

REGULAR MEETING – MAY 18, 2017
BOY SCOUTS SITTING FOR MAYOR AND COUNCIL

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

MOMENT OF SILENCE/PRAYER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

1. Request from the West End Community Center to change the date of their Annual Picnic from Saturday, May 20, 2017 to Saturday, June 17, 2017 from 12:00 Noon to 7:00 p.m.
2. Request from the Feast of Saint Anthony Committee to Hang a Two-sided Vented Banner on Chestnut Street near the Gazebo.
3. Request from the parents of Robert Gordon School to prepare for the end of year celebration.
4. Request from the residents of the 200 block of Charlotte Terrace to hold a Block Party on Saturday, July 15, 2017 from 12:00 Noon until 10:00 p.m., with a rain date of Sunday, July 16, 2017.

PROCLAMATIONS & PRESENTATIONS

- Recreation Wrestling Team
- Business of the Month: Tommy's Joint
- Frank Orlando – 50 Years in Business in Roselle Park
- Sophia Ortiz & Ying Chow – 1st and 3rd Place in “My County Poster Contest”
- Alexander Balaban – Work with Animals in Roselle Park

*** APPROVAL OF MEETING MINUTES, PENDING ANY CORRECTIONS**

Regular Meeting & Closed Session of April 20, 2017

Budget Meeting & Closed Session of April 26, 2017

*** MOTION BILLS & PAYROLLS BE NOT READ**

*** MOTION BILLS & PAYROLLS BE PASSED FOR PAYMENT**

PUBLIC PORTION (Time Limit of 7 Minutes; Limited to Agenda Items Only)

ORDINANCES FOR ADOPTION (HEARING HELD 5/4/17): COUNCILMAN SHIPLEY

ORD. No. 2487 AN ORDINANCE AMENDING CHAPTER XXVII, ARTICLE VII OF THE CODE OF THE BOROUGH OF ROSELLE PARK ADDING SECTION 17 TO BE ENTITLED, “SEWER CONNECTION FEES”

ORDINANCES FOR 2ND READING: COUNCILMAN SHIPLEY

ORD. No. 2489 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

ORD. No. 2490 AN ORDINANCE AMENDING CHAPTER II, ARTICLE I, SECTION 5 OF THE CODE OF THE BOROUGH OF ROSELLE PARK INSERTING "POWERS AND DUTIES OF THE COUNCIL"

ORDINANCES FOR INTRODUCTION: COUNCILMAN SHIPLEY

ORD. No. 2491 AN ORDINANCE AMENDING CHAPTER VII, SECTION 17.2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "PREFERENTIAL PARKING ZONES: LOCATIONS AND RESTRICTIONS" AND SECTION 17.5 ENTITLED, "PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS" SPECIFICALLY IN REFERENCE TO THE 800 BLOCK OF PINE STREET

ORD. No. 2492 AN ORDINANCE AMENDING CHAPTER III, SECTION 8.3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "OBSCENE MATERIALS; DEFINITIONS"

ORD. No. 2493 AN ORDINANCE OF THE BOROUGH OF ROSELLE PARK, COUNTY OF UNION, NEW JERSEY APPROVING AN APPLICATION FOR A LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT FOR A TAX EXEMPTION FOR AN URBAN RENEWAL PROJECT WITH RESPECT TO THE PROPERTY COMMONLY KNOWN AS BLOCK 314 LOTS 8, 9, 10, 11 AND 12 ON THE TAX MAP OF THE BOROUGH

CONSENT AGENDA

"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:

* # 144-17 – Appointing Tyler J. Damm to the Position of Probationary Police Dispatcher in the Roselle Park Police Department effective May 22, 2017

* # 145-17 – Accepting the Retirement of Nancy Caliendo from all Positions Held with the Borough of Roselle Park effective July 1, 2017

* # 146-17 – Awarding a Contract to Suburban Disposal, Inc. for Bulk Waste Collection Service for the Year 2017 in the Amount Not to Exceed \$52,000.00

- * # 147-17 – Awarding a Five-Year Contract to Suburban Disposal, Inc. for Solid Waste Collection Service in the Total Amount Not to Exceed \$1,989,000.00
- * # 148-17 – Awarding a Three-Year Contract to Suburban Disposal, Inc. for Recycling Collection Service in the Total Amount Not to Exceed \$469,974.00
- * # 149-17 – Awarding a Three-Year Contract to Waste Management of New Jersey, Inc. for Roll Off Container Services
- * # 150-17 – Authorizing Change Order # 1 to Hull Vicci Construction Corp., for the Project: Roselle Park Police OEM Storage Building; in the amount of \$6,650.00 (8.00% Increase) to reflect a total Contract Amount of \$89,750.00.
- * # 151-17 – Authorizing Close Out of the Contract with Hull Vicci Construction Corp. for the Project: Roselle Park Police OEM Storage Building
- * # 153-17 – Accepting the Resignation of Jackie Taluba from the Recreation Committee
- * # 154-17 – Approving the Insertion of a Distracted Driving Crackdown. U Drive. U Text. U Pay. Grant as a Special Item of Revenue in the 2017 Municipal Budget in the amount of \$5,500.00
- * # 155-17 – Authorizing the Treasurer to Issue a Check in the Amount of \$923.86 Payable to One (1) Lien Holder on One (1) Property and a Check in the Amount of \$1,200.00 from the Tax Collector’s Premium Account
- * # 156-17 – Authorizing and Directing the Municipal Land Use Board to Undertake a Preliminary Investigation to Determine Whether Block 610, Lots 1 & 3 (Former Site of Sullivan Chevrolet) of the Borough Meet the Criteria for an Area in Need of Redevelopment

MAYOR AND COUNCIL COMMITTEE REPORTS / REPORTS OF DEPARTMENTS

- Police Chief’s Report for April 2017
- Fire Chief’s Report for April 2017
- Treasurer’s Report for January, February, and March 2017
- Casano Center Director’s Report for April 19 – May 12, 2017

WORKSHOP DISCUSSION

Items Carried from Prior Meeting(s):

- Maintenance of Casano Center Bus (Councilman Fahoury)

New Items:

- Amending to Director & Dept. of Code Enforcement Ordinances (Councilman Shipley)
- Ordinance for TV-34 Items (Councilwoman Storey)
- Purchasing Pictures from a Stock Company for Borough Use (Councilwoman Storey)

- 311 App (Councilwoman Storey)
- Revisit Grease Trap Ordinance (Councilwoman Storey)
- Abandoned Properties Act (Councilman Fahoury)
- Clear Boarding to Replace Plywood Boarding and Blighting (Councilman Fahoury)
- Presentation of Kean University artwork for Roselle Park Arts (Councilman Shipley)
- Donation of Light Pole Banners from Kean University (Councilman Shipley)
- Placement of Lawn Signs on Public Property / Request from the Feast of Saint Anthony Committee to Place Lawn Signs Advertising the 2017 Feast on Public Property (Councilwoman Storey)

PUBLIC PORTION (Time Limit of 5 Minutes; On any Subject)

EXECUTIVE (CLOSED) SESSION

- Contract Negotiations – Construction Official
- Potential Litigation – Residential Permit Parking

RES. # 152-17 – Appointing Frank J. Genova to the Positions of Director of Code Enforcement, Construction Official, Building Subcode Official, and Building Inspector

ADJOURNMENT

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL
WILL BE HELD ON JUNE 1, 2017**

ORDINANCES FOR VOTE ON ADOPTION
(HEARING PREVIOUSLY HELD ON MAY 4, 2017)

ORDINANCE NO. 2487

AN ORDINANCE AMENDING CHAPTER XXVII, ARTICLE VII
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ADDING
SECTION 17 TO BE ENTITLED, "SEWER CONNECTION FEES"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter XXII, Article VII, Section 17 be and here is amended and added as follows:

SECTION 1:

27-17 SEWER CONNECTION FEES

- A. A Sewer Connection Fee shall be payable to the Borough of Roselle Park for all buildings, structures, or premises, which hereafter connect to the Borough of Roselle Park sanitary sewer. The purpose of the Sewer Connection Fee is to pay the cost of the physical connection and a fair payment towards the capital cost of the Borough of Roselle Park sewer system pursuant to N.J.S.A. 40A:26A-11. The Sewer Connection Fee, which is a one-time initial service charge for the right to connect to the Borough of Roselle Park's Sewer system, is calculated in accordance with N.J.S.A. 40A:26A-11.
- B. The Sewer Connection Fee for each unit shall be \$ 2,862.47.
- C. The Sewer Connection Fee for a single-family home, not part of a real estate development, shall be paid prior to the time of connection. The Sewer Connection Fee for any other real estate development, shall be paid at the time of the final approval, by the Roselle Park Construction Department.

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.

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2489

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

SECTION I. Paragraph A. of Section 27-6.3, Chapter XXVII, Article III of the Roselle Park Code is amended in part as follows:

“1. All residential, commercial, industrial, institutional and governmental users, except municipal and local school district users, shall be charged at a uniform rate for domestic waste contributed to said system. The rate for the aforesaid usage shall be based on the water consumption in cubic feet consumed at any such premises based on the consumption readings as reported by New Jersey American Water Company for the period of twelve (12) months which can be most closely defined as the preceding year. The rate of charges shall be \$3.00 for 2016~~7~~. The unit basis for such charge...” In addition, this section shall also be amended in part to read “.....The minimum annual charge to be imposed pursuant to this section shall be \$57.00.

SECTION II. Paragraph C (1) of Section 27-6.3, Chapter XXVII, Article III of the Roselle Park Code is amended as follows:

“(1) User charges for industrial waste ... by the industrial user at its own expense. The rate of charges for 2016~~7~~ shall be \$717.32~~738.92~~.”

SECTION III. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

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

ORDINANCE NO. 2490

AN ORDINANCE AMENDING CHAPTER II, ARTICLE I, SECTION 5
OF THE CODE OF THE BOROUGH OF ROSELLE PARK INSERTING
“POWERS AND DUTIES OF THE COUNCIL”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter 2, Article 1, Section 5 be and here is amended to be titled “Powers and Duties of the Council” and is hereby divided as follows:

SECTION 1: 4-5.1 RESERVED STATUTORY PROVISIONS

- a. The council shall be the legislative body of the municipality.**
- b. The council may, subject to general law and the provisions set forth by New Jersey State statute:**

(1) Pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;

(2) Control and regulate the finances of the municipality and raise money by borrowing or taxation;

(3) Create such offices and positions as it may deem necessary. The officers appointed thereto shall perform the duties required by law and the ordinances of the council. Other than the borough attorney, engineer, and building inspector, these officers shall be residents of the borough and shall serve at the pleasure of the council, except the clerk, who also shall be exempt from the borough residency requirement, the tax collector and tax assessor who shall serve for terms as provided in chapter 9 of Title 40A of the New Jersey Statutes. The council may exempt officers from the residency requirements but only pursuant to the adoption of an ordinance to that effect;

(4) Investigate any activity of the municipality;

(5) Remove any officer of the municipality, other than those officers excepted by law, for cause; and

(6) Override a veto of the mayor by a two-thirds majority of all the members of the council.

c. The council shall have all the executive responsibilities of the municipality not placed, by general law or New Jersey State statute, in the Office of the Mayor.

d. The council, whenever it fails to confirm the nomination by the Mayor of any official to a subordinate office of the Borough within thirty (30) days of being presented such nomination, shall make the appointment to that office, provided that at least three affirmative votes shall be required for such purpose, the Mayor to have no vote thereon except in the case of a tie.

e. This Section shall be consistent with and governed by N.J.S.A. 40A:60-6 and any amendments thereto.

SECTION 2: 4-5.2 COMMITTEE REQUIREMENTS

a. It shall be a requirement that each member of the Council serve as a member of at least one (1) of the governing body's standing committees and serve as a liaison to at least one (1) of the various committees or entities established by the Borough.

SECTION 3: 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 4: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 5: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 2491

AN ORDINANCE AMENDING CHAPTER VII, SECTION 17.2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, “PREFERENTIAL PARKING ZONES: LOCATIONS AND RESTRICTIONS” AND SECTION 17.5 ENTITLED, “PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS” SPECIFICALLY IN REFERENCE TO THE 800 BLOCK OF PINE STREET

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter VII, Sections 17.2 and 17.5 be and hereby are amended as follows:

SECTION 1. 7-15 Parking Prohibited During Certain Hours on Certain Streets

No person shall park or stand a vehicle between the hours specified any day (except Sundays and public holidays) upon any of the streets described.

(Ord. No. 1184 § 2-3, § 2-8; Ord. No. 1260; Ord. No. 1300; Ord. No. 1366; Ord. No. 1372; Ord. No. 1384; Ord. No. 1423; Ord. No. 1461; Ord. No. 1473; Ord. No. 1477; Ord. No. 1484; Ord. No. 1536; Ord. No. 1754; Ord. No. 1778; Ord. No. 1816; Ord. No. 1827; Ord. No. 1829; Ord. No. 1866; Ord. No. 1877; Ord. No. 1900; Ord. No. 1977; Ord. No. 1858; Ord. No. 2243 § 1; Ord. No. 2283 § 1; Ord. No. 2393; Ord. No. 2449-2016; Ord. No. 2452-2016)

[...]

Pine Street	Both	2:00 a.m. to 5:00 a.m.	Between West Roselle Avenue and West Sumner Avenue
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[...]

SECTION 2. 7-17.2 Preferential Parking Zones: Locations and Restrictions.

The following is a list of designated preferential parking zones wherein on the specified dates and times no parking shall be allowed except by permit and to that extent shall be considered an exception to the provisions of Section 7-15, No Parking Certain Hours on Certain Streets. (Ord. No. 2469-2016; Ord. No. 2470-2016)

[...]

Pine Street (Ord. No. 2469-2016)	Both	2:00 a.m. to 5:00 a.m.	700 Block Between West Roselle Avenue and West Colfax Avenue
	Both	2:00 a.m. to 5:00 a.m.	800 Block Between Roselle Avenue and West Sumner Avenue

[...]

SECTION 3. Invalidity

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 4. Inconsistent Ordinances Repealed.

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

SECTION 5. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 6. Effective Date.

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

ORDINANCE NO. 2492

AN ORDINANCE AMENDING CHAPTER III, SECTION 8.3
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
ENTITLED, "OBSCENE MATERIALS; DEFINITIONS"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter III, Section 8.3 be and hereby are amended as follows:

SECTION 1. 3-8.3 Definitions.

As used in this chapter:

Communication shall mean any electronic audio or visual transmission by radio, cable television or a closed-circuit broadcast, explicit verbal description or narrative account.

Material shall mean any printed matter, visual representation or sound recording. The term includes but is not limited to books, magazines, motion-picture films, pamphlets, newspapers, pictures, photographs, drawings, sculptures and tapes or wire recordings or advertisements thereof.

Offensive Nakedness shall mean uncovered or less than opaquely covered post-pubertal human male or female genitals, pubic areas or buttocks or the human female breast, including the area within the outer ring of the nipple (or the breast with the nipple and immediately adjacent area only covered), or the covered human male genitals in a discernibly turgid state.

Performance shall mean any play, motion-picture film, dance or other exhibition, whether pictured, animated, live or recorded, performed in a place of public accommodation before an audience, whether or not restricted exclusively to persons over eighteen (18) years of age.

Sexual Conduct shall mean acts or simulations of masturbation, fondling of genitals, ~~homosexuality~~, bestiality, ~~lesbianism~~, oral or anal intercourse, sexual intercourse, sadomasochistic abuse, depicting flagellation or torture with or without physical restraint by or upon a person nude or clad in a revealing bizarre costume, excretory function or any lewd exhibition of the genitals.

(1980 Code § 152-3)

SECTION 2. Invalidity

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. Inconsistent Ordinances Repealed.

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

SECTION 4. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 5. Effective Date.

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

ORDINANCE NO. 2493

ORDINANCE OF THE BOROUGH OF ROSELLE PARK, COUNTY OF UNION, NEW JERSEY
APPROVING AN APPLICATION FOR A LONG TERM TAX EXEMPTION AND AUTHORIZING
THE EXECUTION OF A FINANCIAL AGREEMENT FOR A TAX EXEMPTION FOR AN URBAN
RENEWAL PROJECT WITH RESPECT TO THE PROPERTY COMMONLY KNOWN AS BLOCK
314 LOTS 8, 9, 10, 11 AND 12 ON THE TAX MAP OF THE BOROUGH

WHEREAS, the Borough Council of the Borough of Roselle Park, in the County of Union, State of New Jersey (the "Borough"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the Borough identified and designated the property commonly known as Block 314, Lots 8, 9, 10, 11 and 12 on the tax map of the Borough as an "area in need of redevelopment" (the "Redevelopment Area"); and

WHEREAS, the Borough adopted a redevelopment plan for the Redevelopment Area titled the "West Westfield Avenue Redevelopment Plan I" (as may be amended and supplemented from time to time, the "Redevelopment Plan"); and

WHEREAS, the redevelopment of the Redevelopment Area (the "Project") shall conform to the Redevelopment Plan and will be in conformance with the master plan of the Borough; and

WHEREAS, despite Meridia on Westfield Urban Renewal, Roselle Park, LLC's ("Meridia") substantial investment of equity and borrowed funds, such amounts are insufficient to pay for all of the costs associated with the development and construction of the Project; and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful project, Meridia has submitted an application for the approval of the Project (the "Exemption Application") and a form of financial agreement (the "Financial Agreement") to the Borough for the approval of an urban renewal project, all in accordance with the Long Term Tax Exemption Law (the "LTTE Law"), specifically N.J.S.A. 40A:20-8; and

WHEREAS, pursuant to N.J.S.A. 40A:20-8, the Mayor has reviewed the Exemption Application and the Mayor has submitted the Exemption Application and Financial Agreement to the Borough Council with his recommendation for approval, subject to the condition that Meridia pay, in lieu of tax payments on the Project, an annual service charge, such that the combined tax payment on the land and the annual service charge paid by Meridia each year shall be no less than the amount of the total property taxes that the Borough has received from the Redevelopment Area, prior to redevelopment; and

WHEREAS, upon review of the proposed Project, the Exemption Application and the Mayor's recommendation, the Borough has made the following findings with respect to the Project pursuant to N.J.S.A. 40A:20-11:

1. The Redevelopment Area is not currently developed to its maximum potential. The Redevelopment Area is sparsely developed and underutilized and generates minimal taxes for the Borough. Development in the Redevelopment Area is financially infeasible without financial assistance. Upon expiration of the exemption, the Project shall be fully assessed and conventionally taxed;
2. Given the costs as well as the uncertainty and instability of current economic and market conditions as well as aggressive competition within the region, the investment risk makes the financing of the Project infeasible in the absence of a tax exemption provided by the Borough;
3. The construction of the Project will result in the remediation of the Redevelopment Area, substantial improvements to the infrastructure on the site as well as community benefits in the form of increased jobs and ratables;
4. The Project is consistent with the Redevelopment Plan, will further its objectives and will contribute to the economic growth of the Borough;
5. The Financial Agreement was a material inducement to Meridia to undertake the Project in the Borough and facilitate the redevelopment of the Redevelopment Area; and

WHEREAS, in accordance with the provisions of the LTTE Law, the Borough desires to approve the Project and authorize the execution of the Financial Agreement.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF ROSELLE PARK, NEW JERSEY AS FOLLOWS:

SECTION 1. The forgoing recitals are incorporated herein as if set forth in full.

SECTION 2. Meridia is hereby approved as the Redeveloper to implement the Project and the terms of the Conditional Redeveloper's Agreement, subject to approval and execution of a redevelopment agreement.

SECTION 3. An exemption from taxation as set forth in the Exemption Application is hereby approved and granted to Meridia, with respect to the Project in the Redevelopment Area in accordance with the term set forth in the Financial Agreement; provided that in no event shall the term of the Financial Agreement exceed the earlier of (i) thirty-five (35) years from the date of execution of the Financial Agreement or (ii) to the extent permitted by the LTTE Law, thirty (30) years from Meridia's receipt of a Certificate of Occupancy (as defined in the Financial Agreement) for the Project and only so long as Meridia remains subject to and in compliance with the Financial Agreement and the LTTE Law.

SECTION 4. The form of Financial Agreement submitted by Meridia, attached hereto as Exhibit A and made a part hereof, is hereby approved in accordance with Section 8 of the LTTE Law.

SECTION 5. The Mayor, in consultation with counsel to the Borough, is hereby authorized to execute the Financial Agreement and prepare, amend or execute any other agreements necessary to effectuate this ordinance, subject to modification or revisions, as deemed necessary and appropriate.

SECTION 6. The Clerk of the Borough is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Borough upon such document.

SECTION 7. The executed copy of the Financial Agreement shall be certified by and filed with the Office of the Borough Clerk. Further, the Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Borough and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the LTTE Law.

SECTION 8. The Project shall conform with all Federal, State, and Borough laws, ordinances and regulations relating to its construction and use.

SECTION 9. Meridia shall, in the operation of the Project, comply with all laws so that no person of race, religious principles, color, national origin or ancestry will be subject to discrimination.

SECTION 10. This ordinance shall take effect in accordance with all applicable laws.

RESOLUTIONS

RESOLUTION NO. 144-17

BE IT RESOLVED the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Tyler J. Damm, 535 East Grant Avenue, Roselle Park, New Jersey 07204 as a probationary Police Dispatcher in the Roselle Park Police Department at the annual salary of \$35,694.29 effective May 22, 2017.

RESOLUTION NO. 145-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby accept the retirement of Nancy Caliendo from the positions of Registrar of Vital Statistics, Board of Health Clerk, and Multiple Dwelling Administrator for the Borough of Roselle Park, and all other positions held within her scope of employment with the Borough, effective July 1, 2017.

RESOLUTION NO. 146-17

WHEREAS, the Borough Clerk received sealed bids at 12:30 p.m. on May 10, 2017 for Bulk Waste Collection Services.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract pursuant to Alternate "A" of the advertised bid specifications in the amount not to exceed \$52,000.00 to Suburban Disposal, Inc., 54 Montesano Road, Fairfield, New Jersey 07004, the sole and lowest responsible bidder, for two bulk waste pickups to be held on the following dates:

June 15, 2017 (East Side)
June 16, 2017 (West Side)

October 19, 2017 (East Side)
October 20, 2017 (West Side)

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute any and all documents in furtherance of this contract.

RESOLUTION NO. 147-17

WHEREAS, the Borough Clerk received sealed bids at 10:30 a.m. on May 10, 2017 for Solid Waste Collection Services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that:

1. The contract for the collection of solid waste in the Borough of Roselle Park be and the same is hereby awarded to Suburban Disposal, Inc., 54 Montesano Road, Fairfield, New Jersey 07004, the sole bidder.
2. The term of contract award shall be for five (5) years pursuant to Option 3 of the advertised bid specifications for the total sum of One Million Nine Hundred Eighty Nine Thousand dollars (\$1,989,000.00) beginning August 1, 2017 with a yearly cost breakdown as follows:

YEAR 1:	\$382,000.00
YEAR 2:	\$390,000.00
YEAR 3:	\$397,000.00
YEAR 4:	\$406,000.00
YEAR 5:	\$414,000.00

- The Mayor and Borough Clerk are authorized to execute any and all documents in furtherance of this contract.

RESOLUTION NO. 148-17

WHEREAS, the Borough Clerk received sealed bids at 11:00 a.m. on May 10, 2017 for Recycling Collection Services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that:

- The contract for the collection of recycling in the Borough of Roselle Park be and the same is hereby awarded to Suburban Disposal, Inc., 54 Montesano Road, Fairfield, New Jersey 07004, the sole bidder.
- The term of contract award shall be for three (3) years pursuant to Option C of the advertised bid specifications for the total sum of Four Hundred Sixty Nine Thousand Nine Hundred Seventy Four Dollars (\$469,974.00) beginning September 1, 2017 with a yearly cost breakdown as follows:

YEAR 1: \$156,658.00
 YEAR 2: \$156,658.00
 YEAR 3: \$156,658.00

- The Mayor and Borough Clerk are authorized to execute any and all documents in furtherance of this contract.

RESOLUTION NO. 149-17

WHEREAS, the Borough Clerk received sealed bids at 12:00 p.m. on May 10, 2017 for Refuse Roll-Off Services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that:

- The contract for refuse roll-off services in the Borough of Roselle Park be and the same is hereby awarded to Waste Management of New Jersey, Inc., 107 Silvia Street, Ewing, NJ 08628.
- The term of contract award shall be for three (3) years pursuant to Option 3 of the advertised bid specifications beginning June 1, 2017 with a yearly cost breakdown as follows:

	<u>30 Yard - Trash</u>	<u>30 Yard - Metal</u>	<u>20 Yard - Concrete</u>	<u>20 Yard - Street Sweeping</u>
	<u>Trucking Only</u>	<u>Trucking Only</u>	<u>Per Container</u>	<u>Trucking Only</u>
YEAR 1	\$ 170.00	\$ 175.00	\$ 450.00	\$ 170.00
YEAR 2	\$ 175.00	\$ 175.00	\$ 460.00	\$ 175.00
YEAR 3	\$ 180.00	\$ 180.00	\$ 470.00	\$ 180.00

- The Mayor and Borough Clerk are authorized to execute any and all documents in furtherance of this contract.

RESOLUTION NO. 150-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that upon the recommendation of the Borough Engineer the Change Order for the Contract listed below be and is hereby approved:

TITLE OF JOB: Roselle Park Police OEM Storage Building
CONTRACTOR: Hull-Vicci Construction Corp., 107 Walnut Street, Cranford, NJ 07016
CHANGE ORDER N°: 1
AMOUNT OF CHANGE THIS RESOLUTION: \$6,650.00 (8.00% Increase) for an updated contract amount of \$89,750.00; and,

BE IT FURTHER RESOLVED that this resolution to take effect immediately upon final adoption and upon certification by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 151-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the contract for the Roselle Park Police OEM Storage Building having been constructed by Hull-Vicci Construction Corp., Cranford, NJ 07016, in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer; the Contractor having supplied a 25% Guarantee Bond No. 71895773 for a period of two (2) years from April 11, 2017; the said construction is hereby accepted, the contract closed, and final payment in the amount of Twenty-Seven Thousand Four Hundred Twenty-Two Dollars and Zero Cents (\$27,422.00) is hereby approved.

RESOLUTION NO. 152-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Frank J. Genova, 17 Bluff Street, Cranford, NJ 07016 be and is hereby appointed to the positions of Director of Code Enforcement, Construction Official, Building Subcode Official, and Building Inspector for a four (4) year term pursuant to N.J.S.A. 52:27D-126.8.b. effective June 24, 2017 at a salary of \$90,000.00 per annum as per the contract between the Borough of Roselle Park and Frank J. Genova; and,

BE IT FURTHER RESOLVED that effective January 1, 2018 the salary of Frank J. Genova shall be increased to \$100,000.00 per annum per the contract between the Borough of Roselle Park and Frank J. Genova; and,

BE IT FURTHER RESOLVED that effective January 1, 2019, and thereafter, he shall receive adjustments in salary consistent with those received by all other Department Heads.

RESOLUTION NO. 153-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby accept the resignation of Jackie Taluba from the Recreation Committee effective May 11, 2017.

RESOLUTION NO. 154-17

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the

WHEREAS, the Governing Body wishes to direct the Land Use Board to conduct a preliminary investigation to determine whether the following area, inclusive of the following properties, qualifies as an area in need of redevelopment;

<u>STREET ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>
10 W. Westfield Avenue	610	1
10 W. Westfield Avenue	610	3

WHEREAS, pursuant to N.J.S.A. 40A:12A-6(a), the Governing Body must state in its referral resolution whether it wishes to maintain all of the powers available under the Redevelopment Law, including the power of eminent domain and thus establish a “condemnation redevelopment area,” under the Redevelopment Law; and,

WHEREAS, the Governing Body wishes to direct the Land Use Board to undertake a preliminary investigation to determine whether the following area, qualifies as an area in need of redevelopment, pursuant to N.J.S.A. 40A:12A-5 and further state that, if the Study Area was so designated, it shall authorize the Borough to exercise all of the redevelopment powers within such redevelopment area, including eminent domain, so the designated Study Area would be a condemnation redevelopment area with respect to the referenced properties.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Roselle Park hereby directs the Land Use Board to conduct the necessary investigations and to hold a public hearing to determine whether the Study Area, inclusive of the properties listed above herein, does or does not qualify as an area in need of redevelopment under the criteria set forth in N.J.S.A. 40A:12A-1, et seq.; and,

BE IT FURTHER RESOLVED, that prior to the public hearing on the matter, the Land Use Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel(s) of property included therein, and appended to the map shall be a statement setting for the basis for the investigation; and,

BE IT FURTHER RESOLVED, that the Land Use Board shall specify a date for and give notice of the hearing for the purpose of hearing persons who are interested in or would be affected by a determination that the Study Area is a condemnation redevelopment area, as set forth herein; and,

BE IT FURTHER RESOLVED, that the hearing notice shall set forth the general boundaries of the Study Area and state that a map has been prepared and can be inspected at the office of the Borough Clerk and shall further state that a redevelopment area determination shall authorize the municipality to exercise the power of eminent domain to acquire properties in the delineated area, as set forth herein; and,

BE IT FURTHER RESOLVED, that a copy of the notice shall be published in a newspaper of general circulation in the Borough of Roselle Park once each week for two consecutive weeks, and the last publication shall be not less than ten (10) days prior to the date set for the hearing, and that a copy of the notice shall be mailed at least ten (10) days prior to the date set for the hearing to the last owner, if any, of each parcel of property within Study Area according to the assessment records of the Borough of Roselle Park, as well as all persons at their last known address, if any, whose names are noted on the assessment records as claimants of an interest in any such parcel; and,

BE IT FURTHER RESOLVED, that the Land Use Board shall hear all persons who are interested in or would be affected by a determination that the Study Area qualifies under the redevelopment criteria. All objections to such a determination and evidence in support of those objections, given orally or in writing, shall be received and considered and made part of the public record; and,

BE IT FURTHER RESOLVED, that the land Use Board shall submit its findings and recommendations to the Governing Body in the form of a Resolution with supportive documentation.