough Attorney Huxford said the Mayor runs the meeting and keeps the order. During the public session, he asked that the public followed the rules and regulations set forth by Mayor and Council during the public session. When the time is up, he asks that you stop talking and following the Mayor’s orders pertaining to that issue. The Mayor can ask you to stop; if you don’t stop, then he can request that you leave the meeting. If you should continue, then he has the authority to call the Police and escort you out of the meeting. He advises when the time period is up, that is the end of the public comment.

Jacob Magiera, 612 Sheridan Avenue

- Asked when does the time start.
- To solve this, change the time to ten minutes instead of seven minutes.

- Does not see minutes for March on the website.
- Property values go down due to tax appeals.
- There are 109 municipal tax appeals and 17 State tax appeals.
- How is the loss in evaluation made up.
- What is the formula for properties assessed at \$65,000?

Mayor Accardi responded to Mr. Magiera's comments as follows:

- The time limit starts when someone starts speaking.
- The time limit used to be five minutes; Council increased it to seven minutes.
- Mr. Magiera is the only one, to his knowledge, to go over the seven time limit.
- Said he has email, phone and a mailbox at Borough Hall; would gladly answer any questions Mr. Magiera may have.
- In order to keep the meeting running, we must abide by the seven minute rule.
- Regarding the time limit, Mayor Accardi said at the last meeting he made a comment after Mr. Magiera began speaking.
- At the seven minute and eighteen second mark, he asked Mr. Magiera to conclude his comments.
- At the seven minute and thirty second mark, Mr. Magiera decided to make some unflattering comments about how the meeting was running.
- Mr. Magiera finally concluded his comments at the seven minute and forty second mark.
- The March minutes will be checked to make sure they are on the website.
- When properties are not reevaluated for a long period of time, it is a good likelihood that tax appeals are going to evoke.
- Reevaluation is somewhat important and makes it difficult for us to fight the tax appeals at this time.
- Once that market improves that may not be the case.
- When property tax appeals are successful and property evaluation drops, the rest of the taxpayers have to make up the difference.
- As a result as part of the budget process, we must have a reserve to make sure any potential expenses are covered for the year.

Mr. Blum said the 1.281 million lost on 2011-2012 next tax appeals on an average home assessed at \$65,000 will cost each household \$12.00. There are 109 pending and one half have been heard, but he does not know the results. There are still 17 more to come before the State Court.

- Mayor Accardi said we are in a better position than some of the surrounding towns regarding tax appeals.

Mr. & Mrs. Schneeberger, 16 Warren Avenue

- Presented photographs of trucks parking on her street and blocking her property.
- Asked why this is still taking place.

- Had asked about putting up additional signs on Warren Avenue.

Mayor Accardi said there are forthcoming signs. The Police have been trying to enforce it, but they cannot be there 24/7. He encouraged them to call the Police Department when this happens and ask that a Police car be sent.

- Mrs. Schneeberger said she does not like being blocked in or out of her driveway.

Councilman Miranda said he will show these photos to the Police Chief at the Public Safety Meeting on Monday.

- Mrs. Schneeberger said she doesn't want to call the Police Department and bothering them.

Mayor Accardi said the solution is to call 245-2300 and tell them there is a truck out there.

Councilman Caswell said you have the company name, the DOT number identifying the truck and he suggested she call SYSCO Foods and tell them what is happening.

There being no one else wishing to speak, Councilman Miranda moved at 7:48 p.m. to close the public portion; seconded by Councilman Casais and adopted.

Councilman Caswell

- Attended the Casano Center Meeting regarding the upcoming activities and reviewed some of them.
- Attended the Budget Meetings.

Vince Cahill – DPW Superintendent

- Thanked the Police Department for their quick response for Lyman Thompson.
- He commended their professionalism and care for him.
- Finished the Spring Cleanup; grass pickup with begin next Thursday.
- Aldene Park area has been repaired.

Mayor Accardi asked about the Belgian block in the Borough Hall parking lot and asked that be checked. He also asked about the island at the Gazebo parking lot. It was driven over by a truck in the snowstorm in October. He asked that the ruts be filled in and the Belgian block be repaired. He said they can put in soil and seed. He saw Aldene Park and it looks very nice. The green surface on the east end still has a hangover.

Mr. Cahill said they have extra material and will repair it.

Councilman Miranda asked that the sidewalk outside of Borough Hall be repaired.

Councilman Casais asked about the sign on South Sheridan Avenue and Mr. Cahill said the price quote should be in the following day. He also asked about the yellow curbing.

Councilman Caswell said the train trestle on Morris Avenue near Kean College has a large sign covering the entire surface of the bridge and asked if that is something they could look into for our bridges.

Mr. Cahill said a banner can be attached to the bridges.

Councilman Caswell said the area on the building near the Police Department is a little beat up and asked that be repaired.

PASSAGE OF ORDINANCES

SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 2356

AN ORDINANCE AMENDING CHAPTER 8, SECTION 11.6 OF THE CODE OF THE BOROUGH OF ROSELLE PARK PROHIBITING THE UNSANITARY FEEDING OF PETS AND REQUIRING THE REMOVAL OF CAT FECES

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, in Union County, New Jersey that Chapter VIII, Section 11.6 of the Borough Code is hereby amended to add the following:

SECTION 1. 8-11.6 Feeding Prohibited.

A. The feeding of stray cats is prohibited. The maintenance and/or feeding of privately owned cats in such a manner as to create unsanitary conditions, attract vermin, or be potentially detrimental to health or create a public health nuisance is hereby prohibited.

SECTION 2. 8-11.7 Animal Nuisances.

- A. It shall be unlawful for any person to permit a cat within their ownership or control to excrete feces onto any private or public property, without immediately removing and, within a reasonable time, properly disposing of such feces.
- B. Section 2, paragraph A. of this Article shall not apply where the owner or occupant of private property grants permission for a cat to excrete feces on that property, provided such feces does not accumulate to such a degree that it shall create an objectionable smell or other nuisance to the public or neighboring properties. This exception shall not prohibit such owners or occupants from being subject to the public nuisance, property maintenance and public health regulations of the Borough.
- C. The sanitary manner for removal of feces shall be by the placement of the removed feces in a sealed plastic bag and then further placed in said person's own garbage or waste removal container and shall not be by placement of the feces, whether in a sealed plastic bag or not, in any garbage or waste container owned or maintained by

the Borough of Roselle Park or any garbage or waste container of any other person or entity or storm sewer.

SECTION 3. 8-11.7 Violations and Penalties.

Any person violating any provision of this article shall be punished by a fine not to exceed \$100. Each day the violation continues shall constitute a separate and distinct offense.

SECTION 4. 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 5. All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 6. This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Councilman Miranda moved to open the public hearing on Ordinance #2356; seconded by Councilman Casais and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked how a person knows which cat defecates on their property.
- Do they take a video.
- Is the feces analyzed.
- Can a plastic shopping bag be used to pick up the feces.

Mayor Accardi responded to Mr. Magiera’s comments as follows:

- This ordinance came about because of the feeding of feral cats.
- In some cases a person can identify the cat.
- Sometimes a video can help.
- The feces is not analyzed.
- Does not know of a written contract allowing cats to defecate on particular properties.
- The purpose of the sealable bag is to be sure the bag is closed tightly.

Councilman Miranda moved to close the public hearing on Ordinance #2356; seconded by Councilman Yakubov and adopted.

Councilman Miranda moved that Ordinance #2356 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Yakubov.

Vote Record – Ordinance #2356		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Torres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Casais	<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. 2357

AN ORDINANCE AMENDING CHAPTER XXVII, ARTICLE III,
SECTION 27-6.3 OF THE CODE OF THE BOROUGH OF ROSELLE
PARK FOR THE PURPOSE OF ESTABLISHING THE RATE
OF CHARGES FOR SEWER USERS IN THE BOROUGH

SECTION I. Paragraph A. of Section 27-6.3, Chapter XXVII, Article III of the Roselle Park Code is amended in part as follows:

“1. All residential, commercial, industrial, institutional and governmental users, except municipal and local school district users, shall be charged at a uniform rate for domestic waste contributed to said system. The rate for the aforesaid usage shall be based on the water consumption in cubic feet consumed at any such premises based on the consumption readings as reported by New Jersey American Water Company for the period of twelve (12) months which can be most closely defined as the preceding year. The rate of charges shall be \$3.00 for 2012. The unit basis for such charge...” In addition, this section shall also be amended in part to read “.....The minimum annual charge to be imposed pursuant to this section shall be \$57.00.

SECTION II. Paragraph C (1) of Section 27-6.3, Chapter XXVII, Article III of the Roselle Park Code is amended as follows:

“(1) User charges for industrial waste ... by the industrial user at its own expense. The rate of charges for 2012 shall be \$441.73.”

SECTION III. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

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

Councilman Miranda moved that Ordinance #2357 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on May 17, 2012; seconded by Councilman Casais.

Vote Record – Ordinance #2357		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Casais	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2358

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-12
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
REGARDING TRAFFIC
PARKING TIME LIMITED ON CERTAIN STREETS

(East Westfield Avenue (Route NJ 28 Westbound))

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter VII, Section 7-12 Parking Time Limited on Certain Streets is hereby amended as follows:

SECTION 1:

<u>Name of Street</u>	<u>Side</u>	<u>Limit</u>	<u>Hours</u>	<u>Location</u>
Route NJ 28	Westbound	15 Minutes	6 AM to 6 PM Sunday thru Saturday	Beginning at the westerly side of drive at 111 East Westfield Avenue extending 152 feet in a westerly direction to the curb line of Walnut Street

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 #2358 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on May 17, 2012; seconded by Councilman Casais.

Vote Record – Ordinance #2358		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS

The following resolution, listed on consent agenda, were offered by Councilman Miranda; seconded by Councilman Casais.

RESOLUTION NO. 93-12

BE IT RESOLVED that the following individuals be appointed as Certified Referees for the 2012 Roselle Park Recreation Basketball League at \$30.00 per game; one Certified Referee in attendance per game:

Craig Sullivan, 116 Amelia Drive, Clark
Mike Antuono, 184 Wilder Street, Hillside

RESOLUTION NO. 94-12

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 Tax Collector is hereby authorized to refund tax overpayment in the amount of \$2,070.06 payable to Daniel & Erica Zuber for 2012 2nd quarter on Block 304/Lot 19 (otherwise known as 408 Chester Ave., Roselle Park, NJ 07204) and assessed in the name of Daniel & Erica Zuber. Refund to be made to taxpayer per request of Title Source.

RESOLUTION NO. 95-12

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Tax Collector hereby authorizes the Treasurer to issue multiple checks totaling in the amount of \$1,459.39 payable to multiple lien holders for redemption of Tax Sale Certificates for the meeting of May 3, 2012 (paperwork available in the Tax Office).

RESOLUTION NO. 96-12

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

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

1. Said sale shall be conducted by the Borough Clerk or by any person so designated by her.
2. Said property is being sold "as is".
3. All prospective purchasers are put on notice to personally inspect the property.
4. At the Time of said sale, the purchaser shall deposit the entire purchase price with the Borough Clerk in cash or certified check made payable to the Borough of Roselle Park.
5. If the purchaser fails to take title and possession within ten (10) days of the date of purchase, the Governing Body of the Borough of Roselle Park may declare the contract of sale to be terminated and may retain all monies paid there under as liquidated damages, and the Borough may resell said property or pursue such other and further legal and equitable remedies as it may have. If the purchaser fails to take title or possession within said ten (10) days, purchaser will be liable for reasonable storage fees.
6. If the title to this property shall prove to be unmarketable, the liability of the Borough shall be limited to the repayment of the amount of any sums paid by said purchaser to the

Borough without any further costs, expense, damage, claim against or liability upon the Borough.

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

<u>Year</u>	<u>Make</u>	<u>Identification Number</u>	<u>Minimum Bid</u>
1994	Toyota	VIN# JT2SK12E8R0253056	250.00
1992	Honda	VIN# JHMBB2252NC010976	250.00

RESOLUTION NO. 97-12

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the resignation of Patrick Wirkus as Lieutenant for the Lorraine Hose Company, be and is hereby accepted.

RESOLUTION NO. 98-12

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that James Smith be and is hereby appointed to the rank of Lieutenant for the Lorraine Hose Company, effective immediately.

RESOLUTION NO. 99-12

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that John Thompson be and is hereby appointed to the rank of Engineer for the Lorraine Hose Company, effective immediately.

Vote Record – Resolutions #93-12 to #99-12					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Torres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Caswell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Casais	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Mayor Accardi appointed Edward Kotwica III, 230 West Sumner Avenue, Roselle Park as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Central Fire Engine Company #2.

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:

- Potential Lease – Borough Property
- Personnel – DPW
- Litigation – NJDEP
- Litigation – D’Agostino
- Negotiations – AT&T Lease
- Potential Litigation – Open Public Meeting Act
- Personnel – DPW

RESUME REGULAR ORDER OF BUSINESS

Councilman Miranda 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:

- Potential Lease – Borough Property
- Personnel – DPW
- Litigation – NJDEP
- Litigation – D’Agostino
- Negotiations – AT&T Lease
- Potential Litigation – Open Public Meeting Act
- Personnel – DPW

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

Attest:

Borough Clerk