

## **Borough of Roselle Park Meeting of February 20, 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 7:02 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.

Mayor Accardi asked everyone to observe a moment of silence for Councilwoman Storey's mother who passed away.

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

### CERTIFICATES/PROCLAMATIONS

#### Proclmations

- Emily Tribiano
- First Aid Squad

### REPORT AND RECOMMENDATIONS OF MAYOR

- Gave his condolences to Councilwoman Charlene Storey on the passing of her mother, Rosemary Komar.
- There is a lot of young talent and volunteer spirit in the Borough.
- The TNR ordinance is under consideration.
- The ordinance still has to be tweaked to be sure that it is done correctly.
- There are several other ordinances on the agenda.
- There are development projects that they are looking forward to: Domani's property and the Leberco Laboratory site.
- Working on trying to improve the New Jersey Transit/Ryan property.
- Looking into the noise nuisance in the Borough, such as the airplanes and trains.

- Spoke about the snow clean up.

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

### Councilwoman Storey

- Appreciated all the condolences received on the passing of her mother.
- Reminded everyone about the Friends of the Library 50/50 Raffle.
- Spoke about the internet and often getting incorrect information.
- Was contacted by someone that read on the internet that Roselle Park was declared a cancer cluster town by the American Cancer Society.
- Checked with the American Cancer Society and was told they do not designate cancer cluster towns; the State Department of Health does that.

### Councilman Kelly

- Expressed his condolences to Charlene Storey and family.
- Attended the Board of Education Meeting and spoke with the Superintendent.
- Spoke about energy saving; recommended that Mayor and Council look into it.
- Recreation will meet on March 12<sup>th</sup>.
- DPW working hard on snow removal and commended all involved.

### Councilman Elmarassy

- Expressed his condolences to Councilwoman Storey and family.
- Thanked the First Aid Squad for their dedication to the community.
- DPW did a good job on cleaning the snow.
- Met with the Environmental Committee.

### Councilman Yakubov

- Spoke about the Raritan Valley direct line from Roselle Park to New York City.
- Community Watch Meeting is scheduled for March 11<sup>th</sup>.
- Deputy Code Enforcement Officer advised him that he is working on improving the downtown sign ordinance; also fined 15 bank owned abandoned home properties for snow clean up.
- Received many calls about potholes; DPW cannot fill them properly until the temperature reaches 40 degrees.
- Encouraged Councilmembers to participate in the second East versus West Charity Basketball Game on March 14<sup>th</sup> at 6:30 p.m. in the Roselle Park High School Gym; the proceeds will benefit the schools.
- Spoke about the Newcomer Club that is in Cranford; perhaps Roselle Park can do something like that as well.
- Spoke about a \$25,000 grant through State Farm called Neighborhood Assist.

### Councilman Hokanson

- Expressed his condolences to Charlene Storey and her family.
- Attended the Board of Health Meeting on February 11<sup>th</sup> and congratulated the new officers.
- Gave the Dog and Cat Report; summons will be issued in March.
- Climax Brewery has rescheduled its fundraiser for Veterans until April 1<sup>st</sup>.
- Assumption Church will be holding “A Dine Out” at a local restaurant on February 25<sup>th</sup> & 26<sup>th</sup>.
- Attended the bullying program conducted by the Board of Education.
- The Borough has received a load of salt.

### Councilman Casais

- Held first Budget Meeting of the year; all went well.
- Next meeting will be on February 26<sup>th</sup> at 6:00 p.m. at Borough Hall.
- This will be the semi-annual final meeting
- Budget must be entered the first meeting in March.
- The sign ordinance is on the agenda tonight.

### Glen Costello and Lisa Malave (First Aid Squad)

- Next year the First Aid Squad will celebrate 75 years of service to Roselle Park.
- They are very busy and training has become more difficult.
- Spoke about funding for the First Aid Squad.
- Will continue to provide the same services to the Borough.

### Karen Intile – Administrative Assistant

- Thanked all for donations to the Food Pantry.
- Reviewed all the events taking place at the Casano Center.
- St. Patrick’s Day Luncheon will be March 8<sup>th</sup> from 12:00 p.m. to 3:00 p.m.
- Thanked Leona Seufert for the Art Gallery.
- Thanked Cornell Hall for their food donations.

Councilman Hokanson spoke with the Kenilworth Police Department regarding 9/11 Ceremony in September.

### Richard Huxford – Borough Attorney

- Contacted JIIF regarding ethics training.
- Recommended that someone be nominated that works for the Borough.
- Has Closed Session matters.

Ken Blum – Chief Financial Officer

- Budget Meeting will be Tuesday, February 26<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 Yakubov, all members present voting Aye, said motion was adopted.

- Administrative Assistant Report for February 2014
- DPW Report for January 2014

PUBLIC COMMENT

Councilman Hokanson moved at 8:02 p.m. to open the public comment portion of the meeting; seconded by Councilman Casais and adopted.

Leona Seufert, 22 East Westfield Avenue

- Spoke about the Art Exhibit at the Casano Center.
- Roselle Park has lost the Suburban newspaper.
- Gave email address: [jgioioso@mgpublishing.com](mailto:jgioioso@mgpublishing.com) for an email campaign to get the paper back.
- Spoke about the sign ordinance that is on the agenda this evening.
- Will this impact posters that are placed for events.

Kevin Murphy, 115 Pershing Avenue

- Spoke about bank owned properties.
- Recommended the Borough consider sending proposals to landscapers for snow removal.

Joey Alamo, 101 West Colfax Avenue

- Spoke about TNR draft ordinance.
- Who is the current Animal Control Officer?
- Has many questions on the draft ordinance.
- Who authorizes the trapping of feral cats, and why are so many responsibilities put on the caretaker.
- TNR is the most effective solution and gave benefits of TNR.

Councilman Hokanson said he is the Animal Control Officer in the Borough. He has met with residents who brought this subject to his attention eight to nine months ago. From the introduction of this ordinance on February 6<sup>th</sup> until tonight, he has received many emails and has spoken to many attorneys. This is totally new. He is going to ask Council that this ordinance be pulled and re-tweaked.

Maria Samadjopoulos, 101 West Colfax Avenue

- Read a statement regarding Trap/Neuter/Release ordinance.

Mrs. Collins, 72 Georgia Street, Clark

- Can the public get a copy of the minutes when the TNR was discussed.
- Asked what the time limit is between the introduction and adoption of the ordinance.
- Applauds the Borough for the introduction of this ordinance.
- Many shore towns have TNR.
- Have to be able to identify feral cats versus house cats.

Councilman Hokanson said the cats will be eartipped for identification purposes.

Jane Guillaume, People for Animals, Hillside

- Operates two clinics.
- Has experience in TNR.
- It is wonderful that the Borough is considering it.

Diane Kislow, 140 Sheridan Avenue

- Average life span of an outdoor cat is approximately two years.
- Colony cats prevent others from entering the colony.
- Has been doing TNR for five years.
- Not easy to trap feral cats.
- Wonderful that Roselle Park is considering TNR.

Jacob Magiera, 612 Sheridan Avenue

- Read a letter from resident regarding TNR.
- Who is the liaison to the Freeholder Board.
- Should ask Freeholders for a 20% contribution towards our expenses for snow clean up.
- Explain Resolutions #55-14 and #59-14.

Mr. Huxford said Resolution #55-14 is still ongoing litigation.

There being no one else wishing to speak, Councilman Yakubov moved at 8:51 p.m. to close the public portion; seconded by Councilman Casais and adopted.

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Regular Meeting of December 19, 2013

| Vote Record – Minutes of December 19, 2013 |                    |                                     |                          |                          |                                     |
|--|--------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
|  |                    | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                              |
| <input checked="" type="checkbox"/>        | Adopted            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| <input type="checkbox"/>                   | Adopted as Amended | <input 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"/>            |
|  | Hokanson           | <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"/>            |
|  | 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"/>            |

- Special Meeting of December 30, 2013

| Vote Record – Minutes of December 30, 2013 |                    |                                     |                          |                          |                                     |
|--|--------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
|  |                    | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                              |
| <input checked="" type="checkbox"/>        | Adopted            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| <input type="checkbox"/>                   | Adopted as Amended | <input 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"/>            |
|  | Hokanson           | <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"/>            |
|  | 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"/>            |

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.

ORDINANCES

INTRODUCTION

ORDINANCE NO. 2399

AN ORDINANCE FIXING THE SALARIES OF  
 CERTAIN EMPLOYEES 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 employees of the Borough of Roselle Park shall be entitled to an annual salary as hereinafter set forth opposite each respective classification:

|                         | Minimum   | Maximum    |
|-------------------------|-----------|------------|
| Part-Time Clerical      | \$8.00/hr | \$20.00/hr |
| Civilian Court Officers | \$9.00/hr | \$18.00/hr |

SECTION II. The salaries and wages herein fixed shall be effective immediately

SECTION III. The salaries and wages fixed pursuant to Section I shall be payable in twenty-six (26) equal installments or in such installments as may hereinafter be determined by resolution of the Governing Body. Said salaries shall be in lieu of all fees which may be collected by said officer or employee.

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

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

Councilman Yakubov moved that Ordinance #2399 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on March 6, 2013; seconded by Councilman Casais.

| <input type="checkbox"/> Vote Record – Ordinance #2399 |                    | 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"/>            |
|  | Hokanson           | <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"/>            |
|  | 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"/>            |

ORDINANCE NO. 2400

AN ORDINANCE AMENDING CHAPTER XL, SECTION 3013  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK  
ENTITLED “AWNINGS”

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

SECTION 1: 40-3013 Awnings.

A. Awnings are permitted on all retail buildings in all zones. All awnings shall be constructed and installed so that the awning compliments the overall building design. No awning shall extend more than four (4) feet from the building facade. No awning frame shall be less than eight (8) feet above the ground, and no valance shall be closer than seven and one-half (7 1/2) feet from the ground.

B. Where applicable, awnings shall be colors generally consistent with traditional architectural design. Awnings of bold patterns, checks or stripes are prohibited.

C. Any advertising/lettering on awnings must adhere to sign requirements of Section 40-3002. (Added by Ord. No. 2168 § 128-117.7)

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 #2400 be adopted upon first reading and advertised as prescribed by law for second reading and public hearing on March 20, 2014; seconded by Councilman Casais.

Councilman Casais said this goes along with the next Ordinance #2401.

| <input type="checkbox"/> <b>Vote Record – Ordinance #2400</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 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"/>            |
|   | Hokanson           | <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"/>            |
|   | 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"/>            |

**ORDINANCE NO.2401**

**AN ORDINANCE AMENDING CHAPTER XL, SECTION 3002  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK  
ENTITLED “SIGNS”**

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

**SECTION 1: 40-3002 Signs.**

A. *Types and Area of Signs.* A sign shall include banners, streamers, whirling or lighting devices or any other type of attention-attracting device and may be a single-faced, double-faced or a V-type structure. The following terms are defined as indicated below:

1. **Business Sign.** A sign which directs attention to the sale of goods or to professional services, other services or entertainment rendered or offered upon the premises where such sign is located.

2. **Billboard.** A sign, in excess of twenty-four (24) square feet in area, that directs attention to a business, commodity, service, entertainment or facility and is not located upon the business premises.

3. **Flashing Sign.** Any illuminated sign on which the artificial light is not maintained stationary and constant in intensity or color at all times when such sign is in use, including, but not limited to moving, rotating, flashing, oscillating, shuttered or similar signage.

4. **Directional Sign.** A sign containing no advertising other than a name, either temporary or permanent that serves as a convenience to the public to show direction to a place or activity.

5. **Campaign Sign.** A temporary sign advertising the name of the candidate for elevation, including the name of a political party.



6. Temporary signs, including banners and pennants, shall be permitted for special public and semi-public events and for private grand openings, special sales events, contractors, mechanics, painters and artisans.

7. Illuminated Sign. Any sign which is designed to be seen at night by virtue of artificial light from within, behind or upon such sign, but not including reflector-type signs unless the source of light is made a part of, or is related to, such sign.

8. Sign Area. The gross area within a single continuous perimeter enclosing the extreme limits of such sign. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display unless such structural elements are purposely illuminated to form a part of the display. In the case of an open sign, made up of individual letters, figures or designs, the space between such letters, figures or designs shall be included. In computing the area of a double-faced sign, both sides shall be considered, regardless whether both sides are identical.

9. Wall Sign. A sign attached to or painted on a wall and subject to all sign regulations herein.

10. Pole Sign. A sign constructed of one (1) or two (2) poles with the sign permanently affixed to the pole(s) and containing one (1) or two (2) sign faces.

11. Hanging Sign. A sign that hangs off of brackets or chains.

12. Bulletin Board. A sign describing events, schedules, functions and the like, not exceeding twenty-four (24) square feet in area and set back at least one-third (1/3)\* from any existing front yard.

13. A-Frame Signs. A-frame signs shall be allowed for businesses such as restaurants, liquor stores, etc., to advertise daily specials. The A-frame signs shall be no greater than two (2) foot wide x four (4) foot tall, total size above finished grade and must be maintained against the building so as not to impede pedestrian traffic. The A-frame signs can only be exhibited during business hours and must be removed at the conclusion of business hours.

14. Free-Standing Banners. A Free-Standing Banner shall be allowed for all businesses facing the Westfield Avenue Corridor. The Free-Standing Banner shall be no greater than one (1) foot wide x eight (8) feet tall, total size above finished grade and must be maintained against the building so as not to impeded pedestrian traffic or obstruct visual path of vehicular traffic. The Free-Standing Banner may only be exhibited during business hours and must be removed at the conclusion of business hours.

B. Signs in R-1, R-2, R-3 and R-4 Residential Districts as defined in this Land Use Chapter of the Borough of Roselle Park. No sign shall be placed where it obstructs pedestrian or vehicular views.

1. The following signs may be erected and maintained, subject to the conditions specified:

a. One (1) non-illuminated nameplate and exceeding one (1) square foot in area announcing the name and address of the occupants of the residence.

b. One (1) sign of a professional, including without limitation to physician, dentist, or lawyer or a person conducting a home occupation on the premises, having no greater dimension than eighteen (18) inches by nine (9) inches, which sign shall not be illuminated.

c. One (1) bulletin board, which may be illuminated by non-flashing, uncolored, diffused or indirect lighting.

d. One (1) sign, not exceeding fifteen (15) square feet in area, identifying a place of worship, school, clinic or a public or semi-public institution, which sign may be illuminated by non-flashing, uncolored, diffused or indirect lighting, and such sign shall be set back at least one-third (1/3) from any existing front yard.

e. One (1) non-illuminated real estate sign not exceeding four (4) square feet in area. Any such real estate sign shall be limited specifically to a "for sale" or "for rent" sign and must be removed within three (3) days of closing of title or beginning of tenancy.

f. "No trespassing" signs and signs indicating private ownership of a property or a road, not exceeding one and one-half (1 1/2) square feet in area, and located no closer to the street than the existing building setback.

g. One (1) incidental sign shall be permitted for any multifamily dwelling in which a business or rental office is located, which sign shall have an area not exceeding two (2) square feet; and, in addition, one (1) sign announcing the name of the multifamily dwelling project having an area not exceeding eight (8) square feet, which sign may be illuminated with non-flashing, uncolored, diffused or indirect light.

h. Temporary signs of contractors, mechanics, painters and artisans, erected and maintained on the premises during the duration of the work only, one such sign per trade, each having an area of not more than four (4) square feet; and provided, however, that each such sign shall be removed three (3) days of the completion of the work to which it refers; shall not be limited; and shall be located no closer than ten (10) feet from the street line.

i. Business signs or signs for any permitted commercial activity. A sign or signs for any permitted commercial activity. A sign may be erected and maintained in the same building or premises as used to which it refers, provided that:

(1) The number of such signs shall not exceed two (2); provided, however, that only one (1) of such signs shall be installed in the front of any building.

(2) The maximum total area of the primary sign permitted in the front of the building shall not exceed ten (10%) percent of the wall of the building on which it is attached, and the maximum total area of the other permitted sign shall not exceed eight (8) square feet; provided, however, that any such sign shall be mounted flush with the face of the building and shall not protrude more than three and one-half (3 1/2) inches from the face of the building. No sign shall extend beyond the roof of the building.

2. Signs conforming to paragraph B,1c. and/or d. above shall not be subject to site plan approval.

C. Awnings and Signs in R-1, R-2, R-3, R-4, B-1, B-2, B-3, SCH and PD Districts as defined in this Chapter XL, Land Use of the Revised General Ordinances of the Borough of Roselle Park.

The following signs may be erected and maintained, subject to the conditions specified. No sign shall be placed where it would obstruct pedestrian or vehicular view.

1. Awnings shall be permitted on all retail buildings in the Borough in all zones. All awnings shall be constructed and installed so that the awning compliments the overall building design. No awning shall extend more than four (4) feet from the building facade.

No awning frame shall be less than eight (8) feet above the ground, and no valance shall be closer than seven and one-half (7 1/2) feet from the ground.

a. Where applicable, awnings shall be colors generally consistent with traditional architectural design. Awnings of bold patterns, checks or stripes are prohibited.

b. Any advertising/lettering on awnings must adhere to sign regulations in this section.

2. Any sign permitted in residential districts; provided, however, that real estate "for sale" and "for rent" signs may be increased to an area not exceeding two (2) feet by four (4) feet for each street frontage.

3. All commercial stores that are open for business must have at least one (1) sign to identify their business. Business signs or signs for any permitted commercial activity may be erected and maintained on the same building or premises as used to which it refers provided that:

a. The number of such signs shall not exceed two (2); provided, however, that only one (1) of such sign shall be installed in the front of any building.

i. However, all businesses facing the Westfield Avenue Corridor shall be allowed three (3) signs; one such sign in the front of the building and one such sign on each side of the building is applicable.

b. The maximum total area of the primary sign permitted in the front of the building shall not exceed ten (10%) percent of the wall of the building on which it is attached, and the maximum total area of the other permitted sign shall not exceed eight (8) square feet; provided, however, that any such sign shall be mounted flush with the face of the building and shall not protrude more than three and one-half (3 1/2) inches from the face of the building. No sign shall extend beyond the roof of the building.

i. Businesses facing the Westfield Avenue Corridor shall be permitted one sign on the building face not to exceed ten percent (10%) of the wall to which it is attached; the other aforementioned permitted signs shall not exceed five percent (5%) of the wall to which it is attached, or sixty (60) square feet, whichever is less.

c. Illuminated Signs shall be permitted, and shall not exceed ten percent (10%) of the wall to which it is attached; the sign shall be lighted by internal means only provided that any illumination shall not produce any significant lighting effect measured at a horizontal distance five (5) feet beyond the sign.

d. Temporary window signs shall not be considered in computing the number of permitted signs or allowable sign area, provided that such interior window signs do not cover more than thirty (30%) percent collectively, of any single window and are not permanently affixed to the windows.

4. With respect to this subsection C., pole signs shall be permitted in all business districts facing the Westfield Avenue Corridor subject to the following requirements:

a. Such sign shall not have an area greater than thirty (30) square feet per face;

b. Such sign shall be within the property lines and shall not overlay the public right-of-way;

c. Such sign shall not be mounted on roofs;

d. The sign may be lighted by internal means only, provided that any illumination shall not produce any significant lighting effect measured at a horizontal distance five (5) feet beyond the sign; and

e. The total permitted height of the sign, including the post, shall not exceed twenty (20) feet.

D. Signs in the ROB District as defined in this Chapter XL, Land Use, of the Revised General Ordinances of the Borough of Roselle Park. The following signs may be erected and maintained, subject to the conditions specified:

1. Any sign permitted in residential districts; provided, however, that real estate signs permitted by this section may be increased to an area not exceeding twelve (12) square feet for each street frontage.

2. Business signs or signs for any permitted commercial activity. A sign may be erected and maintained on the same building or premises as the use to which it refers, provided that the number of such signs shall not exceed two (2), only one (1) of which shall be installed in the front of a building.

3. One (1) sign designating the name and address of the building may be attached to the front wall of the building; provided, however, that the following restrictions shall apply:

a. Such sign shall not have electric lights or fixtures attached to it nor be lighted in any manner other than by general floodlighting illuminating the facade of the building.

b. Such sign shall be a flat sign against the building and shall not project beyond the ends or above the roof of the building.

c. Such sign shall not have an area greater than five (5%) percent of the total area of the wall of the building to which it is attached or sixty (60) square feet, whichever is less.

4. One (1) pole sign describing the business or businesses located on the lot in question: provided, however, that the following restrictions shall apply:

a. Such sign shall not have an area greater than fifteen (15) square feet per face.

b. Such sign shall be set back from the front property line at least ten (10) feet.

c. The sign may be lighted by internal means or with floodlights from ground level only, provided that the illumination shall not produce any significant lighting effect measured at a horizontal distance five (5) feet beyond the sign.

d. The total permitted height of the sign, including the post shall not exceed eight (8) feet.

5. One (1) directory sign bearing the name and/or business of the occupants of a multi-occupancy building may be located at the principal entrance to such building, provided that no such sign shall exceed an area of eight (8) square feet, and the area devoted to each occupant shall not exceed seventy-two (72) square inches.

E. Signs in the Industrial District as defined in Chapter XL, Land Use, of the Revised General Ordinances of the Borough of Roselle Park. The following signs may be erected and maintained, subject to the following conditions specified:

1. Any sign permitted in any other district.

2. Signs for commercial use in the Industrial District shall be in accordance with the provisions of subsection C. hereinabove.

3. Pole signs shall be permitted, subject to the following requirements:

a. Such sign shall not have an area greater than thirty (30) square feet per face;

b. Such sign shall be within the property lines and shall not overlay the public right-of-way;

c. The sign may be lighted by internal means only, provided that any illumination shall not produce any significant lighting effect measured at a horizontal distance five (5) feet beyond the sign; and

d. The total permitted height of the sign, including the post, shall not exceed twenty (20) feet.

4. On any lot, one (1) billboard extending not more than thirty (30) feet in height, such billboard having a display area no greater than eight (8) feet high and thirty (30) feet long, the bottom of the sign not less than ten (10) feet above the ground, and provided that none of the above signs shall be permitted within a required front yard. No billboard shall be located any closer than one thousand (1,000) feet to any other billboard.

F. *General Sign Regulations.* The following shall apply to all signs in the Borough.

1. No sign shall be erected or maintained so as to prevent free and safe ingress to and egress from any window, door or fire escape and no sign shall be attached to a fire escape.

2. No sign shall be erected or maintained at the intersection of streets or at a driveway entrance or exit so as to obstruct free and clear vision, and if, located near or within a line of vision of any traffic control sign or signal, such sign shall have no red, green or amber illumination.

3. Signs may be painted on or affixed flat against the walls of buildings or may project there from not more than three and one-half (3 1/2) inches.

4. Directional signs of a public or semi-public nature, not exceeding ten (10) square feet in area, may be erected in any district; provided, however, that no advertising matter shall be contained thereon, which signs may be used for the following purposes:

a. To indicate name or location of a municipality or public facilities, including without limitation, parking, administrative offices, community centers, schools and places of worship.

b. To indicate an event of general public interest lasting not more than seven (7) consecutive calendar days, including without limitation, a garage sale, flea market, car wash, trade show, fair, benefit, general election and the like. Any such sign shall be deemed a temporary sign and subject to the conditions governing temporary signs.

5. Whenever a sign becomes dilapidated or structurally unsafe or endangers the safety of the public, a building or premises, the Construction Official or authorized designee shall give written notice to the owner of the sign or the owner of the premises upon which such sign is located, and such sign shall be made safe, repaired or removed, as applicable, within a period of ten (10) days from receipt of such written notice; otherwise such owner shall be in violation of this chapter.

6. Neon, argon, or similar tubular gaseous illuminated signs shall be permitted only pursuant to the following regulations:

a. Those signs which are located in the interior of a building, but are intended to be viewed from the outside, are limited to one (1) sign per window and shall be no larger than six (6) square feet, or ten (10%) percent of the total window area, whichever is less.

b. Those signs located on the exterior of the building shall be counted in the overall regulated sign area, and shall be shielded by a translucent diffusing cover in order to minimize glare.

7. Temporary Signs.

a. Temporary signs, including affixed banners and pennants, shall be permitted for special public and semi-public events and for private grand openings and special sales events.

b. One (1) temporary sign used by a business shall not be used more than four (4) times in any calendar year with each use limited to not more than thirty (30) days.

c. No temporary sign shall exceed five percent (5%) of the wall to which it is attached, or ten percent (10%) of the wall to which it is attached if the building faces the Westfield Avenue Corridor. Temporary signs shall require a permit from the Zoning Official. No banner shall be affixed to a freestanding permanent sign.

8. No hanging sign shall be permitted in any district of the Borough of Roselle Park.

G. *Sign Permits, Bond and License.*

1. Permits. A sign permit shall be required for all signs regardless of size, excluding: temporary window signs for businesses that do exceed thirty percent (30%) of the window to which it is attached, and temporary signs for contractors, mechanics, painters and artisans.

a. All signs shall incorporate the Borough's design standards for signage, as same may be amended from time to time.

2. Signs designating schools, nonprofit organizations, charities, places of worship, political signs, etc. are exempt from requiring a permit but must comply with any other requirements and regulations of this chapter.

3. All illuminated signs, regardless of size, shall require a sign permit, and such illumination shall be installed in accordance with applicable electric codes in force in the Borough, and further provided that all signs shall incorporate the Borough's design standards for signage, as same may be amended from time to time.

4. Permit Fees. No sign permit shall be issued until a sketch showing the size, location, and text and owner has been indicated in writing and a fee has been submitted as set forth in Chapter XVI, Building and Construction, of the Borough Code to the office of the Construction Official, together with license or bond, if required.

5. Bond or Liability Insurance Policy and License. For any sign in any district containing more than fifty (50) square feet and for any sign of any size which projects over public property, a liability insurance policy or an indemnity bond in an amount of ten thousand (\$10,000.00) dollars payable to the Borough of Roselle Park and in a form satisfactory to the Borough Attorney, shall be posted by the owner or erector of such sign; and any such sign and any roof sign of whatever size, shall be erected by an experienced sign erector and certified by a licensed engineer.

H. *Lawful Pre-existing Nonconforming Signs.* The following provisions shall apply to any sign which was lawful prior to the adoption, revision or Amendment of the Chapter XL, Land Use, but which fails to conform to the requirements of the Land Use Chapter by reasons of such adoption, revision or amendment:

1. Routine Maintenance. Routine maintenance for any nonconforming sign shall be permitted, provided that such maintenance shall comply with the provisions of subsections H2,3 and 4 below. The term "routine maintenance" is intended to include such activities as cleaning, replacement of light bulbs, and repainting.

2. Restoration or Repair of Partial Destruction. Any nonconforming sign existing at the time of the passage of this chapter or any amendment thereto may be continued upon the

lot so occupied, and any such sign may be restored or repaired in the event of partial destruction thereof.

3. Effect of Removal. Nothing contained herein shall be construed to prohibit the removal and subsequent reinstallation of a nonconforming sign for purposes of maintenance, restoration, and repair or permitted alteration.

4. Alterations. The following provisions shall regulate alterations of nonconforming signs:

a. Alteration of nonconforming sign use. Any sign which does not conform to the requirements of the district in which it is located shall not be enlarged, extended or relocated. Alterations to the sign face and/or message and any lighting appurtenant thereto shall be permissible.

b. Alteration of nonconforming sign structure. A nonconforming sign structure may be altered only if such alteration reduces the extent of nonconformity or changes the structure to a conforming structure.

5. Reversion to Nonconforming Sign Prohibited. A sign which is a nonconforming use and which is changed to a conforming use may not thereafter be changed back to a nonconforming use. A nonconforming sign structure and/or message which is changed to a conforming or less nonconforming structure and/or message may not thereafter be changed back to nonconforming or more nonconforming structure and/or message.

6. Abandonment of Nonconforming Sign. Any nonconforming sign which is abandoned by way of lack of maintenance, restoration or repair or due to the restrictions on alteration as required by this subsection H. shall be removed in its entirety prior to the issuance of any further sign permit.

I. *Prohibited Signs and Sign Activities.* The following signs and activities shall be prohibited throughout the Borough of Roselle Park, unless otherwise permitted by this chapter in specific circumstances:

1. Any sign which is a principal use on the lot, including but not limited to billboards;

2. Signs which are not associated with and accessory to the use on the same lot, excluding billboards;

3. The parking or storage of a motor vehicle or other mobile unit displaying a sign or signs so as to be visible from the public right-of-way or abutting residential zone district;

4. Flashing, fluttering, animated, moving, vibrating, sequential tracer, rotating or revolving signs, except for barber poles;

5. Signs attached to public buildings (except for official signs of the government entities using such buildings), sidewalks, curbs, traffic signs, trees, fences, retaining walls, freestanding walls, utility poles and other poles or posts which are not designed or intended specifically and primarily for the support of such signs;

6. Signs on railroad or vehicular overpasses, except for official railroad or traffic signs or directional signs;

7. Signs which simulate official directional or warning signs erected or maintained by the Federal Government, the State of New Jersey, and County or municipality thereof or by a railroad, public utility or similar agency concerned with the public health, safety and welfare;

8. Signs, illustrations or symbols placed so as to interfere with the opening of an exit door of any building, to obstruct any window opening of a room in a dwelling, to interfere with the use of any fire escape or to create a hazard to pedestrians;

9. Any sign which falsely identifies the premises or occupant of any premises or building or which falsely advertises for sale on any premises or in any building any product or service not available therein;

10. Any sign accessory to a home occupation; and

11. Signs containing obscene, pornographic or lewd messages.

J. *Real Estate Signs.* Real estate signs which are customary and necessary in the offering of real estate for sale or to rent by the owner or by his real estate agent or broker are permitted in all zones provided the following requirements are complied with:

1. Type of Sign: One (1) nonilluminated free-standing real estate for sale/for rent sign is permitted for each property (residential only).

2. Size of Sign: Not to exceed two (2) feet by four (4) feet in size.

3. Location of Sign: On the property which is for sale or for rent, and set back, at its closest point, not less than ten (10) feet from the outer edge of the curb or the pavement of the cart way.

4. Local Address. Signs shall only advertise a residence within the Borough of Roselle Park.

5. Removal: Sign on private property must be removed not later than thirty (30) days after the property is leased or "under contract," as defined by the Garden State Multiple Listing Service. Signs on public property may only be displayed between the hours of 9:00 a.m. and 7:00 p.m. on Saturday and Sunday.

6. Prohibited Sign: Signs indicating that the property has been recently sold or leased by the owner, broker or real estate agent are prohibited.

7. Open House signs shall not be affixed to any tree, utility pole or other sign.

8. Open House: In the event the owner, broker or real estate agent conducts an open house at the premises, an additional sign stating "open house" day and hours may be added on the property on the condition that it may not exceed three (3) square feet and it is posted for a period not to exceed four (4) days prior to the open house. If the open house sign is a rider to the original sign, not exceeding two (2) square feet, it may be up for six (6) days including the day of the open house.

9. Directional Signs: During the hours an open house is in progress, four (4) directional signs, not to exceed five (5) square feet each are permitted. Two (2) may be placed on a main thoroughfare, such as a county or local road within one-quarter (1/4) mile of the property limited to one (1) per company and two (2) may be placed in the neighborhood of the premises, to assist persons in locating the home in which the open house is being held. No balloons, streamers or other appendages are permitted to be attached to any directional sign. No sign advertising an open house shall be located within one (1) foot of the curb, nor shall any sign be located on Westfield Avenue but may be permitted within one hundred (100) feet of said intersection.

10. *Penalty.* Any person, firm or corporation who violates any provision of this subsection, for which another penalty is not prescribed, shall be fined twenty-five (\$25.00) dollars per day or the sign may be removed by the Borough, in which case the owner of the sign and the owner of the property shall be jointly and severally liable to the Borough for the costs of removal.



(1980 Code § 128-113; amended by Ord. No. 1348; Ord. No. 2045; Ord. No. 2168 § I; Ord. No. 2174; Ord. No. 2274 § 1; Ord. No. 2275 § I; Ord. No. 2309; Ord. No. 2343)

**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 #2401 be adopted upon first reading and advertised as prescribed by law for second reading and public hearing on March 20, 2014; seconded by Councilman Casais.

| <input type="checkbox"/> <b>Vote Record – Ordinance #2401</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 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"/>            |
|   | Hokanson           | <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"/>            |
|   | 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 resolutions listed on Consent agenda were offered by Councilman Yakubov; seconded by Councilman Casais.

**RESOLUTION NO. 53-14**

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract to A3 Contracting, LLC, 707 Washington Avenue, Linden, NJ 07036 in the amount of \$12,605 for the project Roselle Park Home Improvement Program, Case No. RP-08, Block 105/Lot 11.

**RESOLUTION NO. 54-14**

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby reconfirms the Municipal Land Use Board’s appointment of Michael Tripodi, as Attorney for the Municipal Land Use Board, effective January 3, 2014 for a one year term ending December 31, 2014, at a salary set by Borough resolution.

**RESOLUTION NO. 55-14**

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorizes the Mayor to execute settlement agreement in the matter of Stender vs. The Borough of Roselle Park.

RESOLUTION NO. 56-14

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> |
|-------------|-------------|------------------------------|--------------------|
| 1990        | Toyota      | JT2AT86F4L0026040            | \$200.00           |

RESOLUTION NO. 57-14

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park that the salary of the Civilian Court Officer Owen Iungerman be and is increased to the hourly rate of \$18.00 per hour effective immediately.

RESOLUTION NO. 58-14

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Tax Collector hereby authorizes the Treasurer to issue multiple checks totaling in the amount of \$1,365.81 payable to multiple lien holders for redemption of Tax Sale Certificates for the meeting of 2/20/14 (paperwork available in the Tax Office); and

BE IT FURTHER RESOLVED to issue premium checks from the Tax Collector's Premium Account in the amount of \$1,700.00.

RESOLUTION NO. 59-14

WHEREAS, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and,

WHEREAS, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and,

WHEREAS, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and,

WHEREAS, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and,

WHEREAS, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and,

WHEREAS, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and,

WHEREAS, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and,

WHEREAS, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and,

WHEREAS, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and,

BE IT FURTHER RESOLVED, that a that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, the legislators of the 21<sup>st</sup> Legislative District, Governor Chris Christie, and the New Jersey State League of Municipalities.

| <input type="checkbox"/> Vote Record – Resolutions #53-14 to 59-14 |                    | 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 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"/>            |
|  | Hokanson           | <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"/>            |
|  | 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"/>            |

## MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Mayor Accardi thanked Councilman Hokanson for his efforts in spearheading the TNR ordinance.

Councilman Hokanson said we will re-tweak the ordinance and bring it back to Council to be reintroduced.

## INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Hokanson moved at 9:06 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:

- Litigation – Stender vs. Roselle Park
- Litigation – Equipment Rental vs. Roselle Park
- Litigation – Selecky vs. Roselle Park
- Negotiations – Sale of Borough Property (Jussell)
- Litigation – D’Agostino vs. Roselle Park
- Litigation – Kaulfers vs. Roselle Park
- Negotiations – Lease with AT&T
- Potential Litigation – Union County Collision/Georges Auto vs. Roselle Park
- Potential Litigation – Cali vs. Roselle Park

## RESUME REGULAR ORDER OF BUSINESS

Councilman Hokanson moved at 9:34 p.m. to resume the regular order of business; seconded by Councilwoman Storey and adopted.

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

- Litigation – Stender vs. Roselle Park
- Litigation – Equipment Rental vs. Roselle Park
- Litigation – Selecky vs. Roselle Park
- Negotiations – Sale of Borough Property (Jussell)
- Litigation – D’Agostino vs. Roselle Park
- Litigation – Kaulfers vs. Roselle Park
- Negotiations – Lease with AT&T
- Potential Litigation – Union County Collision/Georges Auto vs. Roselle Park
- Potential Litigation – Cali vs. Roselle Park

Mayor Accardi said two Closed Session matters were resolved: Stender vs. Roselle Park and Kaulfers vs. Kessler.

There being no further business to come before the meeting, Councilman Hokanson moved at 9:35 p.m. to adjourn; seconded by Councilman Casais and adopted.

Attest:

Deputy Borough Clerk