

## Borough of Roselle Park Meeting of July 18, 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	A	--
Andrew Casais	Borough of Roselle Park	Councilman	P	7:00 PM
Charlene Storey	Borough of Roselle Park	Councilwoman	P	7:00 PM
Joseph Accardi	Borough of Roselle Park	Mayor	P	7:00 PM

Mayor Accardi called the meeting to order at 7:16 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.

Mayor Accardi asked for a moment of silence for the passing of Mr. Paul Endler.

The following resolution was offered by Councilman Miranda; seconded by Councilman Casais.

### RESOLUTION NO. 140-13

BE IT RESOLVED that Joseph V. Iannone, Jr., 153 Five Points Road, Colts Neck, New Jersey 07722 is hereby appointed to the position of Probationary Police Officer (7-12 months) in the Roselle Park Police Department, at an annual salary of \$50,927.97 effective July 22, 2013 for a 12 month period ending July 21, 2014.

Vote Record – Resolution #140-13		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 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	Withdrawn	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"/>
	Storey	<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"/>

### COMMUNICATIONS

Councilman Miranda moved the following communications; seconded by Councilman Yakubov.

- Request from the residents of Charlotte Terrace (between East Grant and Madison Avenues) to hold a Block Party on Saturday, August 17, 2013 from 12:00 Noon until 8:00 p.m.
- Request from the residents of the 400 block of Hemlock Street to hold a Block Party on Saturday, August 3, 2013 from 10:00 a.m. until 10:00 p.m., with a rain date of Sunday, August 4, 2013.
- Request from the West End Community Center to block off West Clay Avenue from Hexacon Electric Company to West Grant Avenue to hold their Annual Family Picnic on Saturday, September 14, 2013 from 1:00 p.m. until 7:00 p.m. and to use Girl Scout Park for children's activities.
- Request from the Donna Kimmel-Zolli to use Loreti Park on Saturday, August 24, 2013 for a Family Fun Day.
- Request from Tim Villaluz to enhance the "Doll House" building in the corner of Aldene Park and to repaint the exterior of the "Recreation Shed" that houses the sprinkler system of the park in order to successfully complete an "Eagle Project" to obtain the rank of Eagle Scout.

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

- The First Aid Squad is requesting to hold a Cadet Car Wash on Saturday, July 20<sup>th</sup> from 9:00 a.m. to 3:00 p.m.

#### CERTIFICATES/PROCLAMATIONS

##### Certificates

- Church of the Assumption

#### INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Miranda moved at 7:32 p.m. 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:

- Contract Negotiations – Recycling Pick Up
- Potential Litigation – Recycling

#### RESUME REGULAR ORDER OF BUSINESS

Councilman Miranda moved at 8:05 p.m. to resume the regular order of business; seconded by Councilman Casais and adopted.

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

- Contract Negotiations – Recycling Pick Up
- Potential Litigation – Recycling

Councilman Casais made a motion to have Council authorize a termination of the Recycling Contract in the event the contractor fails to meet the requirements provided in the contract at the end of the month; seconded by Councilman Yakubov.

Mr. Huxford asked if this is ongoing into September.

Councilman Casais said this is if he doesn't meet the requirements for the next pick up, which would be July 30<sup>th</sup> and 31<sup>st</sup>; we will terminate effective August 1<sup>st</sup>.

Vote Record – Motion to Terminate Recycling Contract					
		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 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"/>
	Storey	<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"/>

## REPORT AND RECOMMENDATIONS OF MAYOR

- The recycling pick up of July 1<sup>st</sup> and 2<sup>nd</sup> extended until July 9<sup>th</sup>.
- The most recent pick up of July 16<sup>th</sup> and July 17<sup>th</sup> may be completed by July 19<sup>th</sup>.
- These pick ups have been very problematic.
- We have been in constant contact with the owner, employees and advisors to the company.
- There were a series of promises along the way to get the job done; we were comfortable with that.
- We are required as a Council to go out to bid for a major contract such as this.
- By law, we are required to accept the lowest responsible bidder.
- Since we had no basis to turn down the bid, Council voted unanimously to accept the bid of Equipment Rental Services.
- They had done a dry run through our community and everything was set to go.
- As a result, we have the motion that we just passed.
- Hopefully in two weeks time, we will have recycling picked up correctly or will terminate the contract.
- Spoke about the serious number of tax appeals the Borough faces each year.
- If the revaluation had been done two years ago, it would have paid for itself by now.
- Two flyers went out to the community, one for bulk waste and the other for recycling and vegetative waste.
- We now have a dual stream recycling program.
- All cardboard and paper must be bundled.
- Was very proud of the Independence Day Fireworks display.
- Spoke about trying to get valid investors to come into Roselle Park.

- Would like approval from Council to put together a brochure to sell our community to investors.
- Would like something in place by mid October.

Councilwoman Storey asked what kind of investors he is referring to.

Mayor Accardi said they are professional investors.

Councilman Yakubov said it is a good idea to have a brochure to market our community, but he would like to see more information.

Mayor Accardi said we have many bank owned properties and those are the types of properties the United Nations would like to purchase.

Councilwoman Storey said this is something we can all use to promote the town. She said they need to do something more organized than we have in the past.

Councilman Hokanson said he agrees they must sell ourselves and get more ratables into the town; he also likes the idea of the video.

Mayor Accardi said it is something they had talked about. It is something that can be done professionally, but may cost a little more.

Councilman Hokanson made a motion for preparation of brochures in the amount of \$3,000; seconded by Councilwoman Storey and adopted.

### PUBLIC COMMENT

Councilman Casais moved at 8:30 p.m. to open the public comment portion of the meeting; seconded by Councilman Hokanson and adopted.

### Leona Seufert, 22 East Westfield Avenue

- Gave Karen Intile's report on her behalf.
- The Car Show and Karaoke Night went very well.
- Thanked everyone that helped.
- National Night Out is August 6<sup>th</sup>.
- The Roselle Park Community Center Association is sponsoring a picnic in the backyard from 5:00 p.m. to 7:00 p.m.
- Photography Display at the Center.
- Potter's House is hosting a concert on July 20<sup>th</sup>.
- Dance Recital on July 22<sup>nd</sup> at the Community Center
- Lego Building Event at the Library on July 26<sup>th</sup>.
- Gave a summary of the events for August.
- Asked that Mayor and Council write a thank you letter to DJ Jimmy Bond and DJ Charlene for the Karaoke Event at the Center.

- Spoke about coordinating a theater group for a play in the park.

Saul Qersdyn, 150 Berwyn Street

- Spoke about having plays in the park.

Jacob Magiera, 612 Sheridan Avenue

- Spoke about two recycling fiascos.
- Who is responsible for the lack of communication.
- Was contract reviewed and who reviewed it.
- Is the contractor bonded.
- Is a copy of the contract available without submitting an OPRA request.
- Many residents did not receive the recycling flyer.
- Why was there a problem with the bulk waste pick up and is there a written report.
- Did we receive the FEMA money for Hurricane Irene and is there a written report.
- What is the cost per year so far for the present pick up.

Councilman Casais said the contractor has a Performance Bond and if the work is not done according to the contract, we will take back that bond. An OPRA request must be submitted for a copy of the contract. The Finance Committee will compile the report.

Mr. Blum said it was a three year contract for \$126,287.00 or \$3,507.97 per month. He said the second bidder was \$258,500.00. He said he does not recall if they collected the FEMA money, but will double check.

Mr. Magiera asked how many flyers were sent out for recycling.

Councilman Casais said they were sent to every single household in town; but unfortunately, there were some delivery problems with some parts of town. They are trying to remedy that now with the Post Office.

Jeanne Goodis, 152 Berwyn Street

- Spoke about the recycling issue.
- Would have liked to see the recycling contractor come in and address the issue.
- The men working or Council should not take the blame; it was whoever looked at the contract.
- Was the owner ever invited to speak on the issue.
- Has it ever been looked into to have the town do the pick up.
- Spoke about getting more for the kids in town.

There being no one else wishing to speak, Councilman Miranda moved at 8:53 p.m. to close the public portion; seconded by Councilman Casais and adopted.

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

### Councilman Casais

- Had discussions with the Financial Office regarding revaluation.
- It costs the town a lot of money each year for tax appeals.
- Spoke about the recycling issue.
- Attended the fireworks on July 5<sup>th</sup>.
- The fireworks were paid for by donations and other grants.
- Regarding the Water Company work on East Grant and the side streets, if anything needs to be repaired, please let him know.
- The First Aid Squad will have the Cadet Car Wash this weekend.
- The First Aid Squad is working on having a clothing drop off for the Borough.
- One item for Closed Session.

### Councilwoman Storey

- Spoke about the problems with recycling.
- Is hopeful that next time things will go better.

### Councilman Miranda

- Thanked all who attended the Car Show.
- Attended the Municipal Land Use Board Meeting.
- Attended the Municipal Services Meeting.
- In June, the Police Department conducted a seatbelt check; 31 summonses were issued.

### Councilman Yakubov

- August 19<sup>th</sup>, the Historical Society will conduct the Four Centuries Weekend.
- August 19<sup>th</sup>, he will do a presentation on behalf of Caldwell College on career networking and resume skills.
- Thanked the DPW for spraying the poison ivy on Grove Street.
- Would like to go back to awarding Businesses of the Month.
- Attended the Casano Center Meeting.
- Would like to bring in a Pro-Wrestling Event to the Casano Center.
- Attended the Fireworks on July 5<sup>th</sup>.
- Has one item for Closed Session.
- Gave his condolences to the Endler Family.

### Councilman Hokanson

- Attended the Car Show; there was a great turnout.

- Thanked all who attended his meet and greet.
- Attended the fireworks; it was a great show.
- Attended the Union County Transportation Meeting on July 10<sup>th</sup>.
- Met with Councilman Miranda for a Municipal Services Meeting.
- Would like Council to return the use of the “Grandfather Clause” for property owners.

Mark Pasquale – Superintendent of Public Works

- DPW completed the removal of 45 of the 50 stumps from Superstorm Sandy.
- Vegetative waste contractor is doing a good job.
- Jet Vac truck is back from service.
- Faitoute Firehouse is building a control room.
- Contractor for Grant Avenue has removed his equipment from the parking lot and the DPW has power washed the dirt in the lot.

Tom Solfaro – Borough Engineer

- The Water Company has two more weeks on Grant Avenue.
- Updated tax maps have been submitted to the State.
- Received a letter back with their comments, which they are addressing.
- Are in good shape, but not yet State certified.
- Working on the Curb and Sidewalk Program from Superstorm Sandy.
- Locust Street has been paved.
- Faitoute Avenue will be milled and paved in mid-August.
- DOT has sent flyers regarding 2014 program; those applications are due September 20<sup>th</sup>.

Councilman Yakubov asked about the tree removals that will be done on Faitoute Avenue because there are many sidewalks damaged.

Councilman Casais asked about Grant Avenue and the wires that are still there.

Richard Huxford – Borough Attorney

- Has six items for Closed Session.

Doreen Cali – Borough Clerk

- There will be a Special Election on August 13<sup>th</sup>.

Ken Blum – Chief Financial Officer

- Tax bills are being prepared and should be mailed within the next two weeks.
- Due date for third quarter taxes has been extended to August 30<sup>th</sup>.

- This is a final bill; not an estimated bill.
- Any appeals that have been settled are being adjusted in the bills, as well as the Homestead Rebates.
- Sewer bills are now past due.
- Revaluation needs to be considered.
- In 2011, we were over \$132,000.00; in 2012, we were over \$126,000.00; and so far this year, we are over \$107,000.000.
- There are two grants on the agenda this evening.
- At the request of the Fire Department, they are looking to add five additional fire hydrants.
- One personnel item for Closed Session.

**REPORT OF DEPARTMENTS**

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

- Administrative Assistant Report for June 11, 2013 through July 10, 2013
- Police Chief Report for June 2013
- DPW Report for June 2013
- Engineering Report for July 18, 2013

**MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS**

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

- Regular Meeting of June 6, 2013

Vote Record – Minute Acceptance of June 6, 2013					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Torres	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Casais	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Accardi	<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 present voting Aye, said motion was adopted.

**PASSAGE OF ORDINANCES**

**SECOND READING AND PUBLIC HEARING**



ORDINANCE NO. 2386

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,305,200 FOR VARIOUS CAPITAL IMPROVEMENTS BY AND FOR THE BOROUGH OF ROSELLE PARK IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,924,000 IN BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

Councilman Miranda moved to open the public hearing on Ordinance #2386; seconded by Councilman Casais and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Please read what the spending is on this ordinance.

Mayor Accardi said it is for projects around the Borough that is done every year for Capital Budget improvements. The ordinance is available online or in the Clerk's Office for anyone who would like to see it.

- Mr. Magiera asked what is involved with the demolition of the DPW.

Mayor Accardi said in the event we decide to go forward with the Senior Housing Project, we are going to upgrade the DPW facility.

Councilman Casais said the entire project may cost a maximum of 2.6 million dollars. It is the demolition of the old facility and the construction of the new facility.

Saul Qersdyn, 150 Berwyn Street

- Asked how they determine bonding on a project.

Mayor Accardi explained how the bonding process works.

Mr. Blum also explained how a note and permanent bonding works.

There being no one else wishing to speak, Councilman Miranda moved to close the public hearing on Ordinance #2386; seconded by Councilman Casais and adopted.

Councilman Miranda moved that Ordinance #2386 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Casais.

Vote Record – Ordinance #2386						
		Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Torres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Casais	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Storey	<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. 139-13

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 2010 and 2011 on Block 212/Lot 2.01 (otherwise known as 600-610 Westfield Ave., E., Roselle Park, N.J.) at the time assessed in the name of Kenneth C. Duda.

<u>Year</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>Rate</u> =	<u>Refund/Reduction</u>
2010	494,900.	475,000.	19,900.	11.626	\$2,313.57 refund
2011	494,900.	475,000.	19,900.	11.983	\$2,384.61 refund

Refund to: Blau & Blau, Attorneys at Law

### RESOLUTION NO. 141-13

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>
2002	Dodge	1 B3EL56RX2N183415	\$175.00

RESOLUTION NO. 142-13

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey hereby appoint Jesse Atwell, 19 Quincy Avenue, Kearny, New Jersey 07032 to the position of Construction Official/Building Sub Code Official, effective July 20, 2013 for a four year term at the current annual salary of \$25,000.00.

RESOLUTION NO. 143-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Tax Collector hereby authorizes the Treasurer to issue check totaling \$10,368.58 for overpayments of 2013 2<sup>nd</sup> quarter taxes on 5 properties.

RESOLUTION NO. 144-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Tax Collector hereby authorizes the Treasurer to issue checks in the amount of \$6,704.33 payable to multiple lien holders for redemption of Tax Sale Certificates for the meeting of July 18, 2013 (paperwork available in the Tax Office); and

BE IT FURTHER RESOLVED to issue a check in the amount of \$200.00 from the Tax Collectors Premium Account.

RESOLUTION NO. 145-13

RESOLUTION AUTHORIZING EXECUTION OF RIGHT-OF-WAY  
AGREEMENT BETWEEN BOROUGH OF ROSELLE PARK  
AND FIBER TECHNOLOGIES NETWORKS, L.L.C.  
TO PERMIT THE INSTALLATION, USE AND MAINTENANCE  
OF TELECOMMUNICATIONS FACILITIES WITHIN PUBLIC  
RIGHTS-OF-WAY FOR PURPOSES OF PROVIDING  
TELECOMMUNICATIONS SERVICES

WHEREAS, Fiber Technologies Networks, L.L.C. (“Fibertech”), a New York limited liability company, with offices located at 300 Meridian Centre, Rochester, New York, is authorized to provide local exchange and interexchange telecommunications services throughout the State of New Jersey pursuant to an Order issued by the New Jersey Board of Public Utilities (“NJBP”) in Docket No. TE05080683 dated September 14, 2005; and

WHEREAS, Fibertech has requested the consent of the Municipality to occupy public rights-of-way within the Borough of Roselle Park for (“Municipality”) a period of fifty (50) years for the purpose of constructing, installing, operating, repairing, maintaining and replacing a telecommunications system; and

WHEREAS, it is deemed to be in the best interests of the Municipality and its citizenry, particularly including the commercial and industrial citizens, for the Municipality to grant municipal consent to Fibertech to occupy the public rights-of-way within the Municipality for this purpose; and

WHEREAS, the granting of such consent is and shall be conditional upon Fibertech’s continued compliance with all existing and future ordinances of the Municipality and its entering into a written agreement with the Municipality to, inter alia, indemnify and hold the Municipality harmless as to all claims and liability resulting from any injury or damage which may arise from the construction, installation, operation, repair, maintenance, disconnection, replacement and removal of its telecommunications system within certain public rights-of-way and provide liability insurance coverage for personal injury and property damage.

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

1. That non-exclusive consent is hereby granted to Fibertech to occupy the public rights-of-way within the Municipality for the purpose of construction, installation, operation, repair, maintenance and replacement of a telecommunications system for a period of fifty (50) years.
2. The within granted permission is conditioned upon Fibertech entering into the attached Agreement with the Municipality and providing liability and property damage insurance coverage.
3. The Mayor and Municipal Clerk are hereby authorized to execute the attached Agreement.
4. A copy of this Resolution and the executed Agreement shall be filed in the Office of the Municipal Clerk.

#### RESOLUTION NO. 146-13

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 2013 in the sum of \$10,132.74 which item is now available as a revenue from the Alcohol Education and Rehabilitation Fund Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that the like sum of \$10,132.74 is hereby appropriated under the caption of the Alcohol Education and Rehabilitation Fund 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.147-13

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 2013 in the sum of \$19,794.40 which item is now available as a revenue from the Clean Communities Program Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that the like sum of \$19,794.40 is hereby appropriated under the caption of the Clean Communities Program 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. 149-13

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize the extension of the due date for the payment of 3<sup>rd</sup> quarter taxes for the year 2013 until August 30, 2013.

RESOLUTION NO. 150-13

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize installing five new hydrants on the north side of Westfield Avenue in Roselle Park.

Vote Record – Resolutions #139-13, #141-13 to #147-13 and #149-13 to #150-13					
		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 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"/>
	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

RESOLUTION NO. 138-13

BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle Park hereby accept the resignation of Gail Scaglione from the positions of Clerk in the Construction Department and Clerk for the Municipal Land Use Board effective July 23, 2013.

Councilman Hokanson said Gail was an outstanding employee; sorry to see her go.

Councilman Miranda said Gail was a good worker; will be missed.

Vote Record – Resolution #138-13					
		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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Torres	<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"/>
	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following resolution was offered by Councilman Miranda; seconded by Councilman Casais.

RESOLUTION NO. 148-13

BE IT RESOLVED that the Tax Collector is hereby authorized per the Union County Tax Board of New Jersey to issue a reduction and/or refund for County Board Tax Appeals on 87 properties (paperwork available in the Tax Office) located in the Borough of Roselle Park. Refund and/or reduction will be issued accordingly totaling \$107,237.48.

Mayor Accardi said if we did a revaluation, then this money would not have to be spent.

Vote Record – Resolution #148-13					
		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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Torres	<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"/>
	Storey	<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

- Appointment of Edward Hitchcock, 132 Hawthorne Street, Roselle Park, as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Lorraine Hose Company.

## INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Miranda moved at 10:00 p.m. to interrupt the regular order of business for a Closed Session Meeting; seconded by Councilman Yakubov and adopted.

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

- Potential Litigation – Markthaler Place
- Negotiations – Sale of Borough Property
- Litigation – Selecky vs. Roselle Park
- Litigation – Szabo vs. Roselle Park
- Litigation – D’Agostino vs. Roselle Park
- Litigation – Stender vs. Roselle Park
- Litigation – Mruk vs. Roselle Park
- Litigation – DEP vs. Occidental
- Personnel Matter

## RESUME REGULAR ORDER OF BUSINESS

Councilman Miranda moved at 11:10 p.m. to resume the regular order of business; seconded by Councilwoman Storey and adopted.

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

- Potential Litigation – Markthaler Place
- Negotiations – Sale of Borough Property
- Litigation – Selecky vs. Roselle Park
- Litigation – Szabo vs. Roselle Park
- Litigation – D’Agostino vs. Roselle Park
- Litigation – Stender vs. Roselle Park
- Litigation – Mruk vs. Roselle Park
- Litigation – DEP vs. Occidental
- Personnel Matter

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

Attest:

Borough Clerk