

Borough of Roselle Park Meeting of September 19, 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	A	--
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 7:02 p.m. and said it is being held in accordance with the Open Public Meetings Act and adequate notice of this meeting has been provided as required by law.

All contracts awarded by Mayor and Council must comply with the affirmative action requirements of P.L. 1975, C.172. (NJAC 17:27).

As required by the Fire Prevention Code, he indicated the fire exits and the procedure to be followed in case of fire.

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

COMMUNICATIONS

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

- Request from the Roselle Park High School Marching Band to have “No Parking” signs placed on West Webster Avenue between Laurel Avenue and Larch Street from 2:00 p.m. to 11:00 p.m. on Saturday, October 12, 2012 for their Tournament of Bands Competition and use of the DPW and Commuter lots to assist with the parking of buses. Also requesting a Police Officer to provide crowd control and security, and to have an ambulance on site.

Mayor Accardi said this request is granted with the conditions that if Roselle Park vehicles and Roselle Park personnel are not available to cover, then the Marching Band has to find their own Police and First Aid representatives.

PUBLIC HEARING OF 2012-2013 ROSELLE PARK SPECIAL IMPROVEMENT DISTRICT MANAGEMENT CORPORATION BUDGET

Councilman Yakubov moved to open the public hearing on the 2012-2013 Roselle Park Special Improvement District Management Corporation Budget; seconded by Councilman Hokanson and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Elaborate on what is going on with SID.

Mayor Accardi said they will be putting up signs, sponsoring banners, helping with downtown clean up and more.

- Mr. Magiera asked how is the collection rate of the SID tax.

Mr. Blum said the prior bill was a little over \$42,000; then there was an adjustment made and there is still a bill remaining.

There being no one else wishing to speak, Councilman Yakubov moved to close the public hearing on the 2012-2013 Roselle Park Special Improvement District Management Corporation Budget; seconded by Councilman Hokanson and adopted.

PUBLIC HEARING OF 2013-2014 ROSELLE PARK SPECIAL IMPROVEMENT DISTRICT MANAGEMENT CORPORATION BUDGET

Councilman Yakubov moved to open the public hearing on the 2013-2014 Roselle Park Special Improvement District Management Corporation Budget; seconded by Councilman Hokanson and adopted.

Saul Qersdyn, 150 Berwyn Street

- Regarding the 2013 SID Budget, what is the percentage.

Mr. Blum said the 2013 and 2014 Budget was set at \$39,035. Taking into consideration with the appeals, it works out at the same rate. There is one individual that has a PILOT.

Mr. Mike Pasqua said he will be making a contribution to the SID.

Mr. Qersdyn asked if the Church is included.

Mayor Accardi said the Church is in the district, but does not pay taxes.

There being no one else wishing to speak, Councilman Yakubov moved to close the public hearing on the 2013-2014 Roselle Park Special Improvement District Management Corporation Budget; seconded by Councilman Hokanson and adopted.

RESOLUTIONS

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

RESOLUTION NO. 180-13

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Special Improvement District Budget for year 2012,

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Roselle Park that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated in the sums therein set forth as appropriation, and authorization of the amount of \$41,782.

REVENUES

CARRYOVER FUNDS FROM YEAR I	39,282
MAGAZINE ADS: 1 issue	<u>2,500</u>
TOTAL	41,782

EXPENSES

MARKETING (21.1%)

SID LOGO	750
WEBPAGE ONLY	0
SID Frequent Purchase Card/GC	2,070
MAGAZINE	6,000
RR CONCIERGE DAYS	<u>0</u>
	8,820

PHYSICAL IMPROVEMENTS (26.2%)

DISTRICT SIGNS	3,028
SPECIAL PROJECTS	<u>7,930</u>
	10,958

MANAGEMENT & OFFICE (33.5%)

14,000

OPERATIONS (14.2%)

AUDIT/990	2,400
OFFICE SUPPLIES	500
INSURANCES	2,100
PHONE	<u>940</u>
	5,940

RESERVE (5%)

2,064

TOTAL	41,782
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Vote Record – Resolution #180-13					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Yakubov; seconded by Councilwoman Torres.

RESOLUTION NO. 181-13

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Special Improvement District Budget for year 2013,

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Roselle Park that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated in the sums therein set forth as appropriation, and authorization of the amount of \$57,035.

REVENUES

SID 2011-13 CARRYOVER FUNDS	13,000
*SID ASSESSMENT: property tax surcharge	39,035
MAGAZINE ADS (2 issues); MISCELLANEOUS	<u>5,000</u>
TOTAL	57,035

**NOTE: \$33,000 is based on 85% collection rate in 2011-12 and result of tax appeals*

EXPENSES

MARKETING (33%)

WEBSITE	360
SID FREQUENT PURCHASE CARD/GC	2,100
MAGAZINE	14,000
FREE CUSTOMER PARKING (2 municipal lots)	1,000
SUMMERFEST 2013-14	<u>1,360</u>
	18,820

PHYSICAL IMPROVEMENTS (14%)

BEAUTIFICATION	8,000
MANAGEMENT & OFFICE (29.5%)	16,830

OPERATIONS (5.8%)

AUDIT/990	600
OFFICE SUPPLIES	600
INSURANCES	<u>2,100</u>
	3,300

RESERVE (17.7%)	<u>10,085</u>
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TOTAL 57,035

Vote Record – Resolution #181-13						
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Casais	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

REPORTS AND RECOMMENDATIONS OF MAYOR

- The SID is now a part of the Roselle Park community.
- All the stores on Chestnut Street are now occupied.
- There are many current businesses expanding.
- Seeing an increase in property values.
- There has been an elimination of some bank owned properties.
- There is the expansion of businesses on Westfield Avenue.
- Trying to get investors to come into Roselle Park.
- Will be putting together a brochure on his own; withdrawing his request for funds.
- Has one item for Closed Session.

CERTIFICATES AND PROCLAMATIONS

Certificates

- Eugene Maglietta

REPORTS OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Yakubov

- Roselle Park High School will present “Another Night on Broadway” at the High School on September 27th at 7:30 p.m.
- Scheduled a Community Watch Meeting on October 21st in Borough Hall; all are welcome.
- Working on signage for West Colfax Avenue.
- Thanked the Police Department for their work on this project.
- It will eliminate the need for parking permits in the area.
- Would like to schedule the audit for the BPU to assess the energy use.

Councilman Hokanson

- 9/11 Ceremony was an outstanding event; thanked everyone that attended.
- Thanked Mark Pasquale from the DPW, who picked up the steel.
- Thanked Gretchen DeMarco for her work.
- Thanked the Board of Education for the equipment that was used.

- Attended the Board of Health Meeting on September 17th.
- Has the Dog and Cat Report for July and August.
- September 22nd, the Knights will hold a Pancake Breakfast.
- September 25th from 6:00 p.m. to 8:00 p.m., will have his “Meet and Greet” at Costa’s Restaurant; everyone is welcome.
- September 28th, Kevin Murphy and he will be doing “Operation Chill” at the Roselle Park First Aid Squad Building.
- Will be collecting donations of new clothes, personal items, etc. for the homeless veterans of New Jersey.

Councilman Casais

- Attended the Joint Meeting of Union and Essex Counties.
- 9/11 Ceremony was very well done.
- Thanked the Mayor for getting the steel.
- Thanked Councilman Hokanson for coordinating the event.
- Thanked all the Roselle Park first responders for being present.
- Will be discussing third party energy.
- Attended the Library Trustees Meeting.
- County Clerk Joanne Rajoppi has written a book about the Civil War; will be at the Library on October 15th at 6:30 p.m.

Councilman Hokanson asked if they could change the time of the 9/11 Ceremony, because Kenilworth holds theirs at the same time.

Mayor Accardi said they can contact the Mayor of Kenilworth.

Councilman Yakubov said there will be a Townwide Cleanup on September 28th; will meet at the Gazebo between 8:30 a.m. and 9:30 a.m.

Tom Solfaro – Borough Engineer

- The Borough was awarded a JNDOT Municipal Aid Grant for FY 2012 in the amount of \$205,000.
- The tax maps have been sent out for certification.
- NEA continues to evaluate all relevant project data in preparing the Infiltration/Inflow report.
- West Grant Avenue Improvements Project is complete, subject to punch list remediation.
- Application for the NJDOT FY 2014 Municipal Aid Programs are due by September 20, 2013.
- Bids were received for the Aldene Park Phase III Improvements.
- The Borough has awarded the Storm Damaged Curbs and Sidewalks to PA Contractors of Kearny, New Jersey in the amount of \$43,935.00.
- Bids were received for Miscellaneous Spot Concrete Improvements.

- Bids were received for Clover Place Improvements.

Richard Huxford – Borough Attorney

- Has one item for Closed Session.

Doreen Cali – Borough Clerk

- Resolution #188-13 is a person to person transfer for Solar do Minho with special conditions.
- Two properties: Willow Avenue and West Roselle Avenue are on the agenda.

REPORTS OF DEPARTMENTS

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

- Administrative Assistant Report for August 10, 2013 through September 10, 2013
- Municipal Court Report for August, 2013

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

MAYOR ACCARDI:

- Appointment of Bobby Brennan, 625 Willow Avenue, Roselle Park as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Faitoute Hose Company.

PUBLIC COMMENT

Councilman Casais moved to open the public comment portion of the meeting; seconded by Councilman Yakubov and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Explain Resolutions #182-13 and #182-13.
- Asked the time of the Neighborhood Watch Meeting.
- Update on the Leberco property; is the building going to be demolished.
- Update on the repair of TV34.
- At the August 15th Meeting, it was said not one penny would be charged to the residents for the residential distribution system improvement by New Jersey American Water.
- Has a copy of his water bill with him.
- Was charged 1 cent in August and 41 cents in September.

Mayor Accardi addressed Mr. Magiera follows:

- Resolutions #182-13 and 183-13 are to fill our COAH obligation.
- Do not know at this time if the Leberco property will be demolished or refurbished.
- TV34 has had technical difficulties; experts have been in to look at the system.
- Regarding the water bill, New Jersey American Water is private under the BPU and are covered by the BPU.
- Suggested he contact New Jersey American Water regarding his water bill.

Kevin Murphy, 115 Pershing Avenue

- Presented Mayor and Council with a Certificate of Appreciation from the Veterans Chamber of Commerce New Jersey.
- Will be conducting a Back Pack program on Saturday.
- Will be delivering back packs from December through mid-January and will be collecting items for them.
- Will consist of 12 New Jersey Counties, parts of eastern Pennsylvania and also Rockland County, New York.
- Collecting only new and unused warm clothing, toiletries, survival gear, etc. for homeless men, women and children.

Saul Qersdyn, 150 Berwyn Street

- Explain Resolution #178-13.
- Asked about the rate for Resolutions #182-13 and #183-13.
- Explain Resolution #191-13.
- Explain tax map problems.

Mayor Accardi said Resolution #191-13 is to amend an agreement pertaining to health benefits for Warren Wielgus and his spouse. Regarding the tax maps, there are still some issues that had to be addressed.

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

MOTION BILLS & PAYROLLS BE NOT READ
MOTION BILLS & PAYROLLS BE PASSED FOR PAYMENT

Councilman Yakubov 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.

INTRODUCTION

ORDINANCE NO. 2390

AN ORDINANCE AMENDING CHAPTER X, SECTION 10-4.1
 OF THE CODE OF THE BOROUGH OF ROSELLE PARK
 REGARDING FEES FOR RECREATION

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter X, Section 10-4.1 of the Borough Code is hereby amended as follows:

SECTION 1.

10-4.1 Fees Enumerated

Wrestling:

K & 1 st Grade	\$ 55.00
2 nd – 8 th Grade	\$ 75.00
Family (3 or more)	\$155.00
Tournament Entry	\$ 20.00
T-Shirt	\$ 8.00
Hoodie	\$ 27.00
Shorts	\$ 12.00
Bag	\$ 7.00
Special Circumstances	\$ 0
Singlet not returned	\$100.00

SECTION 2. If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this ordinance.

SECTION 3. All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4. This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Councilman Yakubov moved that Ordinance No. 2390 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on October 3, 2013; seconded by Councilman Casais.

Vote Record – Ordinance #2390		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

ORDINANCE NO. 2391

**AN ORDINANCE AMENDING ORDINANCE 2366
FIXING THE MINIMUM AND MAXIMUM SALARY OF ZONING OFFICER
OF THE BOROUGH OF ROSELLE PARK,
IN THE COUNTY OF UNION, STATE OF NEW JERSEY**

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. The following named official of the Borough of Roselle Park shall be entitled to an annual salary as hereinafter set forth

	<u>Minimum</u>	<u>Maximum</u>
Zoning Officer	\$ 500.00	\$15,000.00

SECTION II. The salaries and wages fixed pursuant to Section II shall be payable in 26 equal installments or in such installments as may hereafter be determined by resolution of the Governing Body. Said salaries shall be in lieu of all fees which may be collected by said employees.

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

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

Councilman Yakubov moved that Ordinance No. 2391 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on October 3, 2013; seconded by Councilman Casais.

Vote Record – Ordinance #2391					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

ORDINANCE NO. 2392

**AN ORDINANCE AMENDING CHAPTER XL, SECTION 40-2106
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
REGARDING OFF-STREET PARKING REQUIREMENTS**

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter XL, Section 40-2106 of the Borough Code is hereby amended as follows:

SECTION 1.

A. The minimum off-street parking requirements for all buildings housing general business or professional offices shall be one (1) parking space per two hundred fifty (250) square feet of gross floor area.

B. Any landlord or tenant that wishes to occupy or rent any pre-existing building in the B-3 Zone for their business, and only if the use is permitted but does not meet the borough parking requirements, shall have the aforementioned parking requirements waived. This does not apply to new construction in the zone.

SECTION 2. If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this ordinance.

SECTION 3. All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4. This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Councilman Yakubov moved that Ordinance No. 2392 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on November 7, 2013; seconded by Councilman Casais.

Vote Record – Ordinance #2392					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

ORDINANCE NO. 2393

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-15 “PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS” OF THE CODE OF THE BOROUGH OF ROSELLE PARK (MYRTLE AVENUE)

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter VII, Section 7-15 “Parking Prohibited During Certain Hours on Certain Streets” of the Borough Code is hereby amended as follows.

SECTION 1:

<u>Name of Street</u>	<u>Side</u>	<u>Hours and Days</u>	<u>Location</u>
Myrtle	North West	7:00 am – 9:00 am 2:00 pm – 4:00 pm Monday – Friday School Days Only	Northwest corner of Myrtle Avenue and West Webster Avenue from the northern most crosswalk line. Travel North 120 feet and place a line to begin a parking space and continue 20 feet North to end line of space For Visually Impaired Student Parking Only

SECTION 2: All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 3: If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

SECTION 4: This Ordinance shall take effect at the time and in the manner prescribed by law.

Councilman Yakubov moved that Ordinance No. 2393 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on October 3, 2013; seconded by Councilman Casais.

Vote Record – Ordinance #2393					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	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"/>

RESOLUTIONS

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

RESOLUTION NO. 178-13

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize the agreement between the County of Union and the Borough of Roselle Park for participation at the Leaf Composting Facility for the 2013 leaf season; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the Memorandum of Understanding and an Indemnification Agreement regarding Union County's Leaf Composting Facility.

RESOLUTION NO. 179-13

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 \$1,806.28 payable to Sunwest Mortgage Co., Inc. for an overpayment of 2013 2nd quarter taxes on Block 128/Lot 2 (otherwise known as 511 Willow Ave., Roselle Park, N.J.) and assessed in the name of William Jr. & Lolita Larobis, et al. Refund to Sunwest per bank's request.

RESOLUTION NO. 182-13

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract to ABE Home Improvements, LLC in the amount of \$19,700 for the project Roselle Park Home Improvement Program Block 109/Lot 5.

RESOLUTION NO. 183-13

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract to ABE Home Improvements, LLC in the amount of \$24,850 for the project Roselle Park Home Improvement Program Block 206/Lot 8.

RESOLUTION NO. 184-13

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 totaling \$7,521.93 payable to

multiple lien holders for redemption of five (5) Tax Sale Certificates for the meeting of September 19, 2013 (paperwork available in the Tax Office); and

BE IT FURTHER RESOLVED to issue checks totaling \$2,500.00 from the Tax Collectors Premium Account.

RESOLUTION NO. 185-13

WHEREAS, the Borough of Roselle Park wishes to purchase Scott Air Packs and Scott Air Pack Bottles from an authorized vendor under the State of New Jersey Cooperative Purchasing 1-NJCP; and

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

WHEREAS, NJ Fire Equipment, 923 North Washington Avenue, Greenbrook, New Jersey 08812 has been awarded New Jersey State Contract Number A80961; and

WHEREAS, the actual cost for eight Scott Air Packs and ten 45 Minute Scott Air Pack Bottles is expected not to exceed \$52,880.00; now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that NJ Fire Equipment of Greenbrook, New Jersey be awarded the contract for eight Scott Air Packs and ten 45 Minute Scott Air Pack Bottles.

RESOLUTION NO. 188-13

WHEREAS, application has been made for a person-to-person transfer of Retail Consumption Liquor License No. 2015-33-012-004 previously issued to Solar Do Minhó II Inc, 147 West Westfield Avenue, Roselle Park, NJ, and

WHEREAS, application has been made to the Mayor and Council of the Borough of Roselle Park for a person-to-person transfer of the said license, which would transfer same from the existing license to Gourmet Food Merchant LLC. t/a The Castle, and

WHEREAS, the proposed transfer has been properly advertised, a police investigation has been completed, all state and local ABC regulations having been complied with and all fees having been paid; and

WHEREAS, the applicant has disclosed and the Borough of Roselle Park has reviewed the source of all funds used in the purchase of the aforesaid license and business and all additional financing obtained in connection with said licensed business; and

WHEREAS, there were a number of complaints, from the surrounding neighborhood, regarding the excessive noise coming from the applicant's place of business; and

WHEREAS, despite representations to the contrary, those complaints remained unsatisfied and unheeded; and

WHEREAS, the applicant is hereby put on notice that said licensee must comply with the Peace and Good Order Ordinance (Chapter III, Section 3-9 of the Code of the Borough of Roselle Park) and continued violation will result in the issuance of summonses; and

WHEREAS, it is a penalty of the Alcoholic Beverage Control for licensee to serve alcoholic beverages in the unlicensed garden area and, any and all violations will be subject to disciplinary charges being brought against said licensee; and

WHEREAS, an incident occurred on 1/1/11 at Plenary Retail Consumption License #2015-33-012-003, known as Solar Do Minhó II Inc. Restaurant, located at 147 West Westfield

Avenue, Roselle Park, which required the assistance of seven additional municipal police departments to get the situation under control; and

WHEREAS, said license was cited in violation of N.J.A.C. 13:2-23.6(a) 3 and charges were preferred against the holder of Plenary Retail Consumption License #2015-33-012-003; and

WHEREAS, a disciplinary hearing was held on April 12, 2011, and, the holder of license #2015-33-012-003 plead guilty to the above charges, and

WHEREAS, the owner of Alcoholic Beverage License #2015-33-012-003 hereby agreed by written agreement to the following terms and special conditions, and these special conditions will be reviewed on a yearly basis and may be amended or removed, now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that approval is hereby granted to allow the person-to-person transfer from Solar Do Minhó II Inc. to Gourmet Food Merchant LLC. t/a The Castle, effective September 19, 2013 (subject to special conditions imposed outlined below.)

1. Owner will forward copies of all signed contracts for rental/use of any/all rooms seven days prior to date of use to the Police Chief; and will follow the recommendations of the Police Chief.
2. Owner will notify the Police Chief of all holiday events seven days prior to event and will follow the recommendations of the Police Chief.
3. The applicant shall not allow any music, exterior to the building, regardless of whether it is amplified or live;

RESOLUTION NO. 190-13

RESOLVED that Arthur Dodd, 609 Chestnut Street, Roselle Park be and is hereby appointed as an Alternate School Crossing Guard, effective immediately, at the rate of \$61.07 per day.

RESOLUTION NO. 191-13

WHEREAS, the Borough and Warren Wielgus are parties to an Agreement dated May 16, 2011 and approved by Resolution 119-11, adopted on May 19, 2011, concerning, generally, retiree health benefits for Wielgus and his spouse; and

WHEREAS, the Borough of Roselle Park wishes to amend that agreement.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Roselle Park approves the Amendment to the aforementioned Agreement in substantially the form attached thereto; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are authorized to execute the document required to establish such agreement.

RESOLUTION NO. 193-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey upon the recommendation of the Borough Engineer, Michael J. Neglia, that the Contract for:

Municipal Spot Sidewalk Improvements

be awarded to P.A. Contractors, Inc., 105 Davis Avenue, Kearny, New Jersey 07032 for the sum of Six Dollars and thirty five cents (\$6.35) per square foot in the amount not to exceed \$50,000. This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 194-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey upon the recommendation of the Borough Engineer, Michael J. Neglia, that the Contract for:

Clover Place Roadway Improvements

be awarded to Cifelli & Sons General Contracting Inc, 81 Franklin Avenue, Nutley, NJ 07110 for the sum of Seventy Two Thousand Eight Hundred Ten Dollars (\$72,810.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 195-13

WHEREAS N.J.S.A. 40A:12-13.2, Sales of real property: right of first refusal of contiguous owners, states, Notwithstanding any provision of law to the contrary, whenever any municipality intends to sell real property which is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvements thereon, it shall accord the owner or owners of any real property contiguous to such real property the right to prior refusal to purchase such land;

NOW THEREFORE BE IT RESOLVED that the Borough Clerk and Town Attorney be and hereby authorized to negotiate offer to purchase, or the right to refusal of a portion of Block 111/Lot 3, 609 Willow Avenue in the Borough of Roselle Park to contiguous owners in the amount of \$30,000.

RESOLUTION NO. 196-13

WHEREAS N.J.S.A. 40A:12-13.2, Sales of real property: right of first refusal of contiguous owners, states, Notwithstanding any provision of law to the contrary, whenever any municipality intends to sell real property which is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvements thereon, it shall accord the owner or owners of any real property contiguous to such real property the right to prior refusal to purchase such land;

NOW THEREFORE BE IT RESOLVED that the Borough Clerk and Town Attorney be and hereby authorized to negotiate offer to purchase, or the right to refusal of a portion of Block 402/Lot 1, 171 West Roselle Avenue in the Borough of Roselle Park to contiguous owners in the amount of \$2,500.

Prior to vote on Consent Agenda, Councilman Hokanson said he was going to abstain on Resolution No. 191-13.

Vote Record – Resolutions #178-13 & #179-13; #182-13 to #185-13; #188-13; #190-13 & #191-13; and #193-13 to #196-13					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 resolution was offered by Councilman Yakubov; seconded by Councilman Casais.

RESOLUTION NO. 186-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the resignation of Ashley Munoz from the position of Dispatcher in the Roselle Park Police Department, effective September 16, 2013, be and is hereby accepted.

Vote Record – Resolution #186-13					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 resolution was offered by Councilman Yakubov; seconded by Councilman Casais.

RESOLUTION NO. 187-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey upon the recommendation of the Borough Engineer, Michael J. Neglia, that the Contract for:

Aldene Park Playground Phase III

be awarded to Rich Picerno Builders, 50 Hoiles Drive, Kenilworth, NJ 07033 for the sum of Forty Three Thousand Two Hundred Ten Dollars (\$43,210.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

Vote Record – Resolution #187-13					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 resolution was offered by Councilman Hokanson; seconded by Councilwoman Torres.

RESOLUTION NO. 189-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the retirement of Eugene Maglietta from the position of full time School Crossing Guard, effective immediately, be and is hereby accepted.

Councilman Hokanson congratulated Mr. Maglietta on his retirement. He took his job seriously and was always on his post.

Mayor Accardi congratulated Mr. Maglietta on his retirement.

Vote Record – Resolution #189-13		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 resolution was offered by Councilman Yakubov; seconded by Councilman Casais.

RESOLUTION NO. 192-13

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey upon the recommendation of the Borough Engineer, Michael J. Neglia, that the Contract for:

East Grant Avenue Improvements Phase III A

be awarded to Cifelli & Sons General Contracting Inc, 81 Franklin Avenue, Nutley, NJ 07110 for the sum of Six Hundred Nine Thousand Twelve Dollars (\$609,012.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

Councilman Casais asked if the project will be done next fall.

Mr. Solfaro said he spoke to the contractor and there is a lot of concrete and other work to be done.

Councilman Casais said the road surface is what concerns him the most.

Mayor Accardi said the contractor must understand this has been a project that has been going on for a year now.

Vote Record – Resolution #192-13					
		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	Hokanson <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Torres <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	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"/>

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL (CONTINUED)

MAYOR ACCARDI:

- Appointment of Vinny Picarelli, 714 Hamilton Street, Roselle Park as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Faitoute Hose Company.
- Appointment of Saul Qersdyn to the TV34 Ad Hoc Committee.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Yakubov moved at 8:40 p.m. to interrupt the regular order of business for a Closed Session Meeting; seconded by Councilwoman Torres and adopted.

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

- Litigation – Stender vs. Roselle Park
- Litigation – State of New Jersey vs. Fitness with Jeannie
- Potential Litigation – Foy

RESUME REGULAR ORDER OF BUSINESS

Councilwoman Torres moved at 8:54 p.m. 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:

- Litigation – Stender vs. Roselle Park
- Litigation – State of New Jersey vs. Fitness with Jeannie
- Potential Litigation – Foy

There being no further business to come before the meeting, Councilman Casais moved at 8:56 p.m. to adjourn; seconded by Councilman Hokanson and adopted.

Attest:

Borough Clerk