

Borough of Roselle Park Meeting of August 18, 2016

Attendee Name	Organization	Title	Status	Arrived
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
Eugene Meola	Borough of Roselle Park	Councilman	P	7:00 PM
Joseph Petrosky	Borough of Roselle Park	Councilman	P	7:00 PM
Thos Shipley	Borough of Roselle Park	Councilman	P	7:00 PM
Carl Hokanson	Borough of Roselle Park	Mayor	P	7:00 PM

Mayor Hokanson 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.

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

COMMUNICATIONS

Councilwoman Storey moved the following communications; seconded by Councilman Elmarassy, all members present voting Aye, said motion was adopted.

- Request from the residents of the 400 block of Bender Avenue to hold a Block Party on Saturday, September 3, 2016 from 12:00 Noon until 10:00 p.m., with a rain date of Sunday, September 4, 2016.
- Request from the residents of the 600 block of Ashwood Avenue to hold a Block Party on Saturday, September 3, 2016 from 12: Noon until 10:00 p.m., with a rain date of Saturday, September 10, 2016.
- Request from the residents of the 400 block of Amsterdam Avenue to hold a Block Party on Saturday, September 3, 2016 from 12: Noon until 10:00 p.m.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilwoman Storey

- Members of the Library Board are at the County this evening accepting a grant check; they will bring the check in later this evening.
- Friends of Library are sponsoring a Shakespeare and Co. event at the Library on August 27th.

Councilman Shipley

- Has a proclamation that our Sister City in Arpino, Italy has signed.
- The Council of Arpino held a special meeting for the proclamation and sent over gifts.
- Art from Arpino will be on display at the Arts Festival.

Councilman Elmarassy

- It has been a great summer.
- Attended National Night Out with his family.
- Residents can contact him at 973-420-2113.

Councilman Kelly

- No report.

Councilman Petrosky

- Expressed his condolences to the Dreher Family.
- Sent get well wishes to Borough resident Bob McDermott.
- July 29th attended the Car Show.
- Congratulated Councilman Kelly.
- August 2nd attended National Night Out.
- August 14th attended the Indian Day Parade.
- August 15th attended the Municipal Land Use Board Meeting.
- Can be reached at jpetrosky@rosellepark.net or at 908-666-7821.

Councilman Meola

- Congratulated Councilman Kelly.
- Bulk waste pick up will be October 6th on East Side and October 7th on West Side.
- Suggested residents check on their neighbors because of the extremely hot weather.
- Still collecting funds for the Valerie Fund.
- There is a Board of Education Meeting on August 23rd.
- Can be reached at 908-666-7824.

Tom Solfaro – Borough Engineer

- There are four Capital Projects that will be publicly advertised and bids will be taken on August 30th; they are Pine Street, Larch Street, Park Place and Aldene Park Phase V.
- Will have updates at the September Meeting.
- Colfax Avenue is still on hold.

Ken Blum – Chief Financial Officer.

- Reminded residents that tax bills have been mailed out and the due date has been extended to August 31st, which includes the extension.

Richard Huxford – Borough Attorney

- Last meeting there were four matters for Closed Session: Possible Litigation – Library, Ongoing Litigation – Rosewood Gardens, Personnel Matter – Construction Department, and Ongoing Litigation – Qersdyn vs. Roselle Park.
- The matter with Rosewood Gardens has been resolved.

- There are three Closed Session matters for tonight: Ongoing Litigation – Qersdyn vs. Roselle Park, Personnel Matter – Construction Official Jesse Atwell, and Possible Litigation – American Humanist Association.

Mark Pasquali – DPW Superintendent

- DPW continues with standard work.
- Repair and painting of the gazebo.
- Painting yellow curbs.
- Sidewalk Program will be done in-house by the DPW this year.
- Book boxes have been moved to the front of the Library.

Joseph Signorello – Fire Chief

- The Fire Department enjoyed National Night Out.
- This month there were some wires down and fallen transformers by Woodside Gardens.

Rupen Shah – Casano Center Director

- Reviewed events at the Casano Center.
- There will be an end of summer party.
- September 1st there will be a free concert at the gazebo.
- Looking for volunteers for AARP Tax Program and Casano Center.
- The program will run from February 1st through April 15th.

REPORTS OF DEPARTMENTS

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

- Treasurer Reports for June 30, 2016 and July 31, 2016
- Construction Code Enforcement Department Report for July 2016
- Municipal Court Report for July 2016
- Casano Director Report for July 16, 2016 thru August 12, 2016
- Police Chief Report for July 2016

PUBLIC COMMENT

Councilwoman Storey moved at 7:20 p.m. to open the public portion of the meeting; seconded by Councilman Elmarassy and adopted.

Gregory Storey, 318 Pershing Avenue

- Was the person trying to complain about the memorial in front of Veteran’s Memorial Library that was unconstitutional.
- Was the person to get the American Humanist Association involved.
- The Mayor had Borough workers install the memorial in front of the Library all on his own.
- When he noticed the memorial there, he called to ask who authorized it.
- The Mayor said the Library Board of Trustees authorized it several months ago.

- Was told to talk to them and not the Mayor.
- If it was authorized, why are there two resolutions on the agenda tonight retroactively accepting the donation and putting it on the Library lawn.
- When he found that the Library Board had not discussed the memorial, he emailed the Mayor.
- Also sent a letter with the same points made and did not received a response.
- This memorial remembers Christian veterans and excludes those of other religions and those with no religion; it should honor all veterans.
- The Constitution is the foundation of our Government and our Country and sets up how the U.S. government is supposed to work.
- It guarantees us all individually such rights as freedom of speech, freedom of the press, freedom to assemble and freedom of religion.
- In so doing, it prohibits the government from being involved.
- The cross is not a blanket automatic symbol that covers every U.S. veteran in this country.
- When Veterans are buried in U.S. National cemeteries, they do not automatically place a cross on the graves; it is a tablet shaped headstone with their religious symbol on them.
- This does not belong on public property.
- This is a religious symbol and it does not belong there.
- Please remove the veteran's memorial from the Roselle Park Library and place it somewhere else.

William Hahn, Woodside Gardens

- Spoke about separation of Church and State.
- Read a quote and speech.
- Does not evoke religion to him when it says memorial.
- It is an art display.
- It has nothing to do with religion and should not be challenged.
- Thanked the Mayor for his donation and his service to our country.

Mr. Huxford said when someone is speaking at a meeting, there should be silence.

Councilwoman Storey moved to allow other cameras to remain at the meeting; seconded by Councilman Kelly, all members present voting Aye, said motion was adopted.

Mr. Huxford asked that the audience members refrain from outbursts. Council has the right to answer questions and as Mr. Hahn indicated, he can reserve the right to not have Council answer the questions. However, the by-laws said there can be give and take, which is part of the seven minutes.

Rob Rubilla, 809 Chestnut Street

- Spoke about the rehabilitation of the gazebo and said a fantastic job is being done.
- Roselle Park has a moral fabric in this town.
- Many people belong to the churches.
- Has researched the American Humanist Society.
- Said who holds a Council hostage.
- Roselle Park has become a controversial community.
- Hopes for the best.

Brian Peterson, 22 East Clay Avenue

- Addressed the new military memorial at the Library.
- It was made by a military veteran.
- Sees the ultimate sacrifice of our military.
- Spoke about the separation of Church and State.
- It is a piece of art.
- You can critique art, but you cannot censor it or alter it.
- This outside group does not care that they tear this town apart or bankrupt it to make a point.

Rob Domanski, 422 Bender Avenue

- Is willing to donate a similar memorial to our U.S. Veterans, but one with the Jewish Star to be displayed in front of the Library as well.
- As a Jewish person, the cross does not represent him or his family.
- This is not political correctness.
- The American flag represents all veterans, as do other monuments.
- The Christian cross does not.
- Is happy to donate a monument in honor of Jewish veterans.
- Tonight you are voting on whether to decline the Mayor's donation or accept it.
- If accepted, you are legally committing yourself to having to accept other donations that display the symbols of any other religion.

Joe Santora, 715 Hamilton Place

- There is no separation phrase of Church and State in the Constitution.
- What it does say is freedom of religion.
- This must be looked at in historical context.

Kevin Murphy, 115 Pershing Avenue

- Is retired from the U.S. Army and a disabled vet.
- Has resided in Roselle Park for 41 years.
- Has seen many things take place within the town.
- Has never seen an elected official and a family member attempting to divide the electoral of this community over an issue until this time; has not been an issue at all.
- Recently the Director of the American Humanist Association wrote an article entitled "Atheist, Humanist, Secular, why fight over labels".
- Read an excerpt from the article.
- Hopes that the Councilwoman will drop the idea of a lawsuit.
- This is not a perfect world; but if we learn to respect each other rather than demand, we will experience happiness that none of us will ever find by being divided.

Mr. Huxford again said it would be greatly appreciated if the public refrains from applause and any other means of approval or disapproval when a person speaks.

Dave Robertson, 220 West Sumner Avenue

- Spoke about Ordinance #2472 which is up for adoption this evening; it's his understanding that 6C would be replaced.
- Regarding Resolution #200-16 on the new agenda, the public portion should be increased to 10 minutes.
- Would there be a provision if he did not use the full time limit; could he concede it to another member of the public to extend their time.
- Spoke about Resolution #194-16, designated to private parking.
- Asked about the voting on Resolution #197-16 and #198-16.

Alicia Marino, 225 West Colfax Avenue

- Likes the sign in front of the Library.
- Spoke about parking signs on West Colfax and Pine Street
- Concerned that the signs are still up and receiving a ticket.

Tom O'Shay, 403 Sheridan Avenue

- Addressed the donation of the memorial to the Library.
- Has read online that the silhouette has been very inspirational to many people in this town.
- If this is passed, he will also donate a silhouette with the Star of David on it as a private citizen.

Robert Jeans, 343 Boulevard, Kenilworth

- There are many symbols of all faiths that exist.
- Anything representing or honoring Veteran's is well needed, especially in this day.
- The sacrifices of the military are greater than ever and should be recognized.
- In this room, symbols of all faiths exist.

Herb Worthington, Manchester, New Jersey

- State President of the Viet Nam Veterans of America.
- After he got out of the Infantry, he was a combat artist in Viet Nam.
- The kneeling soldier is what the war means, it is not religion.
- The cross was just a marker.
- Recommends that they leave it there.

Milt Woodruff, 134 Bender Avenue

- Longtime resident of Roselle Park.
- Has great respect for those in Armed Forces.
- It is just a display of art.
- It does not represent the promotion of religion.
- It is the Veteran's Memorial Library.
- It is not a cross; it is a marker.

Pam Reinoso, 335 Pershing Avenue

- Roselle Park needs to stay as one and not divided.
- We are a united community.
- Spoke about the Roselle Park Loves Arts event on September 24th.
- There will be many artists, activities and events.
- Asked for the donation of art supplies.

Olga Matuszewicz, 811 Walnut Street

- Longtime Roselle Park resident.
- Does not see this as a religious situation.
- It is an issue of a donation.
- We don't need this controversy dividing the town.
- It can be resolved by removing it and putting it elsewhere.

Bob Delarosa, Galloping Hill Road

- Spoke about the Normandy Cemetery.
- There is a field of white crosses.
- They are there to identify the fallen soldiers.
- They were then able to notify the family.
- They are not Christian crosses; they are just markers.

Anita Hokanson, 318 Hemlock Street

- When she first saw the memorial, she did not see the cross as a Christian symbol; thought it was simply a grave marker.
- How many times have you driven down a highway or road and you saw a cross on the side of the road.
- It is a memorial to the person that died there.
- It is not a symbol of someone being a Christian.

Jake Magiera, 612 Sheridan Avenue

- Accepts what everyone is saying because of the freedom of speech.
- Mayor Hokanson and Councilwoman Storey will recuse themselves from voting.
- The only thing for the triumph of evil is when good people do nothing and there are a lot of great people in this room.

Lisa Hymes, 43 East Sumner Avenue

- Would like to see the memorial remain.

Elaine McTague, 610 Donald Place

- Everyone has expressed what she is feeling tonight.
- Began this meeting tonight with a prayer and the pledge of allegiance.
- Is confused with what this is all about.

- Such a beautiful piece of art has become the subject of so much controversy.
- It outrages her that such a small town is allowing such a beautiful piece of art become the subject of so much controversy.
- Intolerance has brought us to this point.

Loren Harms, 284 Seaton Avenue

- On behalf of the Roselle Park Youth Baseball Softball League, thanked Mayor and Council for their generous donation of the bleachers and capping for the safety of our children.
- It has made our field look beautiful.
- Thanked Councilman Petrosky, Mr. Blum and Mayor and Council.
- Cannot understand why they are fighting over something of this sort.
- We are fighting over a silhouette.
- There are two people that don't care about Roselle Park.
- We need to keep it.

Dan Petrosky, 317 Sheridan Avenue

- Was happy and honored that the memorial was being put at the Library.
- Mr. Storey said he was the first one to bring this up.
- As of now, Councilwoman Storey has nothing to do with the Roselle Park Democratic Committee.

Saul Qersdyn, 150 Berwyn Street

- Asked about Resolution #194-16.
- Is that \$72.00 per space or the total.
- Regarding Resolution #199-16, a vote was taken at the last the meeting, can Councilmembers now change their vote.

Mayor Hokanson said at the last meeting, he specifically asked if everyone understood and were sure of what they were voting on. He will make sure that when they vote on the resolution tonight, everyone knows what they are voting on.

Mr. Huxford said the motion was to deny the Clerk's grievance.

- Mr. Qersdyn asked will Ordinance #2473 give the Zoning Officer more authority or does this establish a different kind of Board.

Mr. Huxford said this is more of a zoning issue.

- Mr. Qersdyn asked about Ordinance #2472, is Section 4 changed.

Vincent Bonassia, 136 Sherman Avenue

- In full support of keeping the memorial.
- Does not think it's a religious item on display.

Jeffrey Regan, 231 Sherman Avenue

- As a Jewish person, he is not offended by the image that he sees.
- When he sees the fallen soldier, he feels for them.
- Were Councilwoman Storey’s constituents, who voted for her, made aware of this issue.
- Was it a decision of Mrs. Storey and her husband.

Councilwoman Storey said this was a decision based on when she was elected; she was asked to swear to uphold the Constitution, which she has done. This could have been discussed and her husband approached the Mayor and was told that this was approved by the Board of Trustees of the Library. She said there was no discussion noted in the minutes.

- Mr. Regan said this was never brought up.
- Apologized for any misunderstanding.
- His concern is if this was discussed with the people who voted for her.

Councilwoman Storey said she just checked to see if this was unconstitutional.

Carl Pluchino, 203 Walnut Street

- In complete support of the memorial.
- It is your own personal opinion if it is a cross or a marker.
- If you remove it, you will be giving in.
- She has brought so much negativity to the town and it has been an absolute embarrassment.
- Let’s put an end to this and let it stay.
- Let’s stop being embarrassed on television.

There being no one else wishing to speak, Councilwoman Storey moved at 9:00 p.m. to close the public portion; seconded by Councilman Elmarassy and adopted.

MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS

Councilwoman Storey moved to approve the following minutes; seconded by Councilman Elmarassy.

- Special Meeting of June 8, 2016

<input type="checkbox"/> Vote Record – Minutes of Special Meeting of June 8, 2016					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- Regular Meetings of June 16, 2016 and July 21, 2016

<input type="checkbox"/> Vote Record – Minutes of Regular Meeting of June 16, 2016 and July 21, 2016					
		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"/>	1 Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Storey	<input 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"/>
	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<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

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

PASSAGE OF ORDINANCES

SECOND READING/PUBLIC HEARING
MOTION BILLS & PAYROLLS BE PASSED FOR PAYMENT

ORDINANCE NO. 2468

AN ORDINANCE AMENDING CHAPTER X, SECTION 10-4.1
 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
 FEES FOR RECREATION/COMMUNITY CENTER

Councilwoman Storey moved to open the public hearing on Ordinance No. 2468; seconded by Councilman Elmarassy and adopted.

Saul Qersdyn, 150 Berwyn Street

- Spoke about the change in fees.
- Fees have increased.

Councilwoman Storey moved at 9:05 p.m. for a five minute recess; seconded by Councilman Elmarassy and adopted.

Councilwoman Storey moved at 9:10 p.m. to go back into open session; seconded by Councilman Elmarassy and adopted.

Saul Qersdyn, 150 Berwyn Street

- It now says \$300 and the \$50 is no longer refundable.
- Now it will start at zero.
- Separate contract outlining that.
- What is the purpose of saying the \$50 is non-refundable.
- The \$50 was a security.

There being no one else wishing to speak, Councilwoman Storey moved to close the public hearing on Ordinance No. 2468; seconded by Councilman Elmarassy and adopted.

Councilwoman Storey moved that Ordinance No. 2468 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Elmarassy.

<input type="checkbox"/> Vote Record – Ordinance No. 2468					
		Yes/Aye	No/Nav	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2469

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-17.2
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS
(PINE STREET)

Councilwoman Storey moved to open the public hearing on Ordinance #2469; seconded by Councilman Elmarassy and adopted.

David Robertson, 220 West Sumner Avenue

- Comments pertain to Ordinance No. 2469 and No. 2470.
- These types of Ordinances are adopted to prevent commercial parking on residential streets overnight.
- Parking is highly restricted in the area of apartments.
- Is against both ordinances.

Councilman Shipley said this ordinance was put into place because of residents that own homes. This has been a problem over the years throughout the whole town. There is not enough space and the whole situation needs to be overhauled. He also discussed permit parking.

There being no one else wishing to speak, Councilwoman Storey moved to close the public hearing on Ordinance No. 2469; seconded by Councilman Elmarassy and adopted.

Councilwoman Storey moved that Ordinance No. 2469 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Elmarassy.

<input type="checkbox"/> Vote Record – Ordinance No. 2469					
		Yes/Aye	No/Nav	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2470

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-17.2
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS
(WEST ROSELLE AVENUE)

Councilwoman Storey moved to open the public hearing on Ordinance No. 2470; seconded by Councilman Elmarassy and adopted.

There being no one wishing to speak, Councilwoman Storey moved to close the public hearing on Ordinance No. 2470; seconded by Councilman Elmarassy and adopted.

Councilwoman Storey moved that Ordinance No. 2470 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Elmarassy.

<input type="checkbox"/> Vote Record – Ordinance No. 2470		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2471

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-40.1.d
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
REGULATION FOR THE MOVEMENT AND PARKING OF MOTOR VEHICLE TRAFFIC
ON MUNICIPAL PROPERTY AND/OR PUBLIC STREETS

Councilwoman Storey moved to open the public hearing on Ordinance No. 2471; seconded by Councilman Elmarassy and adopted.

David Robertson, 220 West Sumner Avenue

- Parking stalls #44-53 are reserved for employees and volunteers of the Casano Center.
- The resolution regarding the Church is taking a chunk of the same stalls.
- No stalls exists above #53.
- Referred to Section 3 where no vehicles can be parked in Lot 2 in the event of a snow storm.
- Referred to Section 4 which is preferred parking for Senior's in Lot 2.
- Asked about the correct date for the Farmer's Market.
- Recommends that this Ordinance be tabled.

Jacob Magiera, 612 Sheridan Avenue

- Who writes the Ordinances.
- Who proofreads them.
- Will this Ordinance be redone.

There being no one else wishing to speak, Councilwoman Storey moved to close the public hearing on Ordinance No. 2471; seconded by Councilman Elmarassy and adopted.

Councilman Shipley suggested they get existing wording prior to adopting new wording. He would like to see this ordinance go to committee.

Councilwoman Storey moved that Ordinance No. 2471 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Elmarassy.

<input type="checkbox"/> Vote Record – Ordinance No. 2471					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Storey	<input 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"/>
	Meola	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2472

AN ORDINANCE AMENDING CHAPTER XVI
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
BUILDING AND CONSTRUCTION

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter 16, be and here is amended as follows:

SECTION 1: 16-1.1 Enforcing Agency Established; Subcode Officials Designated.

a. There is hereby established in the Borough of Roselle Park a State Uniform Construction Code enforcing agency to be known as the "Building Department," consisting of a Construction Official, Building Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, Fire Protection Subcode Official, Inspectors, Technical Assistants and such other Subcode officials, Inspectors, and Technical Assistants as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the chief administrator of the enforcing agency.

b. Each official position created in paragraph a. hereof shall be filled by a person qualified for such position pursuant to N.J.S.A. 52:27D-119 et seq., as amended, and N.J.A.C. 5:23, provided that in lieu of any particular Subcode Official or Inspector, an on-site inspection agency may be retained by contract pursuant to N.J.A.C. 5:23. More than one such official position may be held by the same person, provided that such person is qualified pursuant to N.J.S.A. 52:27D-119 et seq., and N.J.A.C. 5:23 to hold each such position.

c. The public shall have the right to conduct business with the enforcing agency during the hours of operation established by the Borough of Roselle Park, except for emergencies and unforeseen circumstances. The hours of operation shall be conspicuously posted within the Municipal Building.

SECTION 2: 16-1.2 Appeals.

All appeals from decisions by the enforcing agency, shall be filed with the Union County Construction Board of Appeals in accordance with the provisions of the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq. and the regulations promulgated under N.J.A.C. 5:23.

SECTION 3: 16-1.3 Fees.

a. The fees to be charged for a construction permit shall be the sum of the below fees and shall be paid before the permit is issued. Fees may be rounded to the nearest dollar amount.

1. The Building Subcode fees shall be as follows:

- (a) For new construction and additions, the fees are based on volume in cubic feet. The fee shall be four and one-half (\$0.045) cents per cubic foot for use Groups R-3 and R-5 and five and one-half (\$0.055) cents per cubic foot for all other Use Groups. The minimum fee shall be Three Hundred (\$300.00) Dollars for use groups R-3 and R-5 and Five Hundred (\$500.00) Dollars for all other use groups.
- (b) For renovations, alterations and repairs, the fees shall be based on estimated cost of the work, except that the minimum fee shall be Ninety (\$90.00) Dollars for use groups R-3 and R-5 and One Hundred Fifty (\$150.00) Dollars for all use groups other than R-3 and R-5. The fee shall be calculated at a rate of Thirty Dollars (\$30.00) per One (\$1,000.00) Thousand Dollars of construction value.
- (c) Plan Review. The fee for plan review shall be twenty percent (20%) of the amount charged for the construction permit. The amount of this fee shall be deducted from the amount of the fee due for a construction permit. Plan review fees are not refundable.
- (d) Demolition Fees:
 - (i) Demolition of a one or two family residence shall be One Thousand (\$1,000.00) Dollars;
 - (ii) All other use groups shall be Two Thousand Five Hundred (\$2,500.00) Dollars;
 - (iii) Residential accessory structures shall be Seventy-Five (\$75.00) Dollars;
 - (iv) Sewer and water capping associated with a demolition permit (Plumbing Subcode) shall be Two Hundred (\$200.00) Dollars each.
- (e) Roofing and Siding:
 - (i) The fees for roofing and siding work completed on structures in use groups R-3 and R-5 shall be Two Hundred (\$200.00) Dollars when the cost of work is less than Six Thousand (\$6,000.00) Dollars and Two

Hundred Fifty Dollars (\$250.00) when the cost of work exceeds Six Thousand (\$6,000.00) or more.

- (ii) Roofing and siding of an accessory structure (ex: garage) will be Seventy-Five (\$75.00) Dollars.
- (iii) Roofing and siding for all other use groups shall be priced as rehabilitation. The fee shall be calculated at a rate of Twenty-Six (\$26.00) Dollars per One Thousand (\$1,000) Dollars of construction value.

(f) Elevator Fees:

The fees shall be as set forth in N.J.A.C. 5:23-12.

(g) Sign Fees:

The fee for a permit to construct a sign shall be in the amount of Five (\$5.00) Dollars per square foot surface of the sign, computed on one side only for double faced signs. The minimum fee shall be One Hundred Twenty-Five (\$125.00) Dollars.

(h) Certificate of Occupancy Fees, New Construction or Alterations:

- (i) The fee for use group R-5 reconstructions and additions shall be 10% of the total cost of the permit with a minimum of fee of Two Hundred Fifty (\$250.00) Dollars.
 - (a) The fee for new construction R-5 shall be the greater of 10% of the total cost of the permit or a minimum fee of Four Hundred (\$400.00) Dollars.
 - (b) The fee for a certificate of occupancy issued for decks and pools, both in ground and above ground and accessory structures, shall be Seventy-Five (\$75.00) Dollars.
- (ii) The fee for all use groups other than R-5 shall be the greater of 10% of the total cost of the permit or a minimum fee of Four Hundred (\$400.00) Dollars.
- (iii) The fee for a Certificate of Occupancy granted pursuant to a change of use shall be Four Hundred (\$400.00) Dollars.
- (iv) The fee for a Certificate of Continued Occupancy shall be Four Hundred (\$400.00) Dollars.
- (v) The fee for a Temporary Certificate of Occupancy certifying that work was done under a construction permit and complies with DCA bulletin (01-2) or its successor shall be One Hundred Twenty-Five (\$125.00)

Dollars for use group R-5 and (ii) Two Hundred Fifty (\$250.00) Dollars for all use groups other than R-5.

(i) Asbestos Abatement Fees.

An administrative fee of Two Hundred Fifty (\$250.00) Dollars shall be charged for an asbestos abatement project.

(j) Variation Fees.

The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be five hundred (\$500.00) dollars for Class I structures and One Hundred Fifty (\$150.00) Dollars for Class II and Class III structures.

(k) Swimming Pools:

(i) The fee for an aboveground swimming pool shall be One Hundred Fifty (\$150.00) Dollars.

(ii) The fee for an in-ground swimming pool shall be Eight Hundred (\$800.00) Dollars.

(iii) The fee for a fence as part of a pool enclosure shall be Seventy-Five (\$75.00) Dollars.

(l) Lead Abatement:

(i) The fee for a permit for lead abatement work shall be One Hundred Fifty (\$150.00) Dollars.

(ii) The fee for a lead abatement clearance certificate shall be Thirty (\$30.00) Dollars.

(m) Storage tanks, installation and removal per tank:

(i) Tanks unregulated as per DCA Bulletin 95-1B or its successor: One Hundred (\$100.00) Dollars.

(ii) Regulated tanks as per DCA Bulletin 95-1D or its successor: One Thousand Five Hundred (\$1,500.00) Dollars.

2. The Plumbing Subcode fees shall be as follows:

(a) All plumbing fixtures, stacks and vents, including but not limited to all sinks, urinals, water closets, bathtubs, fountains, dishwashers, garbage disposals, clothes washers, floor drains, roof drains including roof leaders, or similar devices: Thirty (\$30.00) Dollars per fixture; minimum fee of Ninety (\$90.00) Dollars.

(b) Special devices, grease traps, oil, sewage ejectors, separators, water-cooled air-conditioning, utility service connections (sewer or water), not limited to sump pump, water softener, gas pipe, waterlines: One Hundred (\$100.00) Dollars per unit

- (i) Sewer capping, water line capping Two Hundred (\$200.00) Dollars each.
 - (ii) Condensate pumps A/C: Thirty (\$30.00) Dollars.
 - (iii) Back wash discharge & pool heaters all pools: Ninety (\$90.00) Dollars.
- (c) Boilers, furnaces and hot air furnace replacements including AC condenser unit replacements *in the same location*: Two Hundred Twenty-Five (\$225.00) Dollars per unit; steam or hot water boiler: need backflow preventer.
- (i) Unit heaters One Hundred Fifty (\$150.00) Dollars;
 - (ii) Hot air furnace with A/C (New, or relocated within the structure) Ninety (\$90.00) Dollars.
 - (iii) Gas air test six (6) month shut off only Ninety (\$90.00) Dollars.
- (a) Hot water heaters:
- (i) Seventy-Five (\$75.00) Dollars per unit for use groups R-3 or R-5.
 - (ii) One Hundred Twenty-Five (\$125.00) Dollars for all other use groups.
- (b) Backflow and pressure-reducing devices:
- (i) Backflow preventer for residential home only: Thirty-Five (\$35.00) Dollars;
 - (ii) Industrial backflow preventer: Ninety (\$90.00) Dollars;
 - (iii) Backflow preventer lawn sprinkler: Seventy-Five (\$75.00) Dollars;
 - (iv) Backflow preventer yearly test: One Hundred (\$100) Dollars;
- (f) Oil tank piping:
- (i) 1 gal – 550 gal: Seventy-Five (\$75.00) Dollars;
 - (ii) Oil Tank piping for tanks above 550 gal: One Hundred (\$100.00) Dollars;
 - (iii) Oil storage tank with double wall containment: One Hundred Twenty-Five (\$125.00) Dollars.

3. The Electrical Subcode fees shall be as follows:

- (a) Receptacles and fixtures including smoke detectors, heat detectors, intercom devices, and burglar alarms.
 - (i) One (1) to fifty (50): Ninety (\$90.00) Dollars

- (ii) Each additional twenty-five (25) fixtures Forty (\$40.00) Dollars
- (iii) Parking lot light standards, each: Fifty (\$50.00) Dollars.

(b) Motors and electrical devices.

- (i) One (1/2) horsepower to ten (10) horsepower: Fifty (\$50.00) Dollars;
- (ii) Ten and one-tenth (10.1) horsepower to Twenty-Five (25) horsepower: Ninety (\$90.00) Dollars;
- (iii) Twenty-five and one-tenth (25.1) horsepower to fifty (50) horsepower: One Hundred Fifty (\$150.00) Dollars;
- (iv) Fifty and one-tenth (50.1) horsepower to seventy-five (75) horsepower: One Hundred Seventy-Five (\$175.00) Dollars;
- (v) Seventy-five one-tenth (75.1) horsepower to one hundred (100) horsepower: One Hundred Seventy-Five (\$175.00) Dollars;
- (vi) One hundred one tenth (100.1) horsepower and larger: Five Hundred (\$500.00) dollars.

(c) Transformers and generators.

- (i) One (1) kilowatt to ten (10) kilowatts: Fifty (\$50.00) Dollars;
- (ii) Ten and one-tenth (10.1) kilowatts to fifty (50) kilowatts: One Hundred Twenty-Five (\$125.00) Dollars;
- (iii) Fifty and one-tenth (50.1) kilowatts to one hundred twelve and a half (112.5) kilowatts: One Hundred Seventy-Five (\$175.00) Dollars;
- (iv) One hundred twelve and six-tenths (112.6) kilowatts and larger: Five Hundred (\$500.00) Dollars.

(d) Service equipment, including service panel, service entrance, sub-panel and automatic transfer switches.

- (i) Zero (0) to one forty-nine & nine tenths (149.9) amperes: Ninety (\$90.00) Dollars;
- (ii) One hundred fifty (150) to two hundred ninety-nine (299) amperes: One Hundred Fifty (\$150.00) Dollars;
- (iii) Three hundred (300) amperes to four hundred fifty (450) amperes Three Hundred (\$300.00) Dollars;
- (iv) Four hundred fifty-one (451) amperes to six hundred forty-nine Amperes (649) Four Hundred (\$400.00) Dollars;

- (v) Six hundred fifty amperes and larger One Thousand (\$1,000.00) Dollars.
- (e) Other electrical items including gas-pipe bonding: Ninety (\$90.00) Dollars.
- (f) Minimum electrical permit fee (including permit updates): Ninety (\$90.00) Dollars.
- (g) Low Voltage Service Equipment:
 - (i) Low voltage fees:
 - (a) Alarms R-3 & R-5 use groups: Ninety (\$90.00) Dollars.
 - (b) Alarms all other use groups: Two Hundred (\$200.00) Dollars up to 25 contacts, additional contacts shall be charged out at a rate of Ninety (\$90.00) Dollars for each additional 25 contacts or fraction thereof.
 - (c) Data: 1 to 50: Two Hundred (\$200.00) Dollars; each additional 25 connections or fraction thereof, Ninety (\$90.00) Dollars.
 - (d) Telephone: 1 to 50: One Hundred Fifty (\$150.00) Dollars; each additional 25 connections or fraction thereof: Ninety (\$90.00) dollars.
 - (ii) High Voltage Service-minimum fee: One Thousand Five Hundred (\$1,500.00) Dollars.
- (h) Swimming pools.
 - (i) Permit fee:
 - (1) Above-ground: One Hundred Twenty-Five Five (\$125.00) dollars
 - (2) In-ground: Five Hundred (\$500.00) Dollars.
 - (ii) Pumps, bonding, convenience outlets, lights, sweepers and other accessories: At the rates set forth in other section of this ordinance or at published rates. For in ground pool the fee shall be Ninety (\$90.00) Dollars.
 - (iii) Annual inspection fee. All pools other than private pools, which are accessory to one and two family homes, are subject to an annual electrical inspection. The fee shall be Three Hundred (\$300.00) Dollars.
 - (iv) Pool bonding certification for in-ground public pools shall be One Hundred Twenty-Five (\$125.00) Dollars.
- (i) Solar Equipment.
 - (i) Less than 10 KW, Ninety (\$90.00) Dollars.

- (ii) From 10 to 20 KW, One Hundred-Fifty (\$150.00) Dollars.
- (iii) From 20.1 to 50 KW, Two Hundred (\$200.00) Dollars.
- (iv) From 50.1 to 100 KW, Two Hundred fifty (\$250.00) Dollars.
- (v) Over 100.1 KW, Five hundred (\$500.00) Dollars.

4. The Fire Subcode fees shall be as follows:

- (a) Sprinkler, wet and dry, based upon the number of heads being installed:

Number of Heads	Fee
(i) 1 to 20	\$200.00
(ii) 21 to 100	\$400.00
(iii) 101 to 200	\$600.00
(iv) 201 to 400	\$900.00
(v) 401 to 1,000	\$1,400.00
(vi) Over 1,000	\$1,600.00

- (b) Smoke and heat detectors, horns, strobes, bells, tempers, pull stations, water flow alarms, and similar devices, all use groups.

(i) 1 to 8	\$90.00
(ii) Each additional 8	\$40.00

- (c) Pre-engineered systems:

- (i) CO (2) Suppression: Two Hundred (\$200.00) Dollars.
- (ii) Halon Suppression: Two Hundred (\$200.00) Dollars.
- (iii) Foam Suppression: Two Hundred (\$200.00) Dollars.
- (iv) Dry Chemicals: Two Hundred (\$200.00) Dollars.
- (v) Wet Chemicals: Two Hundred (\$200.00) Dollars.

- (d) Standpipe: Three Hundred (\$300.00) Dollars.

- (e) Kitchen hood exhaust systems: Two Hundred (\$200.00) Dollars.
(Excludes R-2, R-3, & R-5 Residential Use Groups)

- (f) Incinerators: Five Hundred (\$500.00) Dollars.

- (g) Crematoriums: One Thousand (\$1,000.00) Dollars.

- (h) Gas or oil-filled appliances including chimney liners: Ninety (\$90.00) Dollars.

- (i) Exit and emergency lights (including exit discharge lights):

- (i) 1-5: Ninety (90.00) Dollars;
 - (ii) Each additional 5: Forty (\$40.00) Dollars.
 - (j) The fee for each standalone sprinkler system water main shall be Two Hundred (\$200.00) Dollars. (Designed under NFPA 13)
 - (k) Tank installations:
 - (i) Unregulated tanks: One Hundred (\$100.00) Dollars installed under DCA Bulletin 95-1A;
 - (ii) Regulated tanks: One Thousand (\$1,000.00) Dollars installed under DCA Bulletin 95-1C;
 - (iii) Emergency shut-off device and gasoline dispensers: One Hundred-Fifty (\$150.00) Dollars per device.
 - (l) The minimum fee for Fire Subcode is Ninety (\$90.00) Dollars.
- (5) General provisions.
 - (a) Receipt of a fully completed application for a permit, signed by the applicant, is a prerequisite for conducting inspections and issuing permits.
 - (b) All fees set forth herein shall cover the costs of two (2) inspections made on any one (1) application.
 - (c) Each additional inspection on any one (1) application shall require a minimum re-inspection fee of Ninety (\$90.00) Dollars.
 - (d) An authorized representative of the applicant, as well as the licensed contractor's representative (all Subcodes) shall be present at the work site for each inspection to be made.
 - (e) After-working hours or Saturday inspections may be scheduled at the discretion of the Construction Code Official. The charge shall be Two Hundred (\$200.00) Dollars per hour with a two (2) hour minimum in addition to the fees set forth in this ordinance.
 - (f) The estimated cost (value) of work for any Subcode shall include all costs associated with the project, (N.J.A.C. 5:23-2.14) the costs shall include all labor, materials, and contractor's profit. The amounts entered on the permit application forms are subject to review by the Construction Official, who may approve or modify them as necessary using the latest addition of the Means Cost Data guide. A copy of the contract, contractor's proposal, or an estimate submitted by a New Jersey Licensed Design Professional or licensed contractor is required.
 - (g) Non-Use; Lapse of Permits:
 - (i) In the event that a permit once issued and paid for shall not be exercised or constructed, the permittee shall be entitled to a refund in the amount of the fee

paid upon a written application therefore and return of the permit issued less the twenty (20%) percent designated as plan review.

(ii) In the event a permit shall lapse by reason of time, the fee upon application for renewal shall be the full price of the permit as calculated by the most currently adopted fees as listed in this ordinance.

(iii) The fee for a charge of contractor shall be Ninety (\$90.00) Dollars per Subcode (Minimum Fee).

(6) Waiver of enforcing fees for the following:

- (a) Construction performed by or on behalf of the Borough of Roselle Park;
- (b) Construction to a public building owned by the County of Union or the Roselle Park Board of Education;
- (c) Houses of Worship within the Borough of Roselle Park when they “own the land and improvements” where they conduct services; and
- (d) Federal 501(c)(3) Organizations within the Borough of Roselle Park when they “own the land and improvements.”

SECTION 4: Fire Limits.

a. The following fire limits are established pursuant to N.J.A.C. 5:23:

1. Westfield Avenue from the City line of Elizabeth to the Township line of Cranford one hundred fifty (150) feet on the north side and the entire area from Westfield Avenue to the Central Railroad of New Jersey on the south side, or a greater distance if required by the business zoning section of the Zoning Ordinance.

2. Chestnut Street from Westfield Avenue to the southerly right-of-way of the Lehigh Valley Railroad and two hundred (200) feet on each side thereof.

b. The Construction Official shall prepare and submit to the Mayor and Council biannually a report reevaluating the delineation of the fire limits. This report shall indicate the recommendations of the Construction Official, the Building Subcode Official and the Fire Subcode Official regarding those areas which should be designated as within fire limits, with the reasons therefor.

SECTION 5: 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 6: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 7: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Councilman Shipley moved to amend Ordinance No. 2472, changing Section D to Section C; seconded by Councilwoman Storey.

<input type="checkbox"/> Vote Record – Amend Ordinance No. 2472					
		Yes/Aye	No/Nay	Abstain	Absent
<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Defeated	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Elmarassy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meola	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilwoman Storey asked Councilmembers if government should tell residents what charities they should give their money to.

Councilwoman Storey moved that Ordinance No. 2472 be adopted be adopted on first reading and advertised as prescribed by law for second reading and public hearing on September 15, 2016; seconded by Councilman Elmarassy.

<input type="checkbox"/> Vote Record – Ordinance No. 2472					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input checked="" 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"/>
	Storey	<input type="checkbox"/>	<input checked="" 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"/>
	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2473

AN ORDINANCE AMENDING CHAPTER XL SECTION 40-701
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
APPROVAL BY CERTAIN BOARDS REQUIRED

SECTION 1:

- A. Pursuant to the provisions of N.J.S.A. 40:55D-37, approval by subdivision plats by resolution of the Planning Board shall be required as a condition precedent for the filing of such plats with the Union County Register's office. Approval of site plans by resolution of the Planning Board shall be required as a condition precedent to the issuance of a building permit, zoning permit or certificate of occupancy for any alterations, additions or change in use of any existing structures or construction of new structures or construction, alteration, addition or commencement of or to a conditional use, provided that the resolution of the Board of Adjustment shall substitute for that of the Planning Board whenever the Board of Adjustment has jurisdiction over a subdivision or site plan pursuant to Section 40-211B.
- B. Subdivisions for individual lot applications for detached one- or two-dwelling-unit buildings shall be exempt from site plan review and approval.
- C. The Zoning Officer may issue a zoning permit and waive site plan review and approval for alterations to existing buildings where the alteration will not change exterior building dimensions, the use is permitted in the zone district, the alterations will not increase the parking requirements and/or the changes do not cause any other more stringent conditions to be imposed. The Zoning Officer, in order to make such determinations, may require the submission of any proofs, documentation, plans and the like which he deems necessary to determine compliance with these conditions. If the Zoning Officer is not satisfied as to an applicant's fulfillment of such conditions or if he should determine that site plan review and approval is necessary, he shall not grant a waiver of site plan requirements.
(1980 Code § 128-39; amended by Ord. No. 1113; Ord. No. 1348; Ord. No. 2232 § I)

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.

Councilwoman Storey moved that Ordinance No. 2473 be adopted be adopted on first reading and advertised as prescribed by law for second reading and public hearing on September 15, 2016; seconded by Councilman Elmarassy.

<input type="checkbox"/> Vote Record – Ordinance No. 2473					
		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"/>
	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"/>
	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS

The following resolutions listed on Consent Agenda were offered by Councilwoman Storey; seconded by Councilman Elmarassy.

RESOLUTION NO. 189-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby accept the resignation of Vithal Patel from the Diversity Committee effective immediately.

RESOLUTION NO. 190-16

BE IT RESOLVED that the Tax Collector is hereby authorized per the State Tax Court of New Jersey to issue a reduction and/or refund totaling \$10,796.07 for appeals issued on two (2) properties assessed in the name of NJ Developers, LLC located at 10 Westfield Ave., W. Roselle Park, N.J.

<u>Block/Lot</u>	<u>Year</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>x Rate</u>	<u>= Refund</u>
610/1	2016	252,500.	245,000.	7,500.	3.811	\$ 285.83
610/3	2016	1,954,100.	1,678,300.	275,800.	3.811	\$10,510.24

Check to be issued to: NJ Developers, LLC.

RESOLUTION NO. 191-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract to Air & Gas Technologies, 42 Industrial Drive, Cliffwood Beach, New Jersey pursuant to Federal Contact #GS-07F-9711G in the amount of \$47,489.95 for the purchase of one Bauer Air Compressor.

RESOLUTION NO. 192-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract to NJ Fire Equipment pursuant to State Contact #HA80961 in the amount of \$20,571.30 for the purchase of nine (9) Scott air pack masks and three (3) Scott air packs.

RESOLUTION NO. 193-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract Beyer Ford, 170 Ridgedale Avenue, Morristown, New Jersey 07960 pursuant to State Contact #A803013 in the amount not to exceed \$28,000.00 for the purchase of one 2017 Ford Explorer.

RESOLUTION NO. 195-16

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 \$2,764.00 payable to Ellen Lee, LLC for a duplicate payment made on 4th quarter 2015 taxes on Block 909/ Lot 8 (otherwise known as 14 Charles St., Roselle Park, N.J.) and assessed in the name of Ellen Lee, LLC. Double payment made by Title Company due to sale, to be returned to original owner.

RESOLUTION NO. 196-16

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 \$42,273.40 payable to three (3) lien holders on four (4) properties (paperwork available in the Tax Office); and

BE IT FURTHER RESOLVED to issue checks totaling \$44,300.00 from the Tax Collector's Premium Account.

RESOLUTION NO. 201-16

BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle Park hereby accept the resignation of Brian MacDonald from the position of Police Officer in the Roselle Park Police Department, effective August 15, 2016.

RESOLUTION NO. 202-16

WHEREAS, the Borough of Roselle Park wishes to purchase a 2016 Chevrolet Tahoe Vehicle from an authorized vendor under the Cranford Police Cooperative Pricing System; and

WHEREAS, Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, New Jersey 08002 has been awarded Contract System Identifier #47-CPCPS; and

WHEREAS, the actual cost for the purchase of a 2016 Chevrolet Tahoe Vehicle is in the amount of \$38,576.00; now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that Mall Chevrolet be awarded a contract for the purchase of a 2016 Chevrolet Tahoe Vehicle.

RESOLUTION NO. 203-16

WHEREAS, the following applicant has complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable, thereto, now therefore

BE IT RESOLVED, that the Borough Clerk be and is hereby authorized to renew Inactive Plenary Retail Consumption license number 2015-33-006-011, Limericks LLC, 230 West Westfield Avenue, Roselle Park, pursuant to N.J.S.A. 33:1-12.39, Special Ruling to permit renewal of inactive license for the 2016-2017 License Term.

RESOLUTION NO. 204-16

WHEREAS, the Borough of Roselle Park no longer has use for the attached automobiles and bicycles, 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.

Vehicles To Be Auctioned

<u>Year</u>	<u>Manufacturer</u>	<u>V.I.N.</u>	<u>Minimum Bid</u>
1999	Toyota	# 4T1BG22K0XU575003	\$200.00
2003	Ford	#1FMZU77EX3UC06859	\$200.00

Vote Record – Resolutions #189-16 to #193-16; #195-16 to #196-16 and #201-16 to #204-16					
		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"/>
	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"/>
	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following resolution was offered by Councilwoman Storey; seconded by Councilman Elmarassy.

RESOLUTION NO. 194-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, hereby approve a Conditional Lease, for parking spaces 44 thru 49 located in the Municipal Parking Lot known as Gazebo Park, between the Heart of Worship Church and the Borough of Roselle Park in the amount of \$72.00 per year for 2016 and 2017, subject to the terms and condition of said conditional lease.

Councilman Kelly asked where the pricing for this is found.

Mr. Huxford said it comes to \$1.00 per spot per month.

Councilwoman Storey asked if this contradicts any other Ordinance.

Councilman Shipley asked if this is new or already in place and renewed.

<input type="checkbox"/> Vote Record – Resolution #194-16		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION NO. 200-16

WHEREAS, the Agenda Committee has conducted a comprehensive review of the Roselle Park Governing Body Agenda, to determine whether any existing provisions should be updated or revised; and

WHEREAS, the Agenda Committee has prepared and presented verbal reports to the Governing Body describing the issues it considered and the changes it recommends; and

WHEREAS, the Governing Body has suggested certain additional changes and revisions;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, hereby approve and adopt the revised Agenda, which is attached hereto and incorporated by reference into this Resolution.

**BOROUGH OF ROSELLE PARK AGENDA
JANUARY 1, 2016**

– EXAMPLE AGENDA WITH DESCRIPTIONS

This Regular Meeting of the Mayor and Council of the Borough of Roselle Park is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice has been provided by transmitting the Resolution of Annual Meetings to the (name of the official newspapers), by posting it in the Borough Hall on a bulletin board reserved for such announcements, and by posting it on the official website of the borough. This agenda is complete to the extent known and formal action will be taken.

9. Read Public Meetings Law Article

- *Standard Open Public Meetings Language*

2. Roll Call

- *Roll call by clerk*

3. Moment of Silence/Prayer

- *Prayer read by Mayor or designee*

4. Pledge of Allegiance

- Member leads in Pledge

5. Proclamations & Presentations

Jim Dunn – 100th Birthday (example)

- This portion of the meeting would be dedicated to recognition of individuals, groups or presentation of proclamations

6. Approval of Meeting Minutes

Regular Meeting Minutes – (DATE)

- Minutes presented for approval would be listed here and voted upon members.

7. Motion Bills & Payrolls Be Not Read/ Motions Bills & Payrolls Be Passed for Payment

- Standard language from current agenda listed here after all other resolution are listed and voted upon.

8. Public Portion

Limited To Agenda Items Only (Time Limit of 5 Minutes)

- This would be the first Public Portion of the meeting and would be dedicated specifically for items listed on the agenda. As always, ordinances for second reading would have their own separate public portion. Public comment on matters not listed on the agenda would be discussed towards the end of the meeting. While currently public portion is listed for 7 minutes, in this agenda sample, there would be two 5 minute public portion opportunities.

9. Workshop Discussion

- This would be the working part of each meeting. It is sometimes called the executive session of the meeting are items are listed for discussion. Sometimes items are listed that where there was previous dialog from a council committee or previous council meeting. Sometimes it can be a presentation requested by any member of Council. The goals are:

- to make the public aware that a discussion of a items is taking place

- to document that the Governing Body has discussed an item and placing in on the record.

- to determine at the end of the discussion if further research and investigation is warranted or if action is needed to take place.

Items listed here are those requested by the Mayor, a member of Council, professionals, or other requests made to the Mayor and listed for discussion. From time to time, there will be a need to list an item for discussion that was not placed on the agenda. These items are usually as a result of an emergency or are uncontroversial, necessary or routine. If an item is in need of discussion, but is not listed on the agenda, it may be placed on the agenda for discussion.

Item A: Presentation by Department Heads and Acceptance of Reports

Item B: Use of Borough Property

• Roselle Park Pop Warner – October 1st Back up date of Nov. 1

• Annual Bender Avenue Halloween – Oct. 31, 2-7 pm

Item B: COAH Update

Item C: An Area in Need of Redevelopment - Update

Item D: Discussion regarding Parking Meters in Downtown Area

Item E: Presentation of Public Stuff Mobile Application.

Item F: Best Practices report

10. Consent Agenda *

- This is the part of the meeting where the Mayor and Council take action on items listed. It is sometimes referred to as the Regular portion of the meeting since the business of the Borough is voted upon. Items listed from hereon, for the most part, were previously discussed by the Governing Body and now the Mayor and Council will act upon it. Some of the items are those requested by professionals and are considered necessary and routine, such as redemption of tax sale certificates, transfer resolutions, etc.

"ALL MATTERS LISTED WITH AN ASTERISK (*) ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY THE COUNCIL AND WILL BE APPROVED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF THE GOVERNING BODY SO REQUESTS, IN WHICH CASE THE ITEM WILL

BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA AS PART OF THE GENERAL ORDERS."

Resolutions:

150-2016 Refund Tax Lien Redemption – Smith

151-2016 Refund Tax Lien Premium – Smith

152-2016 Appointing Part Time Dispatcher – O’Toole

153-2016 Accepting Resignation from Public Works – Tom Jones

154-2016 Award of Contract to ABC Company

- *Resolutions are conducted in the same manner as it is currently listed on the agenda. Items not listed on the agenda at the time of release by the clerk’s office, cannot be placed on the agenda unless it is requested as noted in #9 above.*

11. Ordinances – Second Reading

2197-16 - Amending Parking Restrictions on Cherry Street. (example)

12. Ordinances – First Reading

2198-16 – Bond Ordinance for Police Equipment (example)

13. Mayor and Council Members’ Committee Reports

- *This is the portion of the meeting where the Mayor and Council Members report on their committee liaison assignments. It is also an opportunity to present items for discussion at a future meeting, referral to the Mayor, Councilmember, Committee or professional staff. Here the Governing Body member discloses to the public an item that may be discussed at a future time.*

14. Public Portion

On any subject (Time Limit 5 Minutes)

- *By this time, the public has had an opportunity to discuss matters listed on the agenda noted in #8. Here, the public can speak on any matter as required by the Open Public Meetings Act (OPMA). This portion keeps the Borough in compliance with OPMA.*

15. Executive (Closed) Session

- *Matters for closed session recognized here are those where action is not expected to take place. Closed session items should be listed on the agenda upon the release of the agenda to the public and to the Governing Body. This provides public disclosure and disclosure to council members. Therefore, requests for closed session items from Borough professionals or council should be sent to the Mayor and council for consideration and the Mayor to send to the clerk for listing. If an item is not listed in this section upon the release of the agenda, the request for the item to be placed shall be announced in #9*

16. Adjournment

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL
WILL BE HELD ON JANUARY 16, 2016**

Councilman Kelly asked if this is the revised agenda that was approved by committee.

Councilman Shipley said this was discussed by all of Council, tweaked it and emailed it out.

Councilwoman Storey said she has a problem with the Section #9 regarding a presentation by the Mayor or majority of Council; it should read by any member of Council.

Councilwoman Storey moved to amend Section #9 to read presentation can be made by the Mayor or any member of Council; seconded by Councilman Shipley.

<input type="checkbox"/> Vote Record – Amend Resolution #200-16					
		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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Storey	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meola	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shiple	<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"/>

Councilwoman Storey moved to adopt Resolution #200-16 as amended; seconded by Councilman Kelly.

<input type="checkbox"/> Vote Record – Resolution #200-16 as Amended					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meola	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shiple	<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"/>

Mr. Huxford said the new agenda will be in place at the September 1, 2016 meeting. He asked if anything put on the agenda has to be on the Friday before.

Mayor Hokanson said there has been issues where there is an emergency and something had to be put on the agenda or we may miss deadlines.

The following resolution was offered by Councilwoman Storey; seconded by Councilman Elmarassy.

RESOLUTION NO. 199-16

WHEREAS, the Borough of Roselle Park like all public agencies has faced significant increases in health costs, and

WHEREAS, the Borough Clerk filed a grievance against the Borough of Roselle Park regarding her requirement to contribute to the increase in health benefits, and

WHEREAS, while acknowledging that the Borough Clerk was not a member of a collective bargaining unit, with a contractual right to file a grievance, due to the significance of the issue, the Mayor permitted the grievance process to continue, and

WHEREAS, the Governing Body considered an existing contract brought forth by counsel to the Borough Clerk, and

WHEREAS, the Governing Body also considered subsequent changes to state law on the subject health contributions, and

WHEREAS, the Governing Body further considered the series of local government finance notices prepared by the Department of Community Affairs on the subject of payment for rising health care costs, and

WHEREAS, the Governing Body further considered the impact of reduced healthcare costs for the clerk would have on bargaining units as well as comparable employees within the Borough of Roselle Park, and

WHEREAS, the Governing Body concluded the contract presented by the Borough Clerk is not valid in terms of enforcement of provisions relating to health costs.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Governing Body of the Borough of Roselle Park after due deliberation and consideration, the grievance, filed by the Borough Clerk, Doreen

Cali, is hereby denied, and the contract provision relating to a cap on health benefits is found to be unenforceable.

Mr. Huxford said this is the resolution that the Borough Clerk’s grievance was denied. If anyone voted wrong the first time and want to reconsider, now is the time to do it. He said a motion approving a resolution means you are denying the Clerk her grievance.

<input type="checkbox"/> Vote Record – Resolution #199-16		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Storey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Kelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Meola	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Kelly specified his reasons why he will be voting no on Resolutions #197 and #198. He cannot support exposing us to litigation. As a legislator, it would be irresponsible for us to leave the sign and risk litigation.

Mr. Huxford again asked that the audience keep their comments to themselves; Council has the floor.

Councilman Shipley spoke about of Resolutions #197 and #198 and is sorry to see what this has turned out to become. He explained the three potential outcomes regarding insurance and litigation.

Councilwoman Storey said this is not about veterans; it is about religion. She does not disrespect veterans. This should have been discussed by Mayor and Council. She said that she will always stand for what she believes in.

Councilman Meola said he also has questions about this issue. He said that Mayor and Council are there for the people.

Councilman Shipley said the approval needs to come from Mayor and Council to avoid situations like this. He said he had sent an email to Council requesting information regarding this and has gotten no response. His main concern is the town; this is a serious issue and puts us in a bad light.

Councilman Shipley moved to table Resolutions #197 and #198 until they get a response from the NJIIF; there was no second, said motion was denied.

Mayor Hokanson spoke about his conversation with Councilwoman Storey regarding the issue with the town helping the Church with construction fees.

Councilwoman Storey said in the future, she will record any meetings and phone calls. This has been an ongoing problem.

Councilwoman Storey moved to relax the by-laws to go past 11:00 p.m., seconded by Councilman Kelly.

<input type="checkbox"/> Vote Record – Relax by-laws to go past 11:00 p.m.					
		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"/>
	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"/>
	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following resolutions were offered by Councilman Kelly; seconded by Councilman Petrosky.

RESOLUTION NO. 197-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, hereby accepts the donation of the “Kneeling Soldier Memorial” from Carl Hokanson.

RESOLUTION NO. 198-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, hereby authorizes that the “Kneeling Soldier Memorial” be placed at the Roselle Park Memorial Veteran’s Library.

<input type="checkbox"/> Vote Record – Resolutions #197-16 & #198-16					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input type="checkbox"/>	<input checked="" 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"/>
	Storey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Kelly	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Elmarassy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Meola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Shipley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Hokanson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

Mayor Hokanson appointed Emil Trgala to the Roselle Park Community Garden Committee to fill the unexpired seat of Sue Grosso.

Mr. Huxford said that Ordinance No. 2471 is being referred to committee for their review.

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilwoman Storey moved at 11:00 p.m. to interrupt the regular order of business for a Closed Session Meeting; seconded by Councilman Elmarassy and adopted.

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

- Ongoing Litigation – Qersdyn vs. Roselle Park
- Personnel Matter – Construction Department (Jesse Atwell)
- Potential Litigation – American Humanist Association (AHA) vs. Roselle Park

RESUME REGULAR ORDER OF BUSINESS

Councilman Kelly moved at 12:00 a.m. to resume the regular order of business; seconded by Councilman Meola and adopted.

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

- Ongoing Litigation – Qersdyn vs. Roselle Park
- Personnel Matter – Construction Department (Jesse Atwell)
- Potential Litigation – American Humanist Association (AHA) vs. Roselle Park

There being no further business to come before the meeting, Councilman Kelly moved at 12:03 a.m. to adjourn; seconded by Councilman Meola and adopted.

Attest:

Deputy Borough Clerk