

## Borough of Roselle Park Meeting of December 6, 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	P	7:00 PM
Tanya Torres	Borough of Roselle Park	Councilwoman	P	7:00 PM
Andrew Casais	Borough of Roselle Park	Councilman	P	7:00 PM
Scott Nicol	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.

### PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (XXXIX)

Councilman Miranda moved to open the public hearing portion for the Community Development Block Grant Program; seconded by Councilman Casais and adopted.

There being no one wishing to speak, Councilman Miranda moved to close the public hearing portion for the Community Development Block Grant Program; seconded by Councilman Casais and adopted.

### PUBLIC COMMENT

Councilman Miranda moved at 7:12 p.m. to open the public comment portion of the meeting; seconded by Councilman Casais and adopted.

Jacob Magiera, 612 Sheridan Avenue

- On June 28<sup>th</sup>, requested a copy of the Mayor's speech regarding bulk waste pickup; also requested an update on the following dates: 7/19, 8/16, 9/6, 9/20 and 10/18.
- Read excerpts from the Mayor's speech regarding the bulk waste pickup.
- Read June 1<sup>st</sup> letter from the Mayor to Borough employees.
- Asked why no information has been given regarding the bulk waste pickup investigation.

Councilman Miranda said the Committee came together to correct the problems, so they would not happen the next time.

Councilwoman Torres said there can be many different opinions; they addressed things as they happened.

Mayor Accardi said some of the lessons learned from the bulk pickup were implemented during the storm recovery effort. What was seen was everybody working together, trying to get the town back on its feet; not just members of Council, but also the different departments. The reason this was possible was that the lessons learned were implemented during the disaster discovery effort. He said you learn from your mistakes and then improve on them.

Councilman Hokanson said he did research regarding the bulk pickup. There was a meeting on October 20<sup>th</sup> and the mistakes were discussed. Next year, they will make sure everything is done right. They, as a whole, made some mistakes and they also did positive things.

There being no one else wishing to speak, Councilman Miranda moved at 7:19 p.m. to close the public portion; seconded by Councilman Casais and adopted.

## REPORTS OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

### Councilman Miranda

- Attended a Municipal Services Meeting on Tuesday.
- Thanked all who came out for the town cleanup.
- The County is out doing leaf pickup.

### Councilman Yakubov

- Residents from Colfax Manor requested that a mirror be put at the left side exit point coming out of Colfax Manor.
- Asked if Public Safety could consider this request.
- Has one item for Closed Session regarding a Borough property purchase on the left side of their home by a resident.
- Would like Council's opinion for the Engineer to do a review of the area.
- The residents are present here this evening.
- Said it is a non-buildable lot and there is a question of if there are any easements.
- There are some costs involved.

Councilwoman Torres asked that he send an email before a meeting regarding any issues. She is concerned as to why the Borough should pay the fees for a review of property that the residents are asking to buy.

Councilman Yakubov said he is asking Council if the Borough is interested in selling this land. He said potentially if this works out, it could be a win/win. There would be revenue to the Borough, which would exceed the review and the land would be taxed.

Councilman Miranda said they should go directly to the Engineer, and then go to the second step.

Councilman Yakubov said he was told he had to go to Council first to allow the Engineer to review the property.

Ms. Cali said the Engineer would be asked to give a price to survey the property and to do a title search. You cannot vote for him to just do it; he must be asked to give a quote. Once a price is given and should Council agree, the offer must be made to any adjacent property owners. That cost can then be tacked on to the price of the property.

Councilman Casais said the sale or lease of Borough property has to be discussed in Closed Session.

Ms. Cali said before you sell property, you must offer it to adjacent property owners. You have to find out what is on the property, such as easements and that is done by the Engineer's Office.

Mr. Huxford said the first step is for Council to request the Borough Engineer to give a price quote.

Councilman Hokanson said first we have to decide if we want to sell it and if we do, we would go to the Borough Engineer. He said they would also have to notify all the adjacent homeowners.

Mayor Accardi said there can be up to four properties adjacent to this property. He asked if Council is willing to sell this property.

Councilman Miranda said then we would have two properties for sale, because he has one on West Clay Avenue.

Mayor Accardi said first consider if we want to put these properties up for sale.

Councilman Hokanson said any property we can liquidate would be an asset to the Borough.

Mayor Accardi said we have to go through the whole procedure first to see what is on the property.

Councilman Hokanson suggested they do the title search first and then decide what they will do with the property.

Mr. Solfaro said they have to do a title search of all the parcels in question and plot plan, attorney fees and searches connected with the Tax Office.

Councilman Miranda said first they will need a quote from the Engineering Department.

Mayor Accardi said first they have to decide whether they want to consider selling the property.

Councilman Hokanson moved that they consider selling the property; seconded by Councilman Yakubov.

<b>Vote Record – Motion to Consider Selling Properties</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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"/>
	Casais	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nicol	<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"/>

Mayor Accardi said the next step is if we are going to request the Engineer to provide us with a quote and the necessary legal documents to go on to the next step.

Councilman Hokanson asked if they need a resolution.

Mr. Solfaro said he will prepare a quote.

Mayor Accardi said there are two properties.

Councilwoman Torres suggested the Engineer break up the quotes and not put all the properties together.

Councilman Hokanson

- Attended the Town-wide Clean Up on Saturday.
- Thanked Vintage Restaurant for hosting the Concerned Citizens Meeting on Saturday.
- Requested the Public Safety Committee discuss the possibility of a loading zone at 1 West Westfield Avenue.
- Attended the Board of Health Meeting on December 4<sup>th</sup>.
- The Board of Health is requesting a new member be appointed.
- The Borough Tree Lighting is Friday at 6:30 p.m.
- Project Graduation is sponsoring a Clothing Drive and Breakfast with Santa on Saturday.
- Friday night is the State Playoffs for the football team.
- Will help Councilman Yakubov with any cat issues.
- Asked all to remember Pearl Harbor Day on December 7<sup>th</sup>.

### Councilman Casais

- Congratulated the football team; wished them luck on Friday night.
- New Jersey American Water is in the area purging the water system.
- Thanked the residents for their continued patience during the process.
- Reminded residents not to put leaves out in plastic bags; must be in paper bags or open containers.

### Councilman Nicol

- Attended the First Aid Squad Meeting on Tuesday; congratulated all those that were newly elected.
- Wished the football team the best of luck.

### Councilwoman Torres

- The football team will be playing for the State Championship at MetLife Stadium on Friday at 5:00 p.m.
- Gave report on behalf of Fire Chief.
- Thanked Carl Pluchino for finding an illegal boarding house.
- Moving from Walnut Street; remaining in the Third Ward on Colfax Avenue.
- The next step of the cleanup is the sidewalks.

### Mayor Accardi

- Addressed the issue of the leaves.
- Asked residents not to put leaves in the street because the DEP does not want the leaves to go into the storm drains; put the leaves in paper bags or containers.
- The County has begun to pick up the leaves.
- Regarding the storm recovery, there were about 250 trees that fell and 38 trees that fell on houses.
- The initial part of the project was an emergency operation to remove the trees on the houses and trim the trees down, so we could reopen the roads to provide access to utility companies to re-establish service.
- Within two weeks the entire infrastructure was restored.
- It was possible because the DPW and the company we hired from Virginia made it possible to clear the roads. We are now in the recovery mode and are trying to do it as quickly as possible and at the lowest cost possible.
- Decided not to change the date for the Tree Lighting because the weather report shows that Friday's weather will be better than Saturday and we have already advertised the event for Friday.
- Do not want to discourage anyone to go and support the football team, and encourage everybody to do one or the other.
- Last night, the Pop Warner Cheerleaders took fifth place in the Nation in a cheering competition.

Richard Huxford – Borough Attorney

- Five matters for Closed Session.

Ken Blum – Chief Financial Officer

- One personnel matter for Closed Session.

Paul Morrison – Police Chief

- Working with FEMA regarding reimbursement of costs; 75% for the crane used to remove the trees and 75% for the cost of debris removal.
- FEMA representatives hope to have checks to us within two to three weeks.
- Currently seeking quotes for a service contract for the generator at Headquarters.
- Working with County regarding the installation of flashing pedestrian signs near the train station.
- There will be a DWI checkpoint in town on December 21<sup>st</sup>.
- Was a pleasure working with Councilman Nicol on the Public Safety Committee.
- Was suggested by the heating and air conditioning company to remove the units from the roof to the ground and not to have them enclosed.

Tom Solfaro – Borough Engineer

- Office is working on stump removal, tree removal and sidewalk repair.
- Spoke about the CDBG Colonial Road funding program.
- Webster Avenue has been paved and the concrete work is done.
- East Grant Avenue preconstruction was held; they are scheduled to start around December 17<sup>th</sup>.
- Working with Clerk's Office relative to the Community Development Block Grant approval.

Mayor Accardi asked if they can have all the utilities come in and let us know what work needs to be done before we tear the street up and repave it.

Mr. Solfaro said they are always invited to preconstruction meetings and we always make them aware of work that is being done. We can have a five year moratorium for sewer drainage.

Mayor Accardi said he would like to see that on the books.

Mr. Solfaro said they will do all they can to minimize the disturbance to the streets.

Councilman Casais asked about the work being done by New Jersey American Water; his concern is a plate that is slightly elevated and if it will be left there for the winter.

Mr. Solfaro said he will take a look at it.

REPORT OF DEPARTMENTS

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

- Treasurer Report for October 31, 2012
- Police Chief Report for November 2012

MINUTES TO BE APPROVED

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

- Regular Meeting of November 1, 2012

Vote Record – Minute Acceptance of November 1, 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 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"/>
	Casais	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nicol	<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 & PAYROLLS BE NOT READ

MOTION BILLS & PAYROLLS BE PASSED FOR PAYMENT

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

PASSAGE OF ORDINANCES

INTRODUCTION

ORDINANCE NO. 2376

AN ORDINANCE FIXING THE SALARIES FOR DISPATCHERS IN THE ROSELLE PARK POLICE DEPARTMENT IN THE COUNTY OF UNION, STATE OF NEW JERSEY, FOR THE YEARS 2013, 2014, AND 2015

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

SECTION I. This ordinance is intended to reaffirm, and is entered pursuant to the Agreement between the Borough of Roselle Park and the Communications Workers of America, AFL-CIO, fixing salary ranges for Dispatchers of the Roselle Park Police Department for the calendar years 2013, 2014, and 2015.

**SECTION II.** The following named Dispatchers of the Roselle Park Police Department shall be entitled to an annual salary for the time period indicated hereafter as set forth opposite each respective classification.

<u>CLASSIFICATION</u>	2.00%	2.00%	2.00%
	EFFECTIVE <u>1/1/2013</u>	EFFECTIVE <u>1/1/2014</u>	EFFECTIVE <u>1/1/2015</u>
Dispatchers 0-6 Months	\$ 32,976.01	\$ 33,635.53	\$ 34,308.24
Dispatchers 7-12 Months	\$ 35,037.02	\$ 35,737.76	\$ 36,452.51
Dispatchers 13-24 Months	\$ 37,098.01	\$ 37,839.97	\$ 38,596.76
Dispatchers 25 Months and Up	\$ 38,472.02	\$ 39,241.46	\$ 40,026.28

**SECTION III.** The salaries and wages set forth in Section II shall be payable in 26 equal installments or in such installments as may be determined by resolution of the Mayor and Council. Said salaries shall be in lieu of all fees which may be collected by said personnel.

**SECTION IV.** The salaries and wages herein fixed shall be effective as of January 1, 2013.

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

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

Councilman Miranda moved that Ordinance No. 2376 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on December 20, 2012; seconded by Councilman Casais.

<b>Vote Record – Ordinance #2376</b>					
		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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"/>
	Casais	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nicol	<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 Casais.

**RESOLUTION NO. 227-12**

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 \$1,951.40 payable to Robert & Sandra Barlett for an overpayment on Block 1001/Lot 9 (otherwise known as 638 Sherman Ave., Roselle Park, N.J.) and assessed to above. Overpayment was created by an appeal in 2011. Adjustment was not made by Mortgage Institution. Taxpayer is entitled to refund per Mortgage Institution.



RESOLUTION NO. 228-12

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$3,477.24 which item is now available as a revenue from the Body Armor Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that the like sum of \$3,477.24 is hereby appropriated under the caption of the Body Armor Grant, and

BE IT FURTHER RESOLVED, that the Borough Clerk forward two certified copies of this resolution with enclosures to the Director of the Division of Local Government Services.

RESOLUTION NO. 229-12

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$4,400.00 which item is now available as a revenue from the Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that the like sum of \$4,400.00 is hereby appropriated under the caption of the Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown Grant, and

BE IT FURTHER RESOLVED, that the Borough Clerk forward two certified copies of this resolution with enclosures to the Director of the Division of Local Government Services.

RESOLUTION NO. 230-12

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$9,505.22 which item is now available as a revenue from the Recycling Tonnage Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that the like sum of \$9,505.22 is hereby appropriated under the caption of the Recycling Tonnage Grant, and

BE IT FURTHER RESOLVED, that the Borough Clerk forward two certified copies of this resolution with enclosures to the Director of the Division of Local Government Services.

RESOLUTION NO. 231-12

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

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

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

<u>GRANT NAME</u>	<u>AMOUNT</u>
Municipal Alliance Fund Grant	\$ 9,478.85
Bulletproof Vest Partnership Grant	\$ 5,000.00
Total Federal and State Grant Fund	\$ 14,478.85
Union County Kids Recreation Trust Fund Grant	\$ 15,962.56
Union County Kids Recreation Trust Fund Grant	\$ 15,731.00
Total General Capital Fund	\$ 31,693.56
Senior Citizens Social Services CDBG # 011-282	\$ 483.34
Total HUD Trust Fund	\$ 483.34
Grand Total	\$ 46,655.75

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

<u>ACCOUNT #</u>	<u>GRANT NAME</u>	<u>AMOUNT</u>
02-3372-00-20110-001	Municipal Alliance Fund Grant	\$ 5.03
02-3372-00-20110-007	Municipal Alliance Fund Grant	\$ 779.63
02-3372-00-20110-009	Municipal Alliance Fund Grant	\$ 2,287.68
02-3372-00-20110-013	Municipal Alliance Fund Grant	\$ 150.00
02-3372-00-20110-015	Municipal Alliance Fund Grant	\$ 558.51
02-3372-00-20110-017	Municipal Alliance Fund Grant	\$ 5,593.00
02-3756-00-20100-300	Bulletproof Vest Partnership Grant	\$ 5,000.00
Total Federal and State Grant Fund		<u>\$ 14,373.85</u>
04-2150-55-22110-702	Union County Kids Recreation Trust F	\$ 15,962.56
04-2150-55-22680-900	Union County Kids Recreation Trust F	\$ 15,731.00
Total General Capital Fund		<u>\$ 31,693.56</u>
14-1282-00-02011-103	Senior Citizens Social Services CDBC	\$ 483.34
Total HUD Trust Fund		<u>\$ 483.34</u>
Grand Total		<u><u>\$ 46,550.75</u></u>

RESOLUTION NO. 232-12

WHEREAS, there exists various outstanding checks of the Borough of Roselle Park's Current Account; and

WHEREAS, these checks were issued in 2011; and

WHEREAS, sound procedures recommended review and cancellation of checks outstanding over a year old;

NOW, THEREFORE, BE IT RESOLVED that the following outstanding checks are hereby canceled:

CURRENT ACCOUNT

<u>DATE</u>	<u>CHECK #</u>	<u>AMOUNT</u>
9/15/2011	14306	\$ 51.00
TOTAL CURRENT ACCOUNT		<u><u>\$ 51.00</u></u>

RESOLUTION NO. 233-12

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that a Professional Service Contract for Engineering services for:

EAST GRANT AVENUE SANITARY SEWER IMPROVEMENTS PHASE III  
BOROUGH OF ROSELLE PARK  
UNION COUNTY, NEW JERSEY

be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum of Seventy Nine Thousand Four Hundred Dollars (\$79,400.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 234-12

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>
1992	Chevy	2G1WN54T6N1145853	\$175.00
2003	Honda	1HGEM22513L012029	\$175.00
1990	Toyota	4T1SV21E8LU184077	\$175.00
1998	Dodge	1B4HS28Y4WF169122	\$175.00
1997	Nissan	1N4AB41D1VC726856	\$175.00
*1998	Chevy	1G1ND52M9W6222736	0

RESOLUTION NO. 235-12

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Tax Collector is hereby authorized per the Tax Court of New Jersey a Judgment to reduce the

assessment which will result in a reduction/ refund for the year 2009 and 2010 on the following property.

<u>Block/Lot</u>	<u>Original Assessment</u>	<u>Year</u>	<u>Judgment</u>	<u>Reduction</u>	<u>Tax Rate</u>	<u>Reduction/Refund</u>
606/27	330,000.	2009	235,000.	95,000.	11.263	\$ 10,699.85
	330,000.	2010	246,000	84,000.	11.626	\$ 9,765.84

Total amount of \$20,465.69 to be credited to open taxes for 2012 per taxpayer.

RESOLUTION NO. 236-12

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Tax Collector hereby authorizes the Treasurer to issue a check in the amount of \$200.00 payable to Gardy Vastey for an overpayment of a redemption for Block 908/Lot 17 (otherwise known as 112 Magie Ave., Roselle Park, N.J.) and assessed in the name of Tree Bank Trust.

RESOLUTION NO. 237-12

WHEREAS, Ben Cosentino has notified the Borough of Roselle Park that he will be retiring effective January 1, 2013; and

WHEREAS, as Ben Cosentino is entitled to certain compensation upon retirement as indicated in the Employment Agreement for Borough Assistant Superintendent of Public Works 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 Ben Cosentino 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>
Sick days for 2012 (1 day for 3 days on cash in 115 days get paid for 38.3333 days)	38.3333	\$248.05	\$ 9,508.58
Vacation Days for 2013 (25 days prorated for 12 months)	25	\$248.05	\$ 6,201.25
Total Due			\$15,709.83

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 Ben Cosentino the entitled compensation due upon retirement at the above schedule.

RESOLUTION NO. 238-12

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Resolution No. 111-12, increasing the maximum amount specified for Matthew J. Giacobbe of the firm Cleary Giacobbe Alfieri Jacobs, LLC as Labor Attorney in the amount not to exceed an additional \$10,000.00 for a maximum amount of \$30,000.00, be and is hereby amended in the amount not to exceed an additional \$10,000.00 for a maximum amount of \$40,000.00.

RESOLUTION NO. 239-12

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, in the County of Union, hereby authorize the Mayor and/or Clerk to execute the lease renewal for the Roselle Park Historical Society for the year 2013.

RESOLUTION NO. 240-12

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 \$77,971.64 payable to multiple lien holders for redemption of Tax Sale Certificates for the meetings of December 6, 2012 (paperwork available in the Tax Office); and

BE IT FURTHER RESOLVED to issue premium checks from the Tax Collector's Premium Account in the amount of \$31,600.00.

RESOLUTION NO. 241-12

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that a Professional Service Contract for Engineering services for RFP Preparation, Review, Recommendation and Construction Management for:

**STORM SEWER REPAIR VICINITY OF 619 DONALD PLACE**

be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum of Two Thousand Nine Hundred Fifty Dollars (\$2,950.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 242-12

BE IT RESOLVED that a Professional Service Contract for Engineering services for Hurricane Sandy Borough wide damage assessment and necessary repair evaluation and estimate preparation be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum not to exceed Five Thousand Dollars (\$5,000.00) be and is hereby awarded by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that a This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

<b>Vote Record – Resolutions #227-12 to #242-12</b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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"/>
	Nicol	<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"/>

INTERRUPT THE REGULAR ORDER OF BUSINESS

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

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

- Potential Litigation
  - D'Agostino vs. Roselle Park
  - NJDEP vs. Occidental
  - Pinto vs. Roselle Park
  - Benaventi vs. Roselle
- Contract Negotiations – Roselle Park & Board of Education
- Personnel – Two Matters

#### RESUME REGULAR ORDER OF BUSINESS

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

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

- Potential Litigation
  - D'Agostino vs. Roselle Park
  - NJDEP vs. Occidental
  - Pinto vs. Roselle Park
  - Benaventi vs. Roselle
- Contract Negotiations – Roselle Park & Board of Education
- Personnel – Two Matters

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

Attest:

Borough Clerk