

Borough of Roselle Park Meeting of March 7, 2013

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
Charlene Storey	Borough of Roselle Park	Councilwoman	A	--
Joseph Accardi	Borough of Roselle Park	Mayor	P	7:00 PM

Mayor Accardi called the meeting to order at 7:05 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 Casais, all members present voting Aye, said motion was adopted.

- Request from RPHS PTSA Project Graduation Committee to hold a “5K Run” fundraiser on Sunday, April 28, 2013 from 9:00 a.m. to 12:00 Noon (map of route was enclosed).

REPORT AND RECOMMENDATIONS OF MAYOR

- Requested the Ad Hoc Committee discuss the public portion.
- Understands it was resolved at the last meeting.
- The public portion was pushed down a bit; will be held before 8:30 p.m.
- Said he would talk about the direction we are heading in the community.
- His vision was formulated from comments he received from many people.
- Has made progress in some areas.
- There are businesses in town that we hope will be long term.
- Talked to the owners of the Sullivan property, Ford World, Leberco, Ryan property and Cubex Ice.
- We receive a tax break when a development is included.
- Trying to work with new businesses in town.
- Have made some great strides in the downtown area; there are more to come.

- Discussed the gateway areas of Roselle Park.
- Ryan property developers are talking to New Jersey Transit about our train station.
- Chestnut Street is attractive with the decorative lighting and would like Council's input regarding this.
- Discussed the bus rapid transit line along the railroad tracks.
- Businesses are attracted to those types of areas.
- Parkway access has also been a big push in the development in Roselle Park.
- Thanked all who provided comments.
- Would like to discuss taxes this evening.
- Spoke about ratables in the town.
- Spoke about grants for various projects that have been applied for.
- Departments have taken a 10% decrease.
- Being careful about every dollar spent in the community.
- Making headway to improve the community.
- Spoke about shared services.

REPORTS OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilwoman Torres

- Thanked all who attended the walk for the tree plans.
- This weekend is the New Jersey State Wrestling Tournament in Atlantic City.
- Has one issue for Closed Session.
- Board of Education is working on current budget.
- The Youth Center is being used almost on a monthly basis.
- DPW is moving along nicely.
- Fire Department is working on their budget.
- There is a new Chairperson for Recreation.
- There will be an Easter Candy Hunt; once the date is determined.

Councilman Miranda

- Attended the first Budget Meeting on February 28th.
- Thanked the Casano Center for the St. Patrick's Day Luncheon.
- On April 13th, there will be a Clean Communities Clean Up.
- Attended two SID Meetings.

Councilman Yakubov

- Reached out to Fire Chief Signorello, Rich Graves, and Karen Intile to follow up on Buildings and Ground issues.
- Thanked Councilwoman Torres regarding the Eagle Scout to repair the small house in Aldene Park.

- Made some suggestions for improvements to the town: powerwash some of the businesses, have businesses remove old awnings, and allow some businesses to have outdoor dining.
- Attended the last New Business Initiative Meeting.
- One topic discussed was for small businesses; a way to promote their business ideas.
- Next meeting will be at Kean University on March 28th.
- The Public Service Committee discussed some human resource issues.
- The Historical Society is planning an event for the 112th Birthday of Roselle Park.

Councilman Hokanson

- On February 23rd, attended the Concerned Citizens Meeting.
- Attended the Budget Meeting.
- On Saturday, Councilwoman Torres, Councilwoman Storey, the DPW, and Borough Engineer did the tree walk on East Grant Avenue.
- Attended the St. Patrick's Day Luncheon at the Casano Center.
- Wished everyone a safe and healthy St. Patrick's Day.
- There will be a St. Patrick's Day Dance in honor of Robert Knapp at the Church of the Assumption on Saturday from 6:30 p.m. to 10:00 p.m.
- Gave the Dog and Cat Report; summons will be issued by the Borough Clerk's Office for unlicensed pets.

Councilman Casais

- Thanked all that attended the tree walk meeting last Saturday.
- Trees will come down at 128 East Grant Avenue, 156 East Grant Avenue, 170 East Grant Avenue and 166 Berwyn Street, the East Grant Avenue side.
- Currently there is a \$46.00 tax increase for the average home in Roselle Park.
- There are not many areas to go lower.
- The fireworks this year will be on July 6th; with a rain date on National Night Out.
- The Technical Committee is moving forward.
- Thanked the Finance Committee and Council for work on the budget.
- Thanked Ken Blum for work on the budget.
- Joint Meeting of Essex and Union County approved expenses for damage due to hurricane Sandy.

Joseph Signorello – Fire Chief

- All is quiet in the Fire Department.
- Training and certification is done.
- Will prepare his list of requests.

Richard Graves – Assistant Superintendent of Public Works

- Ashbritt will remove all debris in two days.

Mayor Accardi said he appreciates the efforts of the DPW for all the work they have done in a very methodical and efficient manner. He said he saw the street sweeper out on Westfield Avenue, and also the repaving of the crosswalks on Chestnut Street.

Paul Morrison – Police Chief

- They will be participating in a State-wide program called Rail Safe on March 14th.
- There will be two Officers on the train platform from 5:00 a.m. to 10:00 a.m.
- Security cameras have been installed in Borough Hall and Police Headquarters.
- Pedestrian crossing signs have been ordered from the county for Locust and Chestnut Streets.
- Has researched the radio station for Roselle Park; there are none available for us.
- Has been in contact with Roselle for shared services.
- There have been accidents in the area of the red light camera, but not in the intersection.

Mayor Accardi said Westfield has a radio station and also the County may get one. It is a good way to get information to the residents. He has requested a meeting with the Police and Councilwoman Storey.

Tom Solfaro – Borough Engineer

- Grants are on file with the DOT, Community Development and other various projects.
- Working with the DEP and OEM regarding FEMA grants.
- Resolution #70-13 is on the agenda this evening endorsing the TWA application of Schering Plough Corporation.
- The East Grant Avenue project is ongoing; there is still manhole and pipe work to be done.

Richard Huxford – Borough Attorney

- There were three matters resolved at the last meeting.
- A letter was written for a Kindle that had not been returned to the Library.
- State versus Sapa and a permit will be issued.
- Two representatives from Fiber Tech will speak during the public portion.
- Has one matter for Closed Session.

Ken Blum – Chief Financial Officer

- The next Budget Meeting will be held on March 12th at 6:00 p.m. in the Conference Room.

REPORTS OF DEPARTMENTS

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

- Construction Code Enforcement Report for February 2013
- Police Chief Monthly Report for February 2013
- Department of Public Works Monthly Report for February 2013
- Fire Chief Monthly Report for February 2013

FIBER TECH PRESENTATION

Councilman Miranda moved to open the presentation of Fiber Tech; seconded by Councilwoman Torres and adopted.

- Dennis Linkin, with the law firm of Scarinci & Hollenbeck and Tim Neitharet Engineer represented Fiber Tech.
- Fiber Tech is a large telecommunications provider authorized to operate in New Jersey.
- They are a competitor to local exchange carriers.
- They serve approximately two dozen large markets across eastern and central United States.
- They have a large network that runs throughout 175 municipalities in New Jersey.
- They have approached the Borough to ask permission to place fiber optic cables on a small portion of the utilities rights of way throughout the Borough.
- The type of service that is offered is high end data transmission.
- Customers consist of large enterprises, governmental institutions, hospitals and other telecommunication carriers that can't afford to provide their own facilities.

Mr. Huxford asked how many customers they have in Roselle Park.

Mr. Linkin said they have one customer in Roselle Park, but cannot reveal the name.

Councilman Yakubov asked if he works for Fiber Tech.

Mr. Linkin said he is the Attorney for Fiber Tech; Mr. Neitharet works for Fiber Tech.

Councilman Yakubov asked if wires will run in the Borough.

Mr. Linkin said they do a survey of the poles and hand that survey into Verizon, who in turn assigns a local engineer. The engineer and the Fiber Tech representative go over it and indicate where the fiber optic cable will be placed on the pole. Fiber Tech uses existing poles already utilized by other public utilities. Basically, it is industrial and not for homes.

Mayor Accardi said they need some confirmation of the weight of these lines and where they are going.

Mr. Linkin said he had a map he can show; but at this point, the location remains confidential.

Councilwoman Torres asked if this is for a business in another town.

Mr. Linkin said this is for a business in Roselle Park. Under Federal Law, municipalities are prohibited from denying permission to allow a telecommunications provider in town. The only problem would be if there is a danger to the municipal rights of way and there is none. The customer has requested confidentiality.

Mr. Neitharet said it is a pencil thin cable.

Mr. Linkin said clearly the municipality does not have the ability to say no they don't want it. Even if there are health or safety issues, there is a real question as to if that can be done. The State provides that no State or municipality or government entity may prohibit or pass a law that has the effect of prohibiting a telecommunications company from providing service. They respectfully believe there is no real reason for the municipality to have a concern.

Councilman Yakubov said is there an alternative to run these wires underground. There will be more wires hanging; is there an alternate plan. There are safety concerns involved.

Mr. Neitharet said at this time, the company would rather them be put on the poles. The poles are inspected to make sure they are safe. They do go over every pole with a Verizon Engineer and some time an engineer from the power company and if there are defects in the pole, they are noted. If there is a defect then the pole is put in for replacement. The fiber is no bigger than a pen and is strung on a single steel strand fiber. The average distance between pole to pole is 150 feet and the average weight of the cable between poles is approximately 85 pounds.

Councilman Yakubov asked if there is a minimum amount of clients to install this wire in the Borough. He asked if there is only one client in the Borough, would you run a cable a mile long.

Mr. Neitharet said yes, depending on where it was going to and from; in this case it is $\frac{3}{4}$ of a mile.

Mayor Accardi said if the town was repaving a street, would they be willing to consider burying the cable as opposed to having it on the utility poles.

Mr. Neitharet said the cost is very high to do that and under the law they are required to go where existing utility lines are.

Councilman Casais asked if they are permitted to see the map that he has.

Mr. Linkin said he would be happy to share it with them, but they would have to take it back because the information is confidential.

Councilwoman Torres said they should know what streets they are working on.

Mayor Accardi said the issue is a matter of privacy and confidentiality.

Councilwoman Torres said if someone asks them where they will be working that is confidential.

Mayor Accardi asked what is confidential.

Mr. Linkin said at this time the routing is confidential.

Councilman Hokanson said he is hearing the word business and is that classified in our Master Plan. He would like to know how he defines the word business and if it is in the proper zone, also is it a legal business.

Councilwoman Torres said she would like to know what streets they will be working on and they can tell if they are residential or commercial.

Mr. Linkin respectfully pointed out even if Fiber Tech were not intending to hook up with a particular customer; they are still entitled under Federal Law to run fiber optic wires in a municipality. They are able to do that in an effort to add additional customers.

Councilman Hokanson asked if this has to go to the Municipal Land Use Board to find out if it is within our code.

Mr. Neitharet said this type of construction that is involved is not a developmental project that requires the approval of the Planning Board. They have been through this process in more than 175 New Jersey municipalities. He said that not one has asked to acquire Planning Board or Zoning Board approval. Not once have they been denied an application by any municipality.

Councilwoman Torres said she would like to know where this large company is in Roselle Park.

Mr. Linkin said he would be happy to share that information with Council, but the company does not want the public to know at this time.

Councilwoman Torres said as a Councilperson, she would like to see the map.

Mr. Huxford said he is not sure how the street will reveal who the client is; there are a lot of businesses and houses on many streets.

Mr. Linkin said there are two ways of confidentiality that the company is concerned about. The first is the identity of the customer and the second is the street on which the cable will be strung. He said he can make a phone call to see if he can reach someone, so we can raise the confidentiality restriction on the map.

Mr. Huxford said he is not sure what the confidentiality of this has any bearing on the street. The Borough owns the right of way and the street belongs to the Borough. He does not know how that will impact the company.

Mr. Linkin said he understands.

Mayor Accardi said he would like him to make that phone call and they will continue with the agenda. At the end of the meeting before Closed Session it can be addressed.

PUBLIC COMMENT

Councilman Miranda moved at 8:17 p.m. to open the public comment portion of the meeting; seconded by Councilman Yakubov and adopted.

Pat Pagnetti, 309 East Grant Avenue

- Representing the Roselle Park Historical Society.
- This month Roselle Park will reach its 112th Anniversary.
- To observe this, there will be the first Roselle Park Day and they will present the Borough with two historical maps at the next Council Meeting.
- All residents, businesses and organizations are invited to participate.
- On Friday, March 22nd the Museum will serve cake to the first 112 visitors from 2:00 p.m. to 8:00 p.m.; all are invited to attend.
- Have a commemorative agenda for the meeting.

Mr. & Mrs. Schneeberger, 16 Warren Avenue

- Are here to give a sample of their daily life by their home.
- Gave a computer presentation of the trucks coming in and out of her driveway.
- Has to wait in her driveway until trucks are unloaded.
- Trucks fly out of the driveway and then stop short.
- Finds garbage thrown in her backyard.

Mayor Accardi said he will ask the Police Chief to look over the video and come up with a plan of action.

- Mr. Schneeberger said he did not speak at the last meeting out of respect of the accomplishments of the football team.
- The video his wife has just showed has happened within the last two weeks.

Councilwoman Torres said each of these trucks is breaking the law. She said they must be caught in the act.

Saul Qersdyn, 150 Berwyn Street

- Spoke about the radio station for the town.
- There are different regulations for AM and FM.
- A low power transmission does not need a license.
- Spoke about the 7 minute time limitation.
- Interaction is important to the community.

Jacob Magiera, 612 Sheridan Avenue

- Regarding the Reports of Departments, why doesn't the Construction Code Enforcement Department have to come to the meeting.
- Wanted to know in detail what is included in the East Grant Sewer Project; are they replacing all or some of the sewers.
- Spoke about Roselle Park's Birthday; there should be free parking in the town on March 21, 22 and 23.
- The tree walk was taped by Saul Qersdyn on Saturday.
- Asked how much the cost was for Hurricane Sandy.
- Asked about the sewer rights, if they are flow or peak flow that they are looking to purchase.
- Regarding Resolution #63-13, what is the total of the reduction.

Mr. Huxford said any questions should be directed to the Mayor, who is the Chair or whoever is acting as the Chair.

Mr. Solfaro explained the East Grant Avenue Project as follows:

- The sewer project is being done in that area because the piping is very antiquated.
- The second line was installed in the 50's or 60's and is in good shape.
- Are relocating the existing lateral pipe that was tied to an older pipe.
- Some of the clay pipe will remain active.
- Some of the trees that have to come down have root intrusions causing blockages to homeowners.
- Once the sewer project has been completed, there will be a roadway project.
- Many trees are over the existing line and have grown over the area where they are planted.
- Have to protect the infrastructure in the town.
- There will be a Tree Replanting Project after this project is completed.

Councilman Hokanson said the project has been approved by the DOT and because it is funded by them, they certify the roadways. He said this project is well overdue. No one wants trees down; but with certain things, our hands are tied.

Mayor Accardi said this project is long overdue and if it is not done, it would be a disservice to the community.

Councilman Casais said during his report, he only mentioned Hurricane Sandy costs pertaining to the Joint Meeting Sewer Authority. He said regarding Resolution #63-13, the cost involved is \$30,595.40.

There being no one else wishing to speak, Councilman Miranda moved at 8:52 p.m. to close the public portion; seconded by Councilwoman Torres and adopted.

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Regular Meeting of February 21, 2013

Vote Record – Minute Acceptance of February 21, 2013					
		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"/>
	Storey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Casais, all members voting Aye, said motion was adopted.

ORDINANCE NO. 2379

AN ORDINANCE ESTABLISHING A MORATORIUM AGAINST
CUTS ON NEWLY IMPROVED STREETS

This ordinance was removed from the agenda.

RESOLUTIONS

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

RESOLUTION NO. 62 -13

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 \$2,575.34 payable to Juan & Lillian Rivera for an overpayment on Block 1017/Lot 47 (otherwise known as 537 Grant Ave., E. Roselle Park, N.J.) and assessed in the name of Juan & Lillian Rivera.

RESOLUTION NO. 63-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Tax Collector is hereby authorized to issue a check in the amount of \$30,595.40 made payable to Michael A. Vespasiano per the Tax Court of New Jersey Judgment to reduce the assessment which will result in a reduction/refund properties listed and assessed in the name of Crison II, LLC. as follows:

Block/ Lot	Year	Original Assessment	New Assessment	Reduction	Rate =	Reduction/Refund
504/7	2011	463,300.	400,000.	63,300.	11.983	\$7,585.23
504/7	2012	463,300.	400,000.	63,300.	12.184	\$7,712.47
511/9	2011	463,300.	400,000.	63,300.	11.983	\$7,585.23
511/9	2012	463,300.	400,000.	63,300.	12.184	\$7,712.47

2013 taxes to be adjusted for 3rd and 4th quarter per new rate for the year 2013.

RESOLUTION NO. 64-13

WHEREAS, the Borough of Roselle Park will hold “Cruisin’ Night Car Shows” on Saturday, June 22, 2013 from 3:00 p.m. to 8:00 p.m., with a rain date of Saturday, June 29, 2013 from 3:00 p.m. to 8:00 p.m., and Saturday, September 14, 2013 from 2:00 p.m. to 7:00 p.m., with a rain date of Saturday, September 21, 2012 from 2:00 p.m. to 7:00 p.m.; and

WHEREAS, the Car Shows will be held on Chestnut Street from Grant Avenue to Westfield Avenue; now therefore

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby requests approval from the Union County Board of Chosen Freeholders to close Chestnut Street, from Grant Avenue to Westfield Avenue, on June 22, 2013, with a rain date of June 29, 2013 and September 14, 2013, with a rain date of September 21, 2013, in order to hold “Cruisin’ Night Car Shows”.

RESOLUTION NO. 65-13

BE IT RESOLVED, that the following additional individuals be appointed for the 2013 Roselle Park Recreation Basketball League:

Certified Referees (at the rate of \$35.00 per game)

- Steve Dunn
- William (Bill) Smith
- Craig Sullivan

Score Keepers/Time Keepers (at the rate of \$10.00 per game)

- Connor McDonough
- Emily Swirz

RESOLUTION NO. 66-13

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 \$5,616.18 payable to multiple lien holders for redemption of Tax Sale Certificates for the meeting of March 7, 2013 (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 \$2,000.00.

RESOLUTION NO. 67-13

WHEREAS, it is in the best interest of the Borough of Roselle Park and the Township of Woodbridge to enter into an Interlocal Service Agreement for the purpose of Animal Control Services, and

WHEREAS, this agreement shall be for a term of one (1) year at the annual cost of \$19,200.00, commencing May 1, 2013 and ending April 30, 2014;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that it hereby authorizes the Mayor and Borough Clerk to enter into an Interlocal Service Agreement with the Township of Woodbridge for the purpose of Animal Control Services as per the attached agreement.

RESOLUTION NO. 68-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that a Contract for title search, boundary survey, Minor subdivision plan and deed description for Block 111 Lot 3 (Willow Avenue) be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum of Three Thousand Six Hundred Dollars and No Cents (\$3,600.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 69-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that a Contract for title search, boundary survey, Minor subdivision plan and deed description for Portion of Laurel Avenue be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum of Three Thousand Three Hundred Dollars and No Cents (\$3,300.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 73-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that a Contract for title search and boundary survey for Block 402/Lot 1 (West Roselle Avenue) be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum of Two Thousand Nine Hundred Ninety Five Dollars and No Cents (\$2,995.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

Vote Record – Resolutions #62-13 to #69-13 and #73-13					
		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"/>
	Storey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Casais.

RESOLUTION NO. 70-13

WHEREAS, Schering Plough Corporation [a wholly owned subsidiary of Merck & Co., Inc., 2000 Galloping Hill Road, Kenilworth, NJ 07033] (the “Applicant/Owner”) is the developer of a proposed five-story research wing expansion known as building K-15, on the Kenilworth Campus, within the Borough of Kenilworth (the “Project”); and

WHEREAS, in order to construct the sanitary sewer for the Project, and to connect the Project to the wastewater conveyance system owned by the Borough, the Applicant/Owner is required to submit an application for Treatment Works Approval by the New Jersey Department of Environmental Protection (the “TWA Application”); and

WHEREAS, the TWA Application requires consent by the Borough as (i) the governing body, (ii) the designated sewerage authority, and (iii) the owner of the wastewater conveyance system; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle Park, NJ, as follows:

- The Borough endorses the Applicant/Owner’s TWA Application, as deemed appropriate by the Borough Engineer as per the attached Revised Request for Municipal Endorsement for TWA-1 Application for Sanitary Sewer Extension Building K-15 Expansion, and
- The Mayor is authorized to execute the Sanitary Sewer Agreement and applicable sections of the Statement of Consent (Form WQM-003) of the TWA application.

Councilwoman Torres said she will abstain from this resolution.

Vote Record – Resolution #70-13		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"/>
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	Storey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following resolution was offered by Councilman Miranda; seconded by Councilwoman Torres.

RESOLUTION NO. 71-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Harry M. Uhrig be and is hereby promoted to the position of Equipment Operator in the Department of Public Works effective April 1, 2013 at the current annual salary of \$62,621.72.

Councilman Hokanson congratulated Harry; said he is a fine employee.

Councilwoman Torres congratulated Harry; said this has been long overdue.

Mayor Accardi congratulated Harry on his promotion.

Vote Record – Resolution #71-13		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"/>
	Storey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Casais.

RESOLUTION NO. 72-13

RESOLUTION ADOPTING THE UNION COUNTY, NEW JERSEY
MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS, the Borough of Roselle Park, New Jersey is vulnerable to damages from natural hazard events which pose a threat to public health and safety and could result in property loss and economic hardship, and,

WHEREAS, a Multi-Jurisdictional Natural Hazard Mitigation Plan (the Plan) has been developed through the work of the Union County Hazard Mitigation Working Group and other interested parties within the County, and,

WHEREAS, the Plan recommends hazard mitigation actions that will help protect people and property affected by natural hazards occurring within Union County that will reduce future public, private, community and personal vulnerability and costs of disaster response and recovery, and that will reinforce the County's leadership in emergency preparedness, and,

WHEREAS, the Disaster Mitigation Act of 2000 (PL 106-390) and associated Federal Regulations published under 44 CFR, Part 201 require participating communities within the County to formally adopt a Hazard Mitigation Plan subject to the approval of the Federal Emergency Management Agency to be eligible for Federal funds for hazard mitigation projects and activities as they become available, and,

WHEREAS, PUBLIC MEETINGS HAVE BEEN HELD BY Union County to receive comment on the Plan as required by DMA 2000;

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Roselle Park that:

1. The Council of the Borough of Roselle Park, hereby adopts the Union County, New Jersey Multi-Jurisdictional Natural Hazard Mitigation Plan, dated 07/21/2011, as this municipality's official Hazard Mitigation Plan, and resolves to execute the mitigation actions in the Plan as funding becomes available thru grants.
2. Borough of Roselle Park officials identified in the Plan are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments and progress to the Union County Office of Emergency Management and to the Borough Council.
3. The Union County Office of Emergency Management will provide annual progress reports on the status of implementation of the Plan to the Borough Council. This report shall be submitted to the Borough Council by March 31st of each year.
4. The Borough Office of Emergency Management, or other designated officials, will undertake periodic updates of the Plan in concert with the Union County Office of

Emergency Management as described in the Plan Maintenance Section, but no less frequently than every five years.

Mayor Accardi said this resolution must be amended to include that the funding will become available subject to the grant.

Vote Record – Resolution #72-13					
		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"/>
	Storey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following resolutions were offered by Councilman Miranda; seconded by Councilman Casais.

RESOLUTION NO. 74-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the resignation of Scott Fuller as Captain for the Lorraine Hose Company be and is hereby accepted effective March 5, 2013.

RESOLUTION NO. 75-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that Jimmy Smith be and is hereby appointed to the rank of Captain for the Lorraine Hose Company, effective March 5, 2013, at the annual salary of \$1,339.57.

RESOLUTION NO. 76-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that William Ferdinando be and is hereby appointed to the rank of Lieutenant for the Lorraine Hose Company, effective March 5, 2013, at the annual salary of \$1,339.57.

Councilman Hokanson said he is sorry to see Scott Fuller go and congratulated Jerry and William.

Mayor Accardi thanked Scott for his work and congratulated Jimmy and William.

Vote Record – Resolutions #74-13 to #76-13					
		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"/>
	Storey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FIBER TECH PRESENTATION (Continued)

- Mr. Linkin was able to reach a Fiber Tech representative.
- Has authorization to provide the map to Council.
- Asked that it be returned at the end of the meeting.
- Recognized Mr. Huxford's concern.

Councilman Casais asked for clarification on the line; it looks as though the line is in a residential area.

Mr. Linkin said that is done according to the Telecommunications Law 47 USC, Section 253 a.

Mayor Accardi asked if it is a residential area.

Mr. Linkin said at the termination of the line, it is connected to a large business.

Councilwoman Torres said there should be some way they can look into this.

Councilman Yakubov asked if this is for a current or potential business.

Mr. Linkin said they can place the line, and then fire it up at a later date.

Councilwoman Torres asked if there is a customer now or a potential customer.

Mr. Linkin said he does not know, but that has no bearing on the decision.

Mayor Accardi asked if he has spoken to other communities.

Mr. Linkin said they are asking the town's permission, but there are two Statutes that govern this under New Jersey law. The first is that the municipalities' consent is required for telecommunications to be put along utility poles. The second is that the municipalities may not deny this.

Mayor Accardi said you have heard about the problems with the infrastructure and they will discuss this further. This was good information for them to figure out what is going on.

Mr. Huxford said that he should have the New Jersey State Statute with him.

Mr. Linkin said he will have it with him next time.

Mayor Accardi said at some point they may be able to seek compensation.

Mr. Linkin said there are also State regulations governing that.

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:

- NJDEP vs. Occidental
- D'Agostino vs. Roselle Park

Contract Negotiations – Neglia Engineering

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:

- NJDEP vs. Occidental
- D'Agostino vs. Roselle Park

Contract Negotiations – Neglia Engineering

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

Attest:

Borough Clerk