

**Borough of Roselle Park Meeting of February 6, 2014**

<b>Attendee Name</b>	<b>Organization</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Michael Yakubov	Borough of Roselle Park	Councilman	P	7:00 PM
Carl Hokanson	Borough of Roselle Park	Councilman	P	7:00 PM
Andrew Casais	Borough of Roselle Park	Councilman	P	7:00 PM
Charlene Storey	Borough of Roselle Park	Councilwoman	P	7:00 PM
Ryan Kelly	Borough of Roselle Park	Councilman	P	7:00 PM
Gino Elmarassy	Borough of Roselle Park	Councilman	P	7:00 PM
Joseph Accardi	Borough of Roselle Park	Mayor	P	7:00 PM

Mayor Accardi called the meeting to order at 7:00 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.

**RESOLUTIONS**

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

**RESOLUTION NO. 44-14**

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the resignation of Joseph Iannone’s from the position of Police Officer for the Roselle Park Police Department, effective January 27, 2014, be and is hereby accepted.

<b><u>Vote Record – Resolution #44-14</u></b>		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Elmarassy	<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 Hokanson; seconded by Councilman Casais.

RESOLUTION NO. 45-14

BE IT RESOLVED that is Kyle Lamar, 1309 Cable Avenue, Beachwood, New Jersey 08722 is hereby appointed to the position of Probationary Police Officer (7-12 months) in the Roselle Park Police Department, at an annual salary of \$51,946.53 effective February 17, 2014 for a 12 month period ending February 17, 2015.

<input type="checkbox"/> Vote Record – Resolution #45-14		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"/>
	Hokanson	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MAYOR’S REPORT

- Spoke about the two recent snowfalls
- The DPW and Office of Emergency Management has been very active as a result of the Governor declaring a State of Emergency in New Jersey.
- The most recent snowfall was more difficult to move out of the way.
- We were concerned with the salt supply.

REPORTS OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilwoman Storey

- Thanked Councilman Hokanson for filling in for her at the TV34 Technical Meeting; the Committee is making good progress.
- Attended the New Jersey League of Municipalities Training Session for newly elected officials.
- Thanked the DPW for doing a great job with the snow.

Councilman Kelly

- Thanked the DPW for the phenomenal work with the snow.
- Spoke about the water main break on Chestnut Street.
- Thanked Fire Chief Signorello for updates on the break.
- The Board of Education Meeting has been scheduled for February 18<sup>th</sup> at 7:00 p.m.

Councilman Elmarassy

- Thanked the DPW for the good job they did with the snow removal.
- Attended the New Jersey League of Municipalities training.
- Attended the anti-bullying presentation at the Middle School.

- Thanked Manny Jimenez for his help in an arrest.
- Congratulated the new Police Officer.

#### Councilman Yakubov

- The Community Watch Meeting was cancelled in January due to the weather; would like to reschedule it for March 11<sup>th</sup>.
- DPW did an incredible job during the snow storms.
- There was one issue on West Sumner Avenue, which was not Borough property.
- The Borough Attorney is checking with the JIIF to schedule a date for ethics training for Council.
- Congratulated the Trezza Family on the birth of their son.

#### Councilman Hokanson

- January 17<sup>th</sup>, attended the Free Throw Basketball Contest.
- January 18<sup>th</sup>, attended the Concerned Citizens Meeting.
- January 28<sup>th</sup>, attended the anti-bullying presentation given by the Board of Education.
- Thanked residents who volunteered and the Knights of Columbus #3240 for their assistance at the Special Olympics Bowling Event in New Brunswick.
- Attended the TV 34 Technology Committee Meeting.
- February 9<sup>th</sup>, the Climax Brewery hosted a fundraiser for disabled veterans from 6:00 p.m. to 8:00 p.m.
- Still collecting for Operation Chillout.
- There is a Board of Health Meeting scheduled for February 11<sup>th</sup>.
- Spoke about the TNR ordinance that is up for introduction.
- Welcomed back the Borough Clerk.

#### Councilman Casais

- Thanked the DPW for a job well done on the snow removal.
- Attended the Public Safety Meeting.
- Attended the Finance Committee Meeting on January 30<sup>th</sup>.
- There is a Budget Meeting scheduled for February 12<sup>th</sup> at 6:00 p.m. in the Conference Room.

Councilman Hokanson said he would like to see a standard parking ordinance for snow clean up for the Borough. When driving around, he noticed many homes with driveways that are not being used. There are many cars still on the streets covered from the first snow storm. Also, many homeowners are not digging out the fire hydrants, which is their responsibility.

Mayor Accardi said there are multiple cars in homes now and many people are parking them in the street, rather than using their driveways. He encouraged Councilman Hokanson to lead the charge and put together an ordinance.

Councilman Hokanson said he would sit with the Police Chief and DPW to do that.

Mayor Accardi spoke about the problems of people shoveling the snow into the street. There are many cars parked on both sides of the streets and driveways were empty.

Councilman Yakubov asked them to consider the issues of parking on Jerome Street and Valley Road.

#### Joseph Signorello – Fire Chief

- Spoke about the power outage that occurred due to a fire at the substation.
- Reported on removing snow from hydrants.
- Asked that residents park close to curbs.
- DPW did a fantastic job.

#### Mark Pasquali & Rich Graves – Department of Public Works

- Reported on the status of the salt supply; have an order in for more salt.
- Spoke about plowing issues with vehicles parked on the street.

Councilman Casais commended the DPW on being proactive with having salt available.

#### Paul Morrison – Police Chief

- Spoke about vehicles parked on the street during storms; it is a public safety issue.
- They had to tow vehicles off the streets.
- Acknowledged Manny Jimenez for assisting with the apprehension of a shop lifter during off duty time.
- Met with the School Superintendent regarding school security.
- One of the big concerns is the polling places in the schools.
- Would like to see the schools closed on Election Day.
- Thanked the DPW for the outstanding job they did during the snow storms.

#### Tom Solfaro – Borough Engineer

- Gave updates on construction jobs.
- Working on other capital projects.
- Working on stream improvements behind the movie theater on Chestnut Street.
- Working on the est. Lincoln Avenue improvements.
- Scheduled to meet with the Union County Development Block Grant Committee on February 11<sup>th</sup>.
- There are minor revisions on the tax maps; they have been submitted to the State.
- 35 % to 40% complete with the design of the new Public Works building.
- Phase III of Aldene has been completed.

Ms. Cali said there is more work that can be done on the park, but Council decided not to spend any more money. Matching grants can be applied for if Council so chooses. There were only three phases because there was only so much money to work with.

Richard Huxford – Borough Attorney

- JIIF will get back to him in the next week with dates for the ethics training for Council.
- Has four items for Closed Session.

Doreen Cali – Borough Clerk

- Due to her and the Deputy Clerk’s absence, the minutes are behind and will be on the agenda for the next meeting.
- A second dog and cat license reminder went out.

Ken Blum – Chief Financial Officer

- A Budget Meeting is scheduled to February 12<sup>th</sup> at 6:00 p.m. in the Conference Room.

REPORTS OF DEPARTMENTS

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

<input type="checkbox"/> Vote Record – Reports		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 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 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"/>

PUBLIC COMMENT

Councilman Hokanson moved at 8:09 p.m. to open the public comment portion of the meeting; seconded by Councilman Casais and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Spoke about problems with TV34.
- Large spending over \$500,000 should be put on a referendum.
- There should be more communication with the general public.
- There should be a committee for snow.
- Many storm sewers were blocked.

- Explain resolutions #47-14, #49-14 and #52-14.

Saul Qersdyn, 150 Berwyn Street

- The Community Watch Meeting will be at 6:30 p.m.
- Many driveways are not being used.
- Is Resolution #48-14 a stipend or salary
- Spoke about cat colony ordinance and the license procedure.

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

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

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

<input type="checkbox"/> <b>Vote Record – Motion Bills and Payrolls</b>					
		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yakubov	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Miranda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Torres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Casais	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	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"/>

ORDINANCES

INTRODUCTION

ORDINANCE NO. 2397

**AN ORDINANCE PERMITTING THE MANAGED CARE  
OF FERAL CATS IN THE BOROUGH OF ROSELLE PARK**

WHEREAS, the present goals of Trap, Neuter and Return (TNR) programs are to humanely and non-lethally reduce the number of feral cats, reduce feral cat predation and other adverse impact on wildlife, and benefit public health; and

WHEREAS, there are no governmental or privately operated programs in the Borough of Roselle Park to care for feral cats; and

WHEREAS, the population of feral cats has been increasing in the Borough of Roselle Park; and

WHEREAS, communities throughout the United States have found that current non-TNR practices for the control of feral cats have not been effective in reducing their numbers;

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

## SECTION 1. Definitions

For the purpose of this Ordinance, the following terms shall have the meaning set forth in this Section. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, words in the singular number include the plural, and words in the male gender include the female gender.

Caregiver means a person with animal welfare as its main purpose that agrees to comply with the requirements of caring for an approved colony as set forth in this Ordinance. The Caregiver is the person who provides food, water or shelter to and/or otherwise cares for a Feral Cat Colony. Said Caregiver must provide written notice to the Mayor and Council that it desires to serve as a Caregiver, and may be approved by the Mayor and Council within its discretion.

Companion Cat as used in this Ordinance means a cat which is currently socialized to humans.

Eartipping means straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized.

Feral Cat means a cat which currently exists in a wild or untamed state.

Feral Cat Colony means a group of cats, not to exceed ten (10) cats at any one time that congregates.

Nuisance means disturbing the peace by (a) habitually or continually howling, crying or screaming, or (b) the habitual and significant destruction, desecration or soiling of property against the wishes of the owner of the property.

Suitable Shelter means shelter that provides protection from rain, sun, and other elements and is adequate to protect the health of the cat.

TNR means Trap, Neuter and Return.

TNR Program means a program pursuant to which cats are trapped, neutered or spayed, vaccinated against rabies, eartipped and returned to the current location where they congregate at the sole cost of the colony sponsor/caregiver.

## SECTION 2. Feral Cat Colonies Permitted

Feral Cat Colonies may be permitted and Caregivers may be entitled to maintain them in accordance with the terms and conditions of this Ordinance. The Mayor and Council reserves the right to limit the number of colonies permitted in the Borough of Roselle Park.

## SECTION 3. Caregiver Requirements

It shall be the duty of the Caregiver to:

- A. Conduct a thorough review to determine if the Caregiver(s) has the capacity to meet the requirements of Section 5.
- B. Work with skilled animal rescue/protection organizations such as NJSPCA to provide training to Caregivers regarding proper management of a Feral Cat Colony, including methods to safely capture ferals and health and nutritional needs of a colony.
- C. Register Feral Cat Colonies as provided in Section 7.
- D. Help to resolve any complaints over the conduct of a colony Caregiver or of cats within a colony.
- E. Ensure that records are maintained by colony Caregivers on the size and location of the colonies, as well as the vaccination and spay/neuter records of cats in the Caregiver's colonies.

## SECTION 4. Feral Cat Colony Caregiver Requirements

Caregivers are responsible for the following:

- A. Submitting the Feral Cat Colony for registration with the Mayor and Council and submitting a signed hold harmless agreement by each sponsor and caregiver
- B. Caregiver must ensure licensing, rabies vaccination and revaccination of all cats of the colony population and updating all other health vaccinations.
- C. Taking all reasonable, good faith steps that will result in the spaying/neutering, by a licensed veterinarian, of 100% of the colony population. In facilitating that spaying/neutering of cats, Caregivers shall be presumed to have acted in good faith in concluding that cats routinely congregating within the colony are feral.
- D. Included with registration application, provide the Mayor and Council with description of each cat in the colony, copies of documents evidencing that the cats have been vaccinated and spayed/neutered and the total number of cats in each colony and gender if known.
- E. Feeding, providing food, water and suitable shelter for feral and/or colony cats will be only sponsored by approved TNR Caregivers. Food shall only be made available during daylight hours of 8am-10am in a way to reduce the attraction of nocturnal rabies vectors and not cause a public health nuisance or attract vermin or other animals.
- F. Providing for observation by the Caregiver of the colony cats on a daily basis, and keeping a record of any illnesses or unusual behavior noticed in any colony cats and report all illness to animal control immediately.
- G. Obtaining proper medical attention to any colony cat that appears to require it at the sole cost of the Caregiver
- H. Obtaining the approval of the owner of any property, to which the Caregiver requires access to provide colony care.
- I. In the event that kittens are born to a colony cat, taking all reasonable, good faith steps that will result in the removal of the kittens from the colony after they have been weaned, and the placement of kittens in permanent homes, with proof of spay/neuter, at no cost to the Borough.
- J. Not introducing any cats from outside the already existing colony into the colony.
- K. Reporting semi-annually in writing to the Mayor and Council on the status of the colony, including date, the number and gender of all cats in the colony, the number of cats that died or otherwise ceased being a part of the colony during the year; the number of kittens born to the colony cats, and their disposition and the number of cats placed for adoption or in permanent homes as companion cats along with proof of spay/neuter.
- L. Undergo training for themselves and their responsible substitutes in the proper management of a colony as developed by the Animal Control.
- M. Prior to any TNR activities, Caregiver must personally notify all neighbors of affected property(ies) within two (2) square blocks of the proposed location of a colony. Said notice must include the following information, the address of the proposed colony, statement that said neighbors have no objection to the placement and location of a cat colony at the stated address, neighbors name and address and signature. A copy of the notice must be presented to the Mayor and Council of the Borough of Roselle Park for formal approval prior to establishment of a colony.
- N. All feces must be removed within 48 hours.



SECTION 5. Colony Cat Requirements

- A. The left ear of a colony cat that has been spayed or neutered and vaccinated shall be ear tipped.

SECTION 6. Registration of Feral Cat Colonies

- A. Feral Cat Colonies must be licensed and registered annually. Colonies within the Municipality that are not registered with the Mayor and Council are not entitled to any benefits or protections set forth in this Ordinance.

SECTION 7. Disposition of Colony Cats

- A. An Animal Control Officer who has trapped a cat whose left ear has been tipped wearing a license tag shall contact the Caregiver responsible for the cat.
- B. Once contacted, the Caregiver shall be responsible for retrieving the cat from the Shelter within seven (7) business days of notification or shall surrender the cat to the Shelter and pay any required release fees if the Caregiver does not intend to retrieve the cat. Caregivers are responsible for all fees.

SECTION 8. Violations and Penalties

- A. Any person who shall violate any provisions of this Ordinance, upon conviction thereof, shall be punishable as provided in the Borough of Roselle Park Code, Chapter VIII Animal Control, Section 8-11.8 Violation and Penalties, Feeding Prohibited and Animal Nuisances.
- B. Each violation of any of the provisions of this Chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense.
- C. Nothing shall interfere with the Borough's ability to:
1. Seize/remove a cat from a colony that is creating a nuisance as defined above if the Caregiver has failed to cure the nuisance within thirty (30) days of being advised in writing of its existence, which period may be extended at the Borough's discretion if progress is being made to cure the nuisance.
  2. Seize/remove a Feral Cat Colony when the Caregiver regularly fails to comply with the requirements of Section 5 if Caregiver has failed to correct the situation within thirty (30) days of being given notice in writing delineating the failure with specificity. Said period may be extended at the Borough's discretion if progress is being made to correct the violations(s).
  3. No provisions in this Ordinance are intended to interfere with the ability of Animal Control Officers ability to comply with N.J.S.A. 4:19-15.16 or other existing law.

SECTION 9. Program Review

The Animal Control Officer shall conduct a periodic review of the program and recommend any revisions which may be required to the Governing Body.

SECTION 10. The Mayor and Council strongly encourages Caregiver(s) of any Feral Cat Colony(ies) to work with all animal rescue groups for the purpose of maximizing relocation and adoption of impacted cats.

SECTION 11. 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 12. All Ordinances or parts of Ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 13. This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

SECTION 14. Violations and Penalties.

Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine not exceeding one thousand (\$1000.00) dollars or by imprisonment for a term not exceeding ninety (90) days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. No. 2173 § 105-11)

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 Hokanson moved that Ordinance #2397 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on February 20, 2014; seconded by Councilman Yakubov.

Councilman Hokanson said this ordinance still needs some tweaking and it is a step to be humane in the right direction.

<input type="checkbox"/> Vote Record – Ordinance #2397		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	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Casais	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Elmarassy	<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 resolution on Consent Agenda were offered by Councilman Hokanson; seconded by Councilman Casais.

RESOLUTION NO. 42-14

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Collector hereby authorizes the Treasurer to issue a check in the amount of \$356.50 payable to US Bank/Cust Pro Capital III, LLC for redemption of TSC#13-012 on Block 420 Lot 8 (otherwise known as 60 Colfax Ave. W. Roselle Park, N.J.) and assessed in the name of Mona T. Patterson.

BE IT FURTHER RESOLVED the Collector is authorized to issue a check in the amount of \$800.00 from the Tax Collectors Premium Account.

RESOLUTION NO. 43-14

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the 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 2013 on Block 910 Lot 15 (otherwise known as 63 Westfield Ave. E. Roselle Park, N.J.) and assessed in the name of 63 Westfield Ave., E. Roselle Park. N.J.

<u>Year</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>Rate</u> =	<u>Refund/Reduction</u>
2013	150,400.	130,000.	20,400.	12.406	\$2,530.82 (refund)

BE IT FURTHER RESOLVED to issue a check in the amount of \$2,530.82 made payable to Jacobus & Associates, LLC.

RESOLUTION NO. 46-14

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that a two year contract for Lawn and Grounds Maintenance, including Base Bid B, Alternate C, Alternate D, Alternate E and Alternate F, be and is hereby awarded to D’Onofrio & Son Inc., 47 Van Ness Terrace, Maplewood, New Jersey 07040 in the amount of \$48,380.00.

RESOLUTION NO. 47-14

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract to S & I Solutions Network Communication, LLC, 629 Inman Avenue, Colonia, New Jersey 07067 for I.T. Service Agreement for all Borough Departments for the year 2014 at the hourly rate of \$75.00 and the annual amount not to exceed \$15,000.00.

RESOLUTION NO. 48-14

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that it’s environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, The Borough of Roselle Park strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, The Mayor and Council of The Borough of Roselle Park hereby acknowledges that the residents of The Borough of Roselle Park desire a stable, sustainable future for themselves and future generations; and

WHEREAS, The Borough of Roselle Park wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically---sound, local government practices; and

WHEREAS, by endorsing a sustainable path The Borough of Roselle Park is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of The Borough of Roselle Park, we have a significant responsibility to provide leadership which will seek community--based sustainable solutions to strengthen our community:

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within The Borough of Roselle Park on matters of sustainability, the Mayor and Council wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Mayor and Council of The Borough of Roselle Park that we do hereby authorize the Superintendent of Public Works, Mark Pasquali to serve as The Borough of Roselle Park agent for the Sustainable Jersey Municipal Certification process and authorize the him to complete the Municipal Registration on behalf The Borough of Roselle Park.

RESOLUTION NO. 49-14

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park herby authorized the appointment of a temporary clerical employee in the office of the Borough Clerk in the amount of \$20.00 per hour not to exceed \$2,800.

RESOLUTION NO. 50-14

Be it resolved by the Mayor and Council of the Borough of Roselle Park of Union County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Clover Place Roadway Improvements  
CONTRACTOR: Cifelli & Son General Construction, Inc., 4 Coppola Street, Nutley, NJ 07110  
CHANGE ORDER N°: 1 & Final  
AMOUNT OF CHANGE THIS RESOLUTION: -\$12,929.75 (-17.76% Decrease)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 51-14

Be it resolved by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that the contract for the Clover Place – Roadway Improvements was constructed by Cifelli & Son General Contracting, Inc. of 81 Franklin Ave., Nutley, NJ 07110 in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The Contractor having supplied a 25% Guarantee Bond for a period of two (2) years from October 11, 2013. The said construction is hereby accepted and final payment in the amount of One Thousand One Hundred Ninety Seven Dollars and Sixty Cents (\$1,197.60) is hereby approved.

This Resolution to take effect immediately.

RESOLUTION NO. 52-14

BE IT RESOLVED that Mayor and Council of the Borough of Roselle Park hereby appoint Timothy Hoffman Inc. to perform the duties of Real Estate Appraiser, effective February 6, 2014, at the following rates in the amount not to exceed \$10,000.00;

- \$100.00 per hour for expert testimony, valuation consultation, settlement conference appearances, etc.
- \$1,200-\$2,300 for preliminary appraisal report
- \$2,400-\$4,400 for complete narrative “tax court ready-litigation” appraisal report
- \$750.00 for additional years of appeal
- \$775.00 per property for multiple property condemnation valuation of special municipal assignments

<input type="checkbox"/> Vote Record – Resolutions #42-14, #43-14 & #46-1 to #52-14					
		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	Hokanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Casais	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Accardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Hokanson moved at 8:34 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:

- Negotiations – AT&T Lease Agreements
- Negotiations – Sale of Borough Property
- Litigation – Stender vs. Roselle Park
- Litigation – Equipment Rental Services vs. Roselle Park

RESUME REGULAR ORDER OF BUSINESS

Councilman Hokanson moved to resume the regular order of business: seconded by Councilman Casais and adopted.

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

- Negotiations – AT&T Lease Agreements
- Negotiations – Sale of Borough Property
- Litigation – Stender vs. Roselle Park
- Litigation – Equipment Rental Services vs. Roselle Park

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

Attest:

Borough Clerk