

Borough of Roselle Park Meeting of May 15, 2014

Attendee Name	Organization	Title	Status	Arrived
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.

BUDGET ITEMS

ORDINANCE NO. 2405

AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION FOR THE PREPARATION AND EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY FOR USE OF THE TAX ASSESSOR OF THE BOROUGH OF ROSELLE PARK, COUNTY OF UNION, NEW JERSEY

Councilman Hokanson moved to open the public hearing on Ordinance No. 2405; seconded by Councilman Casais and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Does this have to do with tax assessment.

Saul Qersdyn, 150 Berwyn Street

- This is called an emergency appropriation, which allows us to go outside the CAP for the budget process. The public hearing on the amendment will be next, once that is done, there is the adoption of the budget. If the budget is adopted, then the revaluation will be in there. Bid specs can then be sent out and when they come back in, meetings can be set up. This process has to be done by the end of the year, so the contract can be awarded. The most time the revaluation would take is two years.

There being no one else wishing to speak, Councilman Hokanson moved to close the public hearing on Ordinance No. 2405; seconded by Councilman Casais and adopted.

Councilman Hokanson moved that Ordinance No. 2405 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Casais and adopted.

PUBLIC HEARING 2014 BUDGET AMENDMENT

Councilman Hokanson moved to open the public hearing on the 2014 Budget Amendment; seconded by Councilman Casais and adopted.

Saul Qersdyn, 150 Berwyn Street.

- What is the final increase for this budget.
- How many bulk pickups are included.

Mr. Blum said the increase is \$99.45 for a house assessed at \$65,000. The revaluation has no impact on this budget. He said the bulk waste pickup is included in the budget, not the amendment.

Jacob Magiera, 612 Sheridan Avenue

- If the decrease is from \$103 dollars to \$99, what percentage is that.

Mayor Accardi said it is approximately 4½%; there are certain items that cannot be reduced.

- Mr. Magiera asked if the new DPW is included in this.

Councilman Casais said that is a Capital item and is not in the amendment.

- Mr. Magiera asked does this budget include any sewer user tax.

Mayor Accardi said the sewer user tax is a separate budget.

- Mr. Magiera asked how much is left in the sewer tax surplus.

Mayor Accardi said that is not part of this amendment.

There being no one else wishing to speak, Councilman Hokanson moved to close the Public Hearing on the 2014 Budget Amendment; second by Councilman Casais and adopted.

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

RESOLUTION NO. 110-14

BE IT RESOLVED, by the Governing Body of the Borough of Roselle Park, County of Union that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated in the sums therein set forth as appropriations, and authorization of the amount of:

\$11,785,811.20 for municipal purposes; and

\$ 339,991.01 for Minimum Library Tax

1. GENERAL REVENUES

Surplus Anticipated \$ 1,450,000.00

Miscellaneous Revenues Anticipated \$ 2,509,352.62

Receipts from Delinquent Taxes \$ 460,000.00

2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES

\$11,785,811.20

3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE 1 SCHOOL DISTRICTS ONLY

4. TO BE ADDED TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:

5. AMOUNT TO BE RAISES BY TAXATION MINIMUM LIBRARY LEVY

\$ 339,991.01

Total Revenue

\$16,545,154.83

5. GENERAL APPROPRIATIONS:

Within "CAPS"

(a&b) Operations Including Contingent \$11,041,168.00

(e) Deferred Charges and Statutory Expenditures-Municipal \$ 1,151,730.00

Excluded from "CAPS"

(a) Operations-Total Operations Excluded from "CAPS" \$ 927,863.00

(c) Capital Improvements \$ 100,000.00

(d) Municipal Debt Service \$ 1,934,076.83

(e) Deferred Charges-Municipal \$ 520,000.00

(m) Reserve for Uncollected Taxes \$ 870,317.00

6. SCHOOL APPROPRIATIONS

Total Appropriations \$16,545,154.83

Councilman Casais thanked all the members of Council, Mr. Blum and the Mayor. Working with Mr. Blum was a wonderful experience. He thanked the Finance Committee and this budget reflects compromise. He thanked the public and said that no matter what happens, everyone comes together on the dais.

Councilman Hokanson thanked everyone. He is proud that Council thought outside the box. He said it was a hard effort, but we still have services to the public. Council always works hard and said everyone did a good job.

Mayor Accardi thanked Councilman Casais, the Borough Clerk and the Chief Financial Officer. He said Councilman Casais, as the Chairman of the Finance Committee, for the past two years has taken on the task of stabilizing taxes.

Councilman Yakubov thanked Councilman Casais, the Clerk and the Chief Financial Officer. He also thanked all the Department Heads for understating the costs of operations of the Borough. Everything they spent money on should have a benefit to the Borough and he will be supporting this budget.

<input type="checkbox"/> Vote Record – Resolution 110-14		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"/>

COMMUNICATIONS

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

- Request from the residents of the 400 block of Hemlock Street to hold an end of school year party on Thursday, June 19, 2014 from 3:00 p.m. to 10:00 p.m.

CERTIFICATES/PROCLAMATIONS

Proclamations

- Mary and Jim Stewart
- Samuel Damiano

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilman Hokanson

- Attended the Union County Transportation Advisory Board Meeting on May 7th.
- The One Stop Train Ride is a hot topic.
- Thanked the Fire Department for conducting their Boot Drive.
- Attended the Concerned Citizens Meeting; discussed the importance of getting permits for work done on homes.
- May 13th attended the fundraiser at The Castle for the Sandy Hook School Playgrounds.
- The Firemen's Memorial will be held on May 21st at Kelly-Kaulfers Park.
- There will be a Budget Meeting on May 27th.

Mayor Accardi thanked Councilman Hokanson for attending the Union County Transportation Advisory Meetings.

Councilman Casais

- There will be a Capital Budget Meeting on May 27th.

Councilman Storey

- Attended the Morses Creek Meeting.
- Will attend the June Meeting.
- Spoke about the One Stop Ride, which will benefit Roselle Park.
- Spoke at an American Legion Meeting; need Veteran's photos for display at the Library.
- Historical Society is making good progress on the WWI Exhibit.

Councilman Kelly

- The Roselle Park Fire Department will hold its Memorial Service at Kelly-Kaulfers Park on Wednesday at 7:00 p.m.

Councilman Elmarassy

- Attended the Concerned Citizens Meeting.
- Spoke about the new business in town, Tommy's Joint.
- Memorial Day Parade will be May 26th at 10:00 a.m.

Councilman Yakubov

- Welcomed the new business in town, Tommy's Joint.
- Gave an update of the Community Watch Meeting.
- Was contacted by an Eagle Scout, who would like to do a project in the community.
- The Assembly has recently passed the Jessica Lunsford Act for child offenders.
- Acknowledged Assemblywoman Nancy Munoz of the 21st District for her work with Health and Human Services in New Jersey.
- There will be a Business to Business Networking Event hosted by the Freeholders and the Union County Workforce Investment Board on May 20th from 5:30 p.m. to 8:30 p.m. in Elizabeth.
- The NJDEP has \$1000 available for reimbursement to towns for radon detectors.

Karen Intile – Administrative Assistant

- Spoke about current and upcoming events.
- Thanked everyone who has donated to the Food Pantry.
- Received donations from the Rotary and letter carriers.
- Cub Scouts held their Mother and Son Annual Dinner at the Center.
- The Memorial Day flyer will be distributed; many organizations are helping out.
- The Car Shows will be June 21st and September 13th.
- Spoke about the Nutrition Program at the Center, which is held every Tuesday.

- The Service Pamphlet is available at all the Borough buildings.
- Has tickets available for PNC Arts Center to see the Lettermen on May 22nd and the Cameos/Duprees on June 3rd.

Councilman Casais asked about the parking for the Memorial Day Parade.

Ms. Intile said it has not yet been confirmed.

Richard Huxford – Borough Attorney

- Has several items for Closed Session.
- There are several items still in litigation.

Doreen Cali – Borough Clerk

- Ordinance #2407 is the amendment to the Borough Wide Garage Sale.
- Ordinance #2408 is authorizing the sale of certain real property to the Rahway Valley Sewerage Authority.

Ken Blum – Chief Financial Officer

- May 27th will be the wrap up of the Capital Budget at 6:00 p.m. in the Conference Room.
- Thanked everyone for their hard work on the budget this year.

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 April 11, 2014 thru May 9, 2014
- Treasurer Report for April 2014

REPORT AND RECOMMENDATIONS OF MAYOR

- Spoke about the Air Transportation Advisory Board and route changes over the past years.
- Noise has decreased drastically over the past few years.
- The same has taken place with trains.
- Spoke about the Feral Cat Ordinance that is on the agenda.
- Not everyone feels the same way about this ordinance.
- Councilman Hokanson has been working very hard on this ordinance.
- Are all trying to do the right thing for the community.

PUBLIC COMMENT

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

Leona Seufert, 22 East Westfield Avenue

- Reception at the Art Gallery is May 21st from 6:30 p.m. to 8:30 p.m.
- St. Antony's Feast at Assumption Church is June 5th through June 8th.
- Still able to enter the "Summer in Roselle Park" Photo Contest at the Center.

Elisabeth Qersdyn, 150 Berwyn Street

- When will automatic doors be installed at the Library.
- When will sprinkler system be installed.

Councilman Casais said they are both in the Capital Budget; once it is approved, they will move forward with those projects.

Robert Denais, 160 Jerome Street

- Lived in town many years; rarely got water in his basement.
- There are now drainage problems and Borough should enact a law for large construction.
- During the last storm, his sanitary sewer line backed up.
- The Borough Engineer should look at it because it is going to get worse.

Mayor Accardi said there are requirements on the books; they will have the Engineer check it out. He explained how the sewer lines work. He said you cannot have your sump pump hooked up to the sewer line, which also causes problems.

Councilwoman Storey said there were also problems in the Second Ward. The DPW and the Engineer are going to address the issue.

Georgia Henderson, 350 East Westfield Avenue

- Spoke about construction of East Westfield Avenue.
- There are gullies in the street and it will be corrected.

Mayor Accardi said American Water has done a lot of upgrades in the last year and a half and it has been an ongoing project. He said American Water is responsible for doing the repairs. He has asked the Borough Clerk, DPW and Engineer to contact not only American Water, but also the State. He said it is being addressed.

Councilman Casais said it is going to be milled and paved.

Carol Langzemis, 289 West Webster Avenue

- Thanked Karen Intile for looking for convertibles for the Memorial Day Parade to transport the veterans.

Jacob Magiera, 612 Sheridan Avenue

- Thanked the Mayor for mentioning the Transportation Advisory Board.
- Does the Borough have an ordinance regarding opening State Highways and roads.
- Update on Occidental.
- Asked for opinion on 0% tax hike in West Orange.

Mayor Accardi said he is correct that they work for the residents and try to do what is best for them. This Council has chosen to address issues and not put them off. He said our budget is a responsible one addressing the needs, without over spending.

Mr. Huxford said there is no update at this time.

Mayor Accardi said there is an ordinance regarding opening streets, but the State is not bound by our ordinances.

Councilman Casais also commented on the opening of the streets and the 0% tax hike in West Orange.

Saul Qersdyn, 150 Berwyn Street

- Asked about the budget and questioned the date in Resolution #109-14.

Joey Alamo, 101 West Colfax Avenue

- Spoke about feral cat awareness.
- Read a statement about feral cat colonies and Trap, Neuter and Release.
- Has a signed petition supporting the TNR ordinance.

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

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

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

- Regular Meeting of May 1, 2014

<input type="checkbox"/> Vote Record – Minutes of May 1, 2014		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"/>

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 Casais, all members present voting Aye, said motion was adopted.

PASSAGE OF ORDINANCES

SECOND READING AND PUBLIC HEARING

ORDINANCE NO. 2403

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

Councilman Hokanson moved to open the public hearing on Ordinance No. 2403; seconded by Councilman Casais and adopted.

Amy Keller, 550 East Grant Avenue

- TNR is the only ethical, humane and responsible solution to the feral cat issues in Roselle Park.
- The TNR costs taxpayers nothing.
- Read a statement regarding TNR.

Carol Langzemis, 289 West Webster Avenue

- Has great concerns with TNR ordinance.
- Human value is more important.
- It says unlimited feeding during daylight hours, who will monitor that.
- Who will they report to.
- Will reports be able to be reviewed.
- Who will be responsible for going on calls.
- Could there be a 3-6 month test period to see if this will work.

Maria Samadjopoulos, 101 West Colfax Avenue

- There is a lack of education with feral cats and a constant debate.
- This does not affect out taxes.

- Read a statement regarding TNR.
- The public is not well informed regarding the TNR.
- Supports the TNR.
- Many cats are killed as soon as they are brought into shelters.

Linda Greer, 821 Elm Street

- Is against the TNR ordinance.
- It has not worked in other towns.
- It is not fair that people have to license and vaccinate their pets and are only allowed a certain number.
- The cat colonies will not have to follow any of these rules.
- They are not pets; they are wild animals and it will hurt property values.
- Mayor and Council should review this more before adoption.

Chikako Simone, 200 West Webster Avenue

- Thanked Mayor and Council for the TNR ordinance.
- Spoke about the TNR program.
- Supports this ordinance.

Saul Qersdyn, 150 Berwyn Street

- Asked what constitutes the limit of the number of cats.
- Is a report given annually.
- Is there a registration fee.
- Asked about the violations and penalties.
- Is the initial application the first report.

Councilman Hokanson said there will probably be approximately ten cats in the colonies. The report will be done in January and June annually. There will be no fee and the initial application will constitute the first report.

Delia Collins, 72 Georgia Street, Clark

- Not every feral cat can be removed.
- Not every cat out there is a feral cat; it could be someone's pet.
- No rescue group will come into a town and remove cats in a mass removal.
- Why can't Roselle Park be the first town in Union County to have the TNR.
- She said she would help the people in Roselle Park with the cats.
- This is to help animals that no one else cares about.

Jacob Magiera, 612 Sheridan Avenue

- Councilman Hokanson has done a great job with Animal Control.
- There are cat problems in his neighborhood.

- Wished all luck with this issue.

Elisabeth Qersdyn, 150 Berwyn Street

- Springfield may have TNR program through Health Department.
- Spoke about the TNR program.

There being no one else wishing to speak, Councilman Hokanson moved to close the public hearing on Ordinance No. 2403; seconded by Councilman Casais and adopted.

Councilman Hokanson moved that Ordinance No. 2403 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Casais.

Mayor Accardi said something had to be done and thanked Councilman Hokanson for stepping up with this difficult issue. He said there are some concerns because our Board of Health and our Animal Control have not been supportive of this ordinance. He said this ordinance is a starting point to try to address this issue, it can always be amended later on. There are some areas that need to be tweaked, which can be done in the future. This is an incomplete ordinance, which still needs to be addressed. Councilman Hokanson has done a wonderful job bringing forth all the issues.

Vote Record – Ordinance No. 2403					
		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"/>

ORDINANCE NO. 2404

AN ORDINANCE AMENDING CHAPTER XXVII, ARTICLE III,
SECTION 27-6.3 OF THE CODE OF THE BOROUGH OF ROSELLE
PARK FOR THE PURPOSE OF ESTABLISHING THE RATE
OF CHARGES FOR SEWER USERS IN THE BOROUGH

Councilman Hokanson moved to open the public hearing on Ordinance No. 2404; seconded by Councilman Casais and adopted.

Jacob Magiera, 612 Sheridan Avenue

- Asked how much is in the sewer tax surplus.
- Does it include the \$350,000.

Mr. Blum said just under \$492,000, which includes the \$350,000.

There being no one else wishing to speak, Councilman Hokanson moved to close the public hearing on Ordinance No. 2404; seconded by Councilman Casais and adopted.

Councilman Hokanson moved that Ordinance No. 2404 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Casais.

Councilman Casais said this is the sixth year there has not been an increase.

<input type="checkbox"/> Vote Record – Ordinance No. 2404					
		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"/>

INTRODUCTION

ORDINANCE NO. 2406

AN ORDINANCE AMENDING CHAPTER 40 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ROSELLE PARK REGULATING GENERATORS SECTION 40-3003 L

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

SECTION 1. The Revised General Ordinances of the Borough of Roselle Park are hereby amended by the inclusion of new Chapter 40-3003 L ACCESSORY STRUCTURES.to be entitled “Generators,” and shall read in its entirety as follows:

GENERATORS

- § 40-3003-L-1. Definitions.
- § 40-3003-L-2 Permit required; location for outside equipment.
- § 40-3003-L-3 Generators and equipment.
- § 40-3003-L-4 Application for permit.
- § 40-3003-L-5 Application Fee
- § 40-3003-L-6 Inspections required.
- § 40-3003-L-7 Violations and penalties.
- § 40-3003-l-1. Definitions.

For the purposes of this chapter, the terms herein are defined as follows:

GENERATOR - Reciprocating internal combustion engine and associated equipment, including but not limited to fuel tanks, cover, piping, pad and transfer switch, used to supply backup electric power when local utility is unavailable, not including portable generators.

EMERGENCY – The loss of primary power due to power outage beyond the control of the property owner.

- § 40-3003-L-2. Permit required; location for outside equipment.

No generator shall hereafter be permanently installed to serve any existing dwelling erected on a lot located in the Borough of Roselle Park, unless such generator meets the requirements of this chapter and a permit to do so is first obtained from the Building Department. Generators shall be

located in the rear yard or the side yard of the lot. All generators permanently installed shall be screened with fencing, shrubbery or other landscaping at least 4 feet in height as approved by the Building Inspector. All screening or fencing shall be placed in accordance with the generator manufacturer's recommendations, the requirements of the National Fire Protection Association and the zoning requirements of the Borough of Roselle Park. All screening or fencing shall be maintained as originally approved. If the screening or fencing is not so maintained, any permit granted is subject to immediate revocation by the Building Inspector.

§ 40-3003-L-3. Generators and equipment.

Except for generators serving a public purpose and owned and operated by the Borough, generators permanently placed on the ground or a pad shall be allowed only as follows:

1. Only one permanent generator for residential use with an output of not more than 20 kW is allowed. For businesses not more than 40 KW.
2. The generator shall be set back a minimum of 4 feet plus side yard setback from the side or rear property line and no greater than 15 feet from the principle structure in the rear yard.
3. The generator shall be installed in accordance with the most current editions of the National Fire Protection Association, the National Electric Code, the International Fire Code New Jersey Edition, the International Plumbing Code New Jersey Edition and the International Residential Code New Jersey Edition.
4. The footprint of the generator, including the pad, will not be counted as impervious coverage.
5. The footprint for residential use, including the pad and cover, shall not exceed 12 square feet and a height of 4 feet. Businesses subject to building department review.
6. The generator shall be used only during periods of emergency or for periodic testing and necessary maintenance operations.
7. The generator shall be exempt from the provisions of Chapter 3-9.1b *Noise* of the Borough Code only when used for emergency purposes, testing or repairs and when outfitted with a working muffler.
8. The exhaust of the generator shall, as much as practically feasible, be vented upwards or directed away from neighboring properties.
9. The generator shall be operated for routine testing and maintenance purposes not more than one time in any seven-day period and no test shall exceed 30 minutes. Testing or general exercising of emergency generators is permitted Monday through Sunday only (excluding holidays), between the hours of 8:00 a.m. to dusk

§ 40-3003-L-4. Application for permit.

The application for the installation of a generator in accordance herewith, on forms supplied by the Building Department, shall be accompanied by a survey prepared by a licensed land surveyor of the State of New Jersey, showing the property lines of the lot, the location of the building or structure, the front, side and rear yard dimensions and the proposed location, drawn to scale, of the generator. In the event a gas generator is being proposed, the applicant shall obtain a letter from the supplier confirming that there is adequate gas pressure supplied to the property to handle the generator.

§ 40-3003-L-5 Application Fee.

Every application for the installation of a generator to serve a dwelling, building, or other structure shall be in conformance with other applicable Building Department Regulations.

§ 40-3003-L-6. Inspections required.

No generator shall be placed in operation, or routinely tested, unless and until inspected and approved by the Roselle Park Building Department.

§ 40-3003-L-7. Violations and penalties.

In accordance with violations listed in section 40-3105

SECTION 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Councilman Hokanson moved that Ordinance No. 2406 be adopted upon first reading and advertised as prescribed by law for second reading and public hearing on June 19, 2014; seconded by Councilman Casais.

Vote Record – Ordinance No. 2406					
		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"/>

ORDINANCE NO. 2407

AN ORDINANCE AMENDING CHAPTER 2 SECTION 68.8a OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ROSELLE PARK REGARDING THE BOROUGH WIDE GARAGE SALE

BE IT ORDAINED by the Borough Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter 2 Section 68.8a of The Revised General Ordinances of the Borough of Roselle Park are hereby amended and shall read in its entirety as follows:

SECTION 1.

2-68.8 Borough-Wide Yard Sale.

a. *Definition.* As used in this section:

Borough-Wide Yard Sale is the sale of small, personal household items that are sold by individuals from the front yard of their residences, on the day announced by the Mayor and Council, during the hours of 9:00 a.m.-6:00 p.m., after obtaining a permit from the Borough Clerk.

In addition to the above, permits may also be issued to residents for the sale of small, personal household items to be sold during the hours of 9:00 a.m.-6:00 p.m. occupying one assigned parking space located in the rear of Michael Mauri parking lot. Additionally the Friends of the Library shall be permitted to use the front lawn of the Veterans Memorial Library during the hours of 9:00 a.m. – 6:00 p.m.

No tangible personal property from any commercial business enterprise shall be included in a garage-yard sale for the purpose of resale.

b. *Limited.* Only applicable to Borough-Wide Yard Sale as stipulated by a formal resolution of the Governing Body.

c. *Registration.* Any individual seeking to participate in the Borough-Wide Yard Sale shall register with the Borough Clerk's office prior to participation in such sale a minimum of ten (10) days prior to the scheduled event.

d. *Fees.* The Municipal Clerk shall collect a permit fee for Borough-Wide Yard Sale. All license fees shall be paid in advance by cash, money order, certified check or bank check at the Office of the Municipal Clerk. Personal checks are prohibited. The following fee of ten (\$10.00) dollars is hereby established for such sale.

e. *Violations and Penalties.* Violations of the provisions of this subsection shall be punishable as in Chapter I, Section 1-5, General Penalty. (Ord. No. 2182 § 106(1); Ord. No. 2384)

SECTION 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Councilman Hokanson moved that Ordinance No. 2407 be adopted upon first reading and advertised as prescribed by law for second reading and public hearing on June 5, 2014; seconded by Councilman Casais.

<input type="checkbox"/> Vote Record – Ordinance No. 2407		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"/>

ORDINANCE NO. 2408

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN
REAL PROPERTY TO THE
RAHWAY VALLEY SEWERAGE AUTHORITY**

BE IT ORDAINED by the Mayor and _____ of the _____ of _____, County of _____, State of New Jersey, as follows:

SECTION I. Introduction.

A. The, Local Lands and Buildings Law, N.J.S.A. 40A: 12-1 et seq., governs the sale of real property by municipalities in the State of New Jersey.

B. Pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-13 (b), a municipality may when authorized by Ordinance conduct a private sale of real property to a public body corporate and politic of the State of New Jersey.

C. By verdict dated December 4, 1930, the then Circuit Court of Union County, State of New Jersey, certain properties then designated as Block 830, Lots 1 and 20 on the Tax Map of the City of Rahway, County of Union and Block 919-B, Lots 1, 2 and 2A on the Tax Map of the Township of Woodbridge, County of Middlesex (the "Property") were acquired by the City of Rahway, Town of Westfield, Township of Cranford, Township of Springfield, Borough of Kenilworth, Borough of Garwood, Borough of Roselle Park, and Township of Clark in the County of Union and the Township of Woodbridge in the County of Middlesex (collectively, the "Municipalities"), which were then organized into a Joint Meeting for the construction and maintenance of a joint trunk sewer and a sewage disposal plant.

D. By Deed from Halsey L. Vanderhoven et als, recorded April 2, 1930 in the Union County Register's Office, Book 1201, Page 238 (the "Vanderhoven Deed"), a portion of the Property was conveyed to the Municipalities comprising the Joint Meeting.

E. By Deed dated October 28, 1932, from Harriet B. Edgar, the remaining portion of the Property not conveyed by the Vanderhoven Deed was conveyed to the Municipalities as organized as the Joint Meeting; however this Deed was recorded March 11, 2004 in the Union County Clerk's Office in Book 5420, Page 520 and March 24, 2004 in the Middlesex County Clerk's Office in Deed Book 5309, Page 727 (the "Edgar Deed").

F. By Deed from the Municipalities to the Rahway Valley Sewerage Authority, a public body corporate and politic duly created under the laws of the State of New Jersey, ("RVSA") dated January 29, 1952 and recorded February 6, 1952 in the Union County Register's Office in Deed Book 1958, Page 544 and recorded February 20, 1952 in the Middlesex County Clerk's Office in Deed Book 1606, Page 20 (the "RVSA Deed") the Municipalities conveyed the Property and other rights described therein to the RVSA as successor to the Municipalities organized as the Joint Meeting.

G. The RVSA Deed expressly referred to the Vanderhoven Deed as a source of title for the lands and interests conveyed but did not make reference to the Edgar Deed.

H. The Edgar Deed was recorded out of the chain of title of the RVSA to the Property, which creates a cloud on the title of RVSA to the Property and which cloud may be removed by a deed from the Municipalities to the RVSA conveying the portion of the Property described in the Edgar Deed.

SECTION II. The _____ hereby ratifies and confirms the sale of that portion of the Property described in the Edgar Deed to the RVSA for nominal consideration.

SECTION III. The Mayor and Clerk are authorized to execute, attest and deliver to the RVSA, the Deed attached and incorporated herein and such other documents as are necessary to consummate the sale of that portion of the Property described in the Edgar Deed to the RVSA, in a form acceptable to the _____ and the RVSA.

SECTION IV. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

SECTION VII. This Ordinance shall take effect upon final passage and publication in accordance with law.

Councilman Hokanson moved that Ordinance No. 2408 be adopted upon first reading and advertised as prescribed by law for second reading and public hearing on June 5, 2014; seconded by Councilman Casais.

<input type="checkbox"/> Vote Record – Ordinance No. 2408		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 resolutions listed on Consent Agenda were offered by Councilman Hokanson; seconded by Councilman Casais.

RESOLUTION NO. 106-14

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that the Tax Collector hereby authorizes the Treasurer to issue a check in the amount of \$37,995.18 payable to Deach, LLC, c/o AJ Hollander, LLC for redemption of TSC #12-012 on Block 304/Lot 16 (otherwise known as 420 Chester Ave., Roselle Park, N.J.) and assessed in the name of Stark, KH & J; and

BE IT FURTHER RESOLVED the Tax Collector is authorized to issue a check in the amount of \$26,000.00 from the Tax Collector's Premium Account.

RESOLUTION NO. 107-14

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that the resignation of John Thompson as Engineer for the Lorraine Hose Company be and is hereby accepted effective May 23, 2014.

RESOLUTION NO. 108-14

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, in the County of Union, that Patrick Wirkus be and is hereby appointed to the rank of Engineer for the Lorraine Hose Company, effective May 26, 2014, at the annual salary of \$1,363.02.

RESOLUTION NO. 109-14

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby amend Resolution #105-14 – Accepting the retirement of Maria Stender from the position of Court Administrator from July 1, 2014 to read effective August 1, 2014.

RESOLUTION NO. 111-14

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 \$16,080.00 for the project Roselle Park Home Improvement Program, Case No. RP-09C, Block 401/Lot 3.02.

RESOLUTION NO. 112-14

BE IT RESOLVED, that the following additional individuals be appointed for the 2014 Roselle Park Recreation Basketball League:

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

George Visconti

Harvey McCray, 509 Huntington Avenue, Plainfield, NJ 07060

<input type="checkbox"/> Vote Record – Resolutions #106-14 to #109-14 and #111-14 to #112-14					
		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"/>

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

MAYOR ACCARDI

- Appointment of John DeVito, 168 East Lincoln Avenue, Roselle Park as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Lorraine Hose Company.
- Appointment of Eva Boyko and Rose Marie Matkowski as volunteer desk staff at the Casano Community Center.
- Accepting the resignation of Ralph Ortiz from the Municipal Land Use Board.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Hokanson moved to interrupt the regular order of business for a Closed Session Meeting; seconded by Councilman Casais and adopted.

Mayor Accardi said that during Closed Session, Council would be discussing the following matters:

- Litigation – Mruk vs. Roselle Park
- Litigation – Jeannie’s Fitness vs. Roselle Park
- Litigation – Selecky vs. Roselle Park
- Litigation – Stender vs. Roselle Park
- Litigation – Equipment Rental vs. Roselle Park
- Litigation – Gottschalk vs. Roselle Park
- Litigation – State vs. Reinhart
- Negotiations – Sale of Borough Property

RESUME REGULAR ODER OF BUSINESS

Councilman Casais moved 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 – Mruk vs. Roselle Park
- Litigation – Jeannie’s Fitness vs. Roselle Park
- Litigation – Selecky vs. Roselle Park
- Litigation – Stender vs. Roselle Park
- Litigation – Equipment Rental vs. Roselle Park
- Litigation – Gottschalk vs. Roselle Park
- Litigation – State vs. Reinhart
- Negotiations – Sale of Borough Property

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

Attest:

Borough Clerk