

REGULAR MEETING – JULY 20, 2017

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

MOMENT OF SILENCE/PRAYER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

1. Request from the residents of the 400 block of Hemlock Street to hold a Block Party on Saturday, July 29, 2017 from 12:00 Noon until 10:00 p.m.
2. Request from the residents of the 400 block of Bender Avenue to hold a Block Party on Saturday, September 2, 2017 from 12:00 Noon until 10:00 p.m.; with a Rain Date of Sunday, September 3, 2017.

PROCLAMATIONS & PRESENTATIONS

- Business of the Month: Dowling’s Irish Pub
- Eleanor Giles – 100 Years Old
- Daniel Vassallo – 100 Years Old
- Kevin Murphy

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

Regular Meeting & Closed Session of June 1, 2017

Regular Meeting & Closed Session of June 15, 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 2ND READING: COUNCILMAN SHIPLEY

None

ORDINANCES FOR INTRODUCTION: COUNCILMAN SHIPLEY

ORD. No. 2500 AN ORDINANCE AMENDING AND ABOLISHING CHAPTER VI, SECTION 7 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, “REGULATIONS FOR LICENSEES AND EMPLOYEES OF LICENSED PREMISES”

ORD. No. 2501 AN ORDINANCE OF THE BOROUGH OF ROSELLE PARK CREATING AND IMPLEMENTING CHAPTER X OF THE BOROUGH OF ROSELLE PARK HEALTH CODE ENTITLED, “GREASE TRAPS”

ORD. No. 2502 AN ORDINANCE AMENDING CHAPTER II, ARTICLE IV, SECTION 40 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, “ROSELLE PARK ARTS COMMITTEE”

ORD. No. 2503 AN ORDINANCE AMENDING CHAPTER XL, PART 3, ARTICLE XXX, SECTION 3002 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "SIGNS" WITH SPECIFIC AMENDMENTS TO SUBSECTION F

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:

- * **#181-17** – Authorizing the Treasurer to Issue a Check Totaling \$33,100.00 Payable to the Borough of Roselle Park from the Tax Collector’s Premium Account in Connection with a Tax Lien Foreclosure

- * **#182-17** – Authorizing an Agreement between the Borough of Roselle Park, Roselle Park Housing Rehabilitation Program Case No. RP-27 and Moulay Ahmed Hilal El Idrissi for the Improvement of the Property Known as Block 806, Lot 20 (141 East Clay Avenue)

- * **#183-17** – Accepting a Donation from Michael Connelly, 290 West Clay Ave, Roselle Park, New Jersey 07204, in the form of one (1) GE Model #GMR04BANFWW refrigerator (Serial #TT025405) to be kept, maintained, and utilized by the Casano Community Center

- * **#184-17** – Authorizing and Directing the Municipal Land Use Board to Undertake a Preliminary Investigation to Determine Whether Block 506, Lots 2, 3, 4, & 5 (Hunter Building Supply) of the Borough Meet the Criteria for an Area in Need of Redevelopment

- * **#185-17** – Authorizing the Mayor and Clerk to Execute an Agreement with the County of Union to Modify the Cooperative Agreement Dated June 5, 2014 for Certain Community Development Activities

- * **#186-17** – Authorizing an Agreement between the Borough of Roselle Park, Roselle Park Housing Rehabilitation Program Case No. RP-28 and Julio Sosa for the Improvement of the Property Known as Block 1014, Lot 9 (327 Sheridan Avenue)

- * **#187-17** – Authorizing the Borough’s Entrance into the New Jersey Interoperable Communications System User Agreement between the County of Union and New Jersey Office of Information Technology as an Independent Use Agency
- * **#188-17** – Awarding contract to MZ Contractors in the Amount of \$19,300.00 for the Project: Roselle Park Home Improvement Program Case #RP-25 Block 417/Lot 8 (620 Larch Street)
- * **#189-17** – Authorizing the Borough’s Participation in the Bergen County Cooperative Pricing System (#CK04-BERGEN)
- * **#190-17** – Approving the Insertion of a Drunk Driving Enforcement Fund Grant as a Special Item of Revenue in the 2017 Municipal Budget in the amount of \$11,360.03
- * **#191-17** – Accepting the 2016 Audit Report
- * **#192-17** – Accepting the Corrective Action Report for the 2016 Municipal Audit
- * **#193-17** – Authorizing the Borough Clerk to Auction Bicycles
- * **#194-17** – Urging the State Legislature to Extend the 2% Cap on Police and Fire Arbitration Contract Awards
- * **#195-17** – Urging the Governor and State Legislature to Pass Common Sense Affordable Housing Rules
- * **#196-17** – Authorizing the Treasurer to Issue Multiple Checks Totaling \$9,349.54 Payable to Two (2) Lien Holders on Five (5) Properties and Multiple Checks Totaling \$5,600.00 from the Tax Collector’s Premium Account
- * **#197-17** – Authorizing the Tax Collector to Reduce Sewer Utility Bills on Three (3) Properties Totaling \$2,454.18
- * **#198-17** – Authorizing the Tax Collector per the State Tax Court of New Jersey to Issue a Reduction and/or Refund in the Amount of \$19,259.15 for the Years 2014 and 2015 on Block 610/Lot 2
- * **#199-17** – Awarding Contract to Cifelli & Son Contractors, Inc. in the Amount Not to Exceed \$50,000.00 for the Project: 2017 Miscellaneous Concrete Repairs
- * **#200-17** – Appointing Eric R. Meyer to the position of Part-Time Community Center Desk Person
- * **#201-17** – Awarding a Contract to Cifelli & Son General Contracting, Inc. for the Project: Improvements to West Colfax Avenue Phase III in the Amount of \$235,482.00

- * #202-17 – Appointing Miguel A. Martinez as a Per-Diem Dispatcher
- * #203-17 – Appointing Hussam A. Assad as a Per-Diem Dispatcher
- * #204-17 – Awarding a Contract to Motorola Solutions, Inc. for Borough-Wide Public Safety Radio Telecommunications pursuant to New Jersey State Contract #83909 in an Amount Not to Exceed \$700,000.00
- * #205-17 – Authorizing Application of 2017 Kids Recreation Trust Fund Grant
- * #206-17 – Requesting Permission from the Union County Board of Chosen Freeholders to close Chestnut Street from Grant Avenue to Charles Street on Saturday, September 23, 2017 from 7:00 a.m. to 9:30 p.m. to hold a 2017 Arts Festival
- * #207-17 – Request from Roselle Park Loves Arts for Permission to Hang a Banner on Chestnut Street from September 1, 2017 to September 23, 2017 for the 2017 Arts Festival
- * #208-17 – Appointing Madeline Colandro to the position of Registrar of Vital Statistics
- * #209-17 – Appointing Madeline Colandro to a Clerical Position within the Office of the Borough Clerk
- * #210-17 – Supporting and Co-Sponsoring “Arts in the Park”
- * #211-17 – Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement for Street Sweeping Apparatus
- * #212-17 – Authorizing the Auction of Property (Vehicles) No Longer Needed for Public Use via an Online Auction Website
- * #213-17 – Setting the Terms of Retirement for Nancy Caliendo (Time-Due Calculation)
- * #214-17 – Accepting the Resignation of Eric Finkle as Fire Lieutenant
- * #215-17 – Confirming the Mayor’s Nomination of Dante Verdun as Fire Lieutenant to be Assigned to the Roselle Park Fire Department’s Lorraine Fire Company

MAYOR AND COUNCIL COMMITTEE REPORTS / REPORTS OF DEPARTMENTS

- Construction Official’s Report for June 2017
- Borough Clerk’s Report for June 2017
- Municipal Court Report for June 2017
- Treasurer’s Report for June 2017
- Police Chief’s Report for June 2017
- Casano Center Director’s Report for June 9 – July 17, 2017
- Mayoral Appointment(s) (No Confirmation from Council Required):
None

WORKSHOP DISCUSSION

Items Carried from Prior Meeting(s):

None

New Items:

- TV34 Video Processing for Long Meetings (Mayor Hokanson)
- Transit Village Designation (Councilwoman Storey)
- Police Force Priorities (Councilwoman Storey)
- ATM Machine (Mayor Hokanson)
- Newly Paved Street Repairs by Public Utilities (Councilman Fahoury)
- Parklets (Mayor Hokanson)

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

EXECUTIVE (CLOSED) SESSION

- Potential Litigation: Pozsonyi Matter

ADJOURNMENT

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL
WILL BE HELD ON AUGUST 17, 2017**

ORDINANCES FOR SECOND READING

(None)

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 2500

AN ORDINANCE AMENDING AND ABOLISHING CHAPTER VI, SECTION 7
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED,
“REGULATIONS FOR LICENSEES AND EMPLOYEES OF LICENSED PREMISES”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter VI, Section 7 be and hereby is amended and abolished as follows:

SECTION 1. 6-7 Reserved. REGULATIONS FOR LICENSEES AND EMPLOYEES OF LICENSED PREMISES.

~~6-7.1—Identification Card Required for Licensee and Agents, Bartenders, Waiters and Waitresses and Other Employees.~~

~~a.—Every licensee holding a plenary retail consumption license or a plenary retail distribution license, and the agents, bartenders, waiters, waitresses, barmaids, or other employees of the licensee, shall make application to the Alcoholic Beverage Control Investigation and Enforcement Unit for an identification card, which card shall be issued only upon completion of the application form provided by the Alcoholic Beverage Control Investigation and Enforcement Unit. The application shall require complete answers in writing as to the identity, character, general experience and other pertinent information with regard to the licensee, his agent, bartender, waiter or other employees.~~

~~b.—The provisions of paragraph a. shall not apply to any person, whether designated as an employee, independent contractor or otherwise, whose sole function on the licensed premises is to provide entertainment for the patrons.~~
(Ord. No. 2207 §1)

~~6-7.2—Fingerprinting and Photograph; Fees.~~

~~—Upon notification by the Alcoholic Beverage Control Investigation and Enforcement Unit to the licensee, agent, bartender, waiter, waitress, barmaid and/or other employee that his application has been approved, that individual shall report immediately to the Roselle Park Police Department and permit the Police Department to take an impression of the thumb and fingertips of both hands. At the time of taking of the fingerprints, the individual shall also permit the Police Department to take a photograph of the individual which photograph shall be attached to an identification card, which shall be issued to the individual and shall be on file on the licensed premises where he is employed so that it can be exhibited on demand at any time. Such identification card shall expire one (1) year from the date of issuing, at which time new photographs shall be taken and an updated identification card issued to the licensee, agent, bartender, waiter and/or other employee. Each individual shall be required to pay a fee of twenty-five (\$25.00) dollars per year for each identification card. In the event at the discretion of the Alcoholic Beverage Control Investigation and Enforcement Unit the licensee, agent, bartender, waiter, waitress, barmaid or other employee shall physically change in appearance so that identification card photograph no longer depicts their appearance, the licensee, agent, bartender, waiter, waitress, barmaid or other employee shall be required to have a new photograph taken for which the cardholder shall pay a fee of five (\$5.00) dollars. Notwithstanding the above, nothing in this subsection is to be interpreted as~~

increasing the civil or criminal liability of the Borough or any of its agencies as a result of the above described procedure. (Ord. No. 2207 § 1)

~~6-7.3—Compliance by Licensee Holding a Club License.~~

~~—Every licensee holding a club license shall be required to have its president and bar manager comply with the provisions of subsections 6-6.6 and 6-6.7. Further, any club licensee shall notify the Alcoholic Beverage Control Investigation and Enforcement Unit as to any change in the individuals serving in the capacity as president and/or bar manager. (Ord. No. 2207 § 1)~~

~~6-7.4—Employee to Conform to Requirements.~~

~~—No licensee shall engage or employ any agent, bartender, waiter or other employee in connection with the business of the licensee until and unless such person shall have conformed to the requirements of this chapter. (Ord. No. 2207 § 1)~~

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. 2501

AN ORDINANCE OF THE BOROUGH OF ROSELLE PARK CREATING
AND IMPLEMENTING CHAPTER X OF THE BOROUGH OF
ROSELLE PARK HEALTH CODE ENTITLED, “GREASE TRAPS”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter X of the Borough of Roselle Park Health Code be created and implemented to read as follows:

SECTION 1. BH: 10-1 PURPOSE.

The purpose of this section is to control discharges into the public sewerage collection system and wastewater treatment plants that interfere with the operations of the system, cause blockage and plugging of pipelines, interfere with normal operation of pumps and their controls, and contribute waste of a strength or form that either causes treatment difficulties or is beyond the treatment capability of the wastewater treatment plant.

SECTION 2. BH: 10-2 DEFINITIONS.

“Grease” shall mean material composed primarily of fats, oil and grease (FOG) from animal or vegetable sources. The terms fats, oil, and grease shall be deemed as grease by definition. Grease does not include petroleum based products.

“Grease trap” shall mean a device for separating and retaining waterborne greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system.

“Food service facilities” shall mean those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption foodstuffs and that use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing. These facilities include restaurants, cafeterias, hotels, motels, hospitals, nursing homes, schools, grocery stores, prisons, jails, churches, camps, caterers, manufacturing plants, or any other sewer users as determined by the plumbing sub-code official who discharge applicable waste. Exempted herefrom are self-contained single-family living units.

“User” shall mean any person or establishment including those located outside the jurisdictional limits of the borough who contributes, causes, or permits the contribution or discharge of wastewater into the borough's wastewater collection or treatment system, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.

“Oil/water separator” shall mean an approved and industry standard system that is specifically designed and manufactured to separate oil from water. The system shall allow the oil to be collected and removed on a regular basis as to prevent it from being discharged into the wastewater collection system. Only oil/water separators manufactured for that specific operation will be approved. Adequate support literature from the manufacturer will be required so as to allow a proper review by the Director of Code Enforcement and/or Plumbing Subcode Official.

“Sanitary Sewer” shall mean and refer to the sanitary system of the Borough of Roselle Park.

SECTION 3. BH: 10-3 GENERAL CRITERIA.

A. Installation Requirements: All existing, proposed, or newly remodeled food service facilities inside the Borough of Roselle Park shall be required to install, at the user's expense, an approved, properly operated and maintained grease trap, capable of preventing accumulation of grease in the sanitary sewer system of the Borough of Roselle Park.

1. Such above captioned establishments who do not possess a proper grease trap in accordance with the provisions of this chapter shall have such grease trap installed within ninety (90) days of the effective date of the enabling Ordinance. Upon the expiration of the ninetieth (90th) day following the effective date of the enabling ordinance an establishment not possessing a proper grease trap in accordance with this chapter shall be deemed in violation and shall be subject to fines pursuant to section 10-8 of this chapter.

B. Sanitary Sewer Flows: Sanitary sewer flows from toilets, urinals, lavatories, etc. shall not be discharged into the grease trap. These flows shall be conveyed separately to the sanitary sewer service lateral.

C. Floor Drains: Only floor drains which discharge or have the potential to discharge grease shall be connected to a grease trap.

D. Garbage Grinder/Disposers: It is recommended that solid food waste products be disposed of through normal solid waste/garbage disposal means. If a grinder/disposal is used it must be connected to the grease trap. The use of grinders is discouraged since it decreases the operational capacity of the grease trap and will require an increased pumping frequency to ensure continuous and effective operation.

E. Dishwashers: Commercial dishwashers must be connected to the grease trap. Dishwashers discharge soap and hot water which can melt grease and allow it to pass through an undersized grease trap. Traps must be sized accordingly to allow enough detention time to allow water to cool and grease to solidify and float to the top of the trap.

F. Locations: Grease traps shall be installed upstream from the sanitary sewer service lateral connection. This will allow easy access for inspection, cleaning, and removal of the intercepted grease at any time.

G. Pass Through Limits: No user shall allow wastewater discharge concentration from grease trap to exceed 100 MgPL (milligrams per liter) as identified by EPA method 1664A.

SECTION 4. BH: 10-4DESIGN CRITERIA.

A. Construction: Grease traps/interceptors shall meet the specifications of Chapter 6 of the current National Standard Plumbing code/ N.J.A.C. 5:23-3.15. All grease removal devices or technologies shall be subject to the written approval of the Director of Code Enforcement or Plumbing Subcode Official as designated. Such approval shall be based on demonstrated removal efficiencies of the proposed technology.

B. Access: Access to grease traps shall be available at all times requested by the Director of Code Enforcement, Deputy Code Enforcement Officer, Plumbing Subcode Official, Health Officer, or their designee(s), to allow for maintenance and inspection.

C. Load-Bearing Capacity: In areas where additional weight loads may exist, the grease trap shall be designed to have adequate load-bearing capacity. (For Example: Vehicular traffic in driving or parking areas).

SECTION 5. BH: 10-5GREASE TRAP MAINTENANCE.

A. Cleaning/Pumping: The user, at the user's expense, shall maintain all grease traps to assure proper operation and efficiency. Maintenance of grease trap shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludge and solids. This work shall be performed by a qualified and licensed hauler. Decanting or discharging of removed waste back into the trap from which it was removed or any other grease trap, for the purpose of reducing the volume to be disposed, is

prohibited. This service shall also include a thorough inspection of the trap and its components. Any needed repairs shall be noted. Repairs shall be made at user's expense.

B. Cleaning/Pumping Frequency: The grease trap must be pumped out completely a minimum of once every four (4) months, or more frequently, as determined by the Director of Code Enforcement, Health Officer or Plumbing Subcode Official, as needed to prevent carry over of grease into the sanitary sewer system.

C. Disposal: All waste removed from each grease trap must be disposed of at a facility approved to receive such waste in accordance with the provisions of this program. In no way, shall the materials pumped from the grease trap be returned to any private or public portion of the Borough of Roselle Park's sanitary sewer collection system. All materials pumped from grease traps must be tracked by a manifest, which confirms pumping, hauling, and disposal of waste. The customer must obtain and retain a copy of the original manifest from the hauler.

D. Maintenance Log: A grease trap cleaning/maintenance log indicating each pumping for the previous twenty-four (24) months shall be maintained by each food service facility. This log shall include the date, time, amount pumped, hauler, and disposal site and shall be kept on-location for inspection. Said log shall be made available to the Director of Code Enforcement, Health Officer, Plumbing Subcode Official or their designee(s) upon request.

E. Submission of Records: Each user shall submit all cleaning and maintenance records to the Plumbing Subcode Official. The maintenance records shall include the following information:

- (1) Facility name, address, contact person, and telephone number.
- (2) Company name, address, telephone number, and contact name of person responsible for performing the maintenance, cleaning, pumping, or repair of grease trap.
- (3) Types of maintenance performed.
- (4) Dates maintenance was performed.
- (5) Date of next schedule maintenance.
- (6) Copies of manifests.

The user shall be required to submit maintenance records to the Plumbing Subcode Official on a biannual basis (twice per year). Records shall be submitted by March 1 and September 1 of each year. The records shall be submitted to:

Plumbing Subcode Official
Borough of Roselle Park
110 East Westfield Avenue
Roselle Park, New Jersey 07204

SECTION 6. BH: 10-6 INSPECTIONS.

A. Generally: In consideration for continued use of its sanitary sewer system, The Borough of Roselle Park shall reserve the right to periodically conduct routine inspections of the grease traps/interceptor(s) of any food service facility during regular business hours. During such inspections, the Borough of Roselle Park shall have the right to inspect (i) any food preparation areas (ii) any records maintained pursuant to this section (iii) all grease traps/interceptors which shall be opened upon request, and (iv) all wastewater lines from the establishment to the sanitary sewer system, which may be accomplished by use of a line camera.

B. Inspection Fee for New Grease Traps/Interceptor Installations and Re-Inspections: The inspection fee for new grease trap/interceptor is established in subsection 16-1.3 of the Borough Code. There is hereby established a fee for re-inspection of any grease trap found in violation of this chapter in the amount of \$250 for the first offense, \$500 for the second offense and \$1,000 for the third and any subsequent offense.

Anytime the retail food establishment is found in violation during the re-inspection, there shall the penalties of section 10-8 of this Chapter shall apply.

C. Blockage: Whenever the Borough of Roselle Park discovers a blockage of the sanitary sewer system caused by grease, the Borough of Roselle Park shall have the right to conduct an inspection of any food service facilities establishment connected to the main in which said blockage is found, without regard to any prior or recent inspection(s) thereof.

D. Violation Discovered: If during an inspection, the Borough discovers a violation of this section, the Borough shall notify the owner and/or operator of the eating and drinking food establishment of the nature of said violation as soon as reasonably possible and, in its discretion, issue a notice to the owner and/or operator for the correction of said violation within seven (7) calendar days thereof. If said violation is not corrected within such time the Borough shall issue a summons in accordance with section 10-8 of this chapter.

The owner and/or operator of the eating and drinking food establishment shall be subject to additional fees for any borough labor associated with correcting a blockage.

SECTION 7. BH: 10-7 ADDITIVES.

Any biological additive(s) placed into the grease trap or building discharge line including, but not limited to, enzymes, commercially available bacteria, or other additives designed to absorb, purge, consume, treat, or otherwise eliminate fats, oils, and grease shall require written approval by the Health Officer prior to use. The use of such additives shall in no way be considered as a substitution to the maintenance procedures required herein.

SECTION 8. BH: 10-8 VIOLATIONS AND PENALTIES

A. A violation of the provisions of this Chapter is subject to the penalty provisions of Section 1-5 of the General Ordinances of the Borough of Roselle Park.

B. Recovery of Damages: When the discharge from a food service facility causes an obstruction, damage, or any other impairment to the treatment works, or causes any expense, fine, penalty, or damage of whatever character or nature to the Borough, the Director of Code Enforcement or Plumbing Subcode

Official as designated shall invoice the owner for same incurred by the Borough. If the invoice is not paid, the plumbing Subcode Official Shall notify the Borough Attorney to take such actions as shall be appropriate to seek reimbursement.

C. Remedies Nonexclusive: The remedies provided for in this subsection are not mutually exclusive. The Borough and its various designated agents may take any, all, or any combination of these actions against a noncompliant person.

SECTION 9. BH: 10-9 ENFORCEMENT.

A. Generally: Except as otherwise provided, the Borough of Roselle Park Health Officer, Director of Code Enforcement and the Deputy Code Enforcement Officer, or their duly designated representative(s), including the Borough of Roselle Park Plumbing Subcode Official, shall have the authority to enforce the terms of this chapter and to perform all the duties described herein on behalf of the Borough of Roselle Park.

B. Related Authorities: Nothing contained herein shall limit the authority of the Deputy Code Enforcement Officer, Roselle Park Plumbing Subcode Official, and others so designated to enter the premises of any food service facilities at all reasonable hours for the purpose of inspecting any water or sewer connection or service equipment, nor limit the authority of the Borough of Roselle Park to assess penalties for any discharge of grease into the sanitary sewer system.

SECTION 10. Invalidation

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 11. Inconsistent Ordinances Repealed.

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

SECTION 12. 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 13. 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. 2502

AN ORDINANCE AMENDING CHAPTER II, ARTICLE IV, SECTION 40
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED,
“ROSELLE PARK ARTS COMMITTEE”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter II, Article IV, Section 40 of the Code Borough of Roselle Park be amended to read as follows:

SECTION 1. 2-40 ROSELLE PARK ARTS COMMITTEE.

2-40.1 Roselle Park Arts Committee Created.

a. There is hereby established within the Borough of Roselle Park the Roselle Park Arts Committee.

b. The purpose of the Roselle Park Arts Committee shall be to encourage the arts in the Borough of Roselle Park. The Committee may make recommendations to the Mayor and Council about art plans and may suggest to the Mayor and Council methods to improve dissemination of information to residents to increase participation in art events in the Borough.

c. The Roselle Park Arts Committee shall consist of ~~seven (7)~~ **nine (9)** members. All appointments to the Roselle Park Arts Committee shall be made by the Mayor. Each appointment shall be for a term of one (1) year, which expires on December 31 of that year. The Mayor shall have the authority to remove any member of the Roselle Park Arts Committee, at any time.

d. The Roselle Park Borough Council shall appoint one of its members to be a liaison to the Roselle Park Arts Committee for a term of one (1) year, which expires on December 31 of that year.

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. 2503

AN ORDINANCE AMENDING CHAPTER XL, PART 3, ARTICLE XXX, SECTION 3002 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "SIGNS" WITH SPECIFIC AMENDMENTS TO SUBSECTION F

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter XL, Part 3, Article XXX, Section 3002, Subsection F of the Code Borough of Roselle Park be amended to read as follows:

SECTION 1. 40-3002 SIGNS.

[...]

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

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

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

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

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

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

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

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

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

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

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

7. Temporary Signs.

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

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

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

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

9. No sign shall be erected on any public property owned in the Borough of Roselle Park, including, but not limited to, municipal, county, state, and federal lands.

[...]

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.

RESOLUTIONS

RESOLUTION NO. 181-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Tax Collector hereby authorizes the Treasurer to issue a check from the Tax Collector's Premium Account in the amount of \$33,100.00 payable to the Borough of Roselle Park from a tax lien foreclosure by US BANK CUST/ACTLIEN HOLDING INC. on Block 802, Lot 39 (otherwise known as 137 East Webster Avenue, Roselle Park, NJ 07204) and previously assessed in the name of McCormack, Edward J. (per N.J.S.A. 54:5.33).

RESOLUTION NO. 182-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize an agreement between the Borough of Roselle Park, Roselle Park Housing Rehabilitation Program Case No. 27, and Moulay Ahmed Hilal El Adrissi for the improvement of the property known as Block 806, Lot 20 (141 East Clay Avenue).

RESOLUTION NO. 183-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby accept a material donation from Michael Connelly, 290 West Clay Ave, Roselle Park, New Jersey 07204, in the form of one (1) GE Model #GMR04BANFWW refrigerator (Serial #TT025405) to be kept, maintained, and utilized by the Casano Community Center.

RESOLUTION NO. 184-17

WHEREAS, there exists an area of the Borough of Roselle Park upon which sits industrial retail and other properties that have experienced discontinuance of use, that were formerly fully utilized and which have become increasingly dilapidated, underutilized or are disused, and obsolete or faulty in their layout and design for feasible uses in today's market; and,

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law") provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and,

WHEREAS, the Governing Body wishes to investigate and explore whether the above described area, more specifically described by lot and block below, might benefit from the tools available under the Redevelopment Law, to provide a means to facilitate a comprehensive redevelopment plan and to address the underutilization, vacancies and deteriorating conditions of the area and other surrounding properties or impacted properties; and,

WHEREAS, the Redevelopment Law sets forth a specific procedure for establishing an area in need of redevelopment; and,

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, prior to the Governing Body making a determination as to whether an area qualifies as an area in need of redevelopment, the Governing Body must authorize the Planning board, by resolution, to undertake a preliminary investigation to determine whether the area meets the criteria of an area in need of redevelopment set forth in 40A:12A-5; and,

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>
138 W. Webster Avenue	506	2
130 W. Webster Avenue	506	3
120 W. Webster Avenue	506	4
118 W. Webster Avenue	506	5

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.

RESOLUTION NO. 185-17

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant program; and,

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnerships program; and,

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and,

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and,

WHEREAS, it is in the best interest of the Municipality of Roselle Park and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq.

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 agreement entitled "COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES," dated June 5, 2014, for the Purpose of Inserting a Description of Activities for Fiscal Year 2017-2018 of the Union County Community Development Block Grant program, the HOME Investment Partnerships program, and the Emergency Solutions Grants program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and,

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

RESOLUTION NO. 186-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize an agreement between the Borough of Roselle Park, Roselle Park Housing Rehabilitation Program Case No. 28, and Julio Sosa for the improvement of the property known as Block 1014, Lot 9 (327 Sheridan Avenue).

RESOLUTION NO. 187-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize and endorse the Borough of Roselle Park's participation as an Independent User Agency in the New Jersey Interoperable Communications System (NJICS) User Agreement (hereinafter the "Agreement") between the County of Union and the New Jersey Office of Information Technology; and,

BE IT FURTHER RESOLVED that the Chief of Police of the Borough of Roselle Park Police Department or his designee, the Mayor, and Borough Clerk are authorized to sign the Agreement on behalf of the Borough; and,

BE IT FURTHER RESOLVED that the Agreement is incorporated herein and made a part of the foregoing Resolution by reference.

RESOLUTION NO. 188-17

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 to MZ Contractors in the amount not to exceed \$19,300.00 for the project Roselle Park Home Improvement Program, Case No. RP-25, Block 417/Lot 8 (620 Larch Street).

RESOLUTION NO. 189-17

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and,

WHEREAS, the County of Bergen, hereinafter referred to as the "Lead Agency" has offered voluntary participation in #CK04-BERGEN a Cooperative Pricing System for the purchase of goods and services; and,

WHEREAS, on July 20, 2017 the governing body of the Borough of Roselle Park, County of Union, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

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

TITLE:

This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Roselle Park.

AUTHORITY:

Pursuant to the provisions of N.J.S.A 40A:11-11(5), the Governing Body is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT:

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE:

This Resolution shall take effect immediately upon passage.

RESOLUTION NO. 190-17

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 sum of \$11,360.03 which item is now available as a revenue from the Drunk Driving Enforcement Fund Grant pursuant to the provisions of statute, and,

BE IT FURTHER RESOLVED that the like sum of \$11,360.03 is hereby appropriated under the caption of the Drunk Driving Enforcement Fund Grant, and,

BE IT FURTHER RESOLVED that the Borough Clerk forward a certified copy of this resolution with enclosures to the Chief Financial Officer to submit the resolution electronically to the Director of the Division of Local Government Services.

RESOLUTION NO. 191-17

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, the Annual Report of Audit for the fiscal year ending December 31, 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations;" and,

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby states that it has complied N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION NO. 192-17

WHEREAS, in accordance with the Single Audit Act, US Office of Management and Budget Circular A-133 and the New Jersey Office of Management and Budget Circular Letter 15-08, and regulations of the Division of Local Government Services, all municipalities are required to prepare and file a Corrective Action Plan; and,

WHEREAS, this plan must be filed with the Division within sixty (60) days from the date the statutory audit is received by the governing body; and,

WHEREAS, such a plan was prepared by the Chief Financial Officer and reviewed by the members of the governing body of the Borough of Roselle Park.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Corrective Action Plan is hereby approved and is to be filed with the Division of Local Government Services.

RESOLUTION NO. 193-17

WHEREAS, the Borough of Roselle Park (hereinafter referred to as the “Borough”) is the owner of the following personal property; and,

WHEREAS, said personal property is no longer needed for public use; and,

WHEREAS, the Borough is authorizing to see any and all of such property by public sale to the highest bidder pursuant to N.J.S.A. 40A:11-36; and,

WHEREAS, it is in the best interest of the Borough that a public auction be held for such property.

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 personal property no longer needed for public use listed below is hereby offered for public sale to the highest bidder subject to the conditions hereinafter set forth; and,
2. The Office of the Borough Clerk be and is hereby authorized to sell the following items, as is, at public sale on the grounds of the Borough Municipal Complex, 110 East Westfield Avenue, Roselle Park, New Jersey 07204 on Friday, August 11, 2017 at 10:00 A.M.; and,
3. The auction will be advertised in the following media: Union Leader and Star Ledger and Borough of Roselle Park Web Site; www.rosellepark.net; and,
4. Said sale shall be conducted by the Borough Clerk or by any person so designated by him; and,
5. Said property is being sold “as is;” and,
6. All prospective purchasers are put on notice to personally inspect the property prior to the commencement of bidding; and,
7. 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; and,
8. 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; and,
9. The Borough of Roselle Park reserves the right to reject all bids and shall not be obligated to accept any bids; and,
10. 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.

BE IT FURTHER RESOLVED that the personal Property no longer needed for public use to be sold shall, in this instance, consist of the following:

Item(s)
38 Miscellaneous Bicycles of various makes, models and conditions

RESOLUTION NO. 194-17

WHEREAS, local municipalities require specific tools to address the rising cost of municipal government; and,

WHEREAS, in July 2010 the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and,

WHEREAS, salary costs, to a great extent, drive property tax increases; and,

WHEREAS, in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and,

WHEREAS, the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and,

WHEREAS, in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and,

WHEREAS, municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and,

WHEREAS, we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and,

WHEREAS, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and,

WHEREAS, we recognize it is now time for our taxpayers to benefit directly from these cost saving measures as many police and fire contracts will come due for negotiation after the sunset date; and,

WHEREAS, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities may be forced to reduce or eliminate municipal services in order to fund interest arbitration awards that exceed a 2% Cap.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent; and,

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Assemblyman Jon Bramnick, Assemblywoman Nancy Muñoz, Senator Tom Kean, Jr., the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of State of New Jersey, and the New Jersey State League of Municipalities.

RESOLUTION NO. 195-17

WHEREAS, the first Mt. Laurel case in 1975 and the second in 1983, resulted in rulings that required all New Jersey municipalities to take affirmative actions toward providing their "fair share" of the regions need for affordable housing for low and moderate income people; and,

WHEREAS, the New Jersey legislature adopted the Fair Housing act in 1985, which created the Council on Affordable Housing, to assess the statewide need for affordable housing, to allocate that need on a municipal fair share basis, and to review and approve municipal housing plans aimed at implementing the local fair share obligation; and,

WHEREAS, the Municipal Land Use Law was amended to require a Housing Element as a mandatory element of each Municipal Master Plan, Section 52:20 7D – 310; and,

WHEREAS, subsequently COAH adopted its third round regulations on December 20, 2004, which required municipalities to petition for third round substantive certification, in order to remain under their jurisdiction; and,

WHEREAS, on January 25, 2007 the Appellate Division issued a decision on the third round regulations, which required COAH to revise its third round rules and precluded COAH from issuing third round substantive certifications until the new rules were adopted; and,

WHEREAS, on May 6, 2008, COAH adopted new third round rules, effective on June 2, 2008, followed by publication in the New Jersey Register as required, which ultimately resulted in the filing of amended third round certifications due on or before December 31, 2008, and,

WHEREAS, for the period from October 8, 2010 through October 2014, COAH failed to meet the deadline set by the Supreme Court for establishing new third round certification guidelines, and subsequently, the Supreme Court on March 10, 2015 ordered that, with the exhaustion of all administrative remedies, the courts shall resume their role of evaluating municipal compliance with Mount Laurel obligations; the effective date of the order was June 8, 2015; municipalities that were under administrative review were permitted to file declaratory judgment actions with the court by July 8, 2015; and,

WHEREAS, Municipalities, without State guidance on fair share housing obligations and due to insufficient time, did not have the ability to conduct its own fair share housing studies, therefore, Municipalities, had no choice but to accept the research done by the Fair Share Housing Center, since they would all be subject to “Builders Remedy Lawsuits” and subsequently, it is costing municipalities thousands of taxpayer dollars, to negotiate terms acceptable to the courts and the intervenors; and,

WHEREAS, the failure of the Governor and Legislature of the State of New Jersey to adopt affordable housing rules is a major detriment to the long-term development of all Municipalities in this State whereby a Municipality cannot plan for future growth without the threat of “builders remedy lawsuits”; and,

WHEREAS, Municipalities have spent millions of dollars complying with state regulations only to see that money being wasted due to the constant changes promulgated by a State Agency; and,

WHEREAS, Municipalities are anxious to provide housing to all citizens, however the inability of the State of New Jersey to pass common sense affordable housing regulations, has cost this State 18 years of inactivity, during which little affordable housing was created; and,

WHEREAS, tens of thousands of homeowners lost their homes during the great recession of 2008 and with the lack of affordable housing policies has led to empty homes in every municipality, that were returned to lenders; and,

WHEREAS, common sense affordable housing policy could have turned these empty homes into affordable housing for the many who need it, without imposing additional growth on municipalities; and,

WHEREAS, common sense affordable housing policies would call for affordable housing to be concentrated in areas where there is already supporting infrastructure, existing transportation routes, mass transit, and employment opportunities; and,

WHEREAS, requiring all 565 municipalities to create housing in locations that do not have infrastructure, transportation, or employment, violates the principles of smart growth, in accordance with the New Jersey State Development and Redevelopment Plan, and common sense.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Township of Clark, County of Union, New Jersey calls upon the Governor and Legislature of the State of New Jersey to pass common sense affordable housing rules that directs affordable housing to those locations with existing infrastructure, existing transportation networks, existing mass transit, and employment opportunities; and,

BE IT FURTHER RESOLVED, the Township recognizes the value of preserving green space, open areas, and the quality of life in New Jersey as discussed in the New Jersey State Plan and in the principles of smart growth. These regulations should apply equally to all municipalities in the State of New Jersey and to give each town an opportunity to comply with clear and concise regulations that spell out precisely each town’s role; and,

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Governor and Lieutenant Governor of the State of New Jersey, the Senate President, Assembly Speaker, Assemblyman Jon Bramnick, Assemblywoman Nancy Muñoz, Senator Tom Kean, Jr., all Municipal Clerks and the League of Municipalities.

RESOLUTION NO. 196-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Tax Collector hereby authorizes the Treasurer to issue multiple checks totaling of \$9,349.54 payable to two (2) lien holders on five (5) properties; and,

BE IT FURTHER RESOLVED that multiple checks shall be issued in the amount of \$5,600.00 from the Tax Collector's Premium Account on multiple properties.

BOROUGH OF ROSELLE PARK TAX COLLECTOR ANALYSIS OF LIEN REDEMPTIONS 7/20/2017															
	TSC #	BLOCK	LOT	QUAL.	PREMIUM	TOTAL AMOUNT REDEEMED	CERTIFICATE AMOUNT	REDEMPTION PENALTY PERCENTAGE	INTEREST ON CERTIFICATE DATE 7/20/2017	SEARCH FEE	RECORDING FEE	SUBSEQUENT TAXES PAID	INTEREST ON SUBSEQUENTS TO 7/20/2017	6% INTEREST PENALTY	LEGAL FEES
MAS CAPITAL	16-014	311	1		\$ 1,600.00	\$ 1,546.64	\$ 635.95	\$ 12.72		\$ 12.00	\$ 43.00	\$ 753.66	\$ 89.31		
MAS CAPITAL	16-009	304	7.01		\$ 1,300.00	\$ 753.27	\$ 391.67	\$ 7.83		\$ 12.00	\$ 43.00	\$ 267.12	\$ 31.65		
MAS CAPITAL	16-049	906	37		\$ 500.00	\$ 260.68	\$ 108.33	\$ -		\$ 12.00	\$ 43.00	\$ 87.04	\$ 10.31		
MAS CAPITAL	16-060	1101	8		\$ 1,300.00	\$ 506.45	\$ 255.00	\$ 5.10		\$ 12.00	\$ 43.00	\$ 171.08	\$ 20.27		
PARK FINANCE LLC	12-038	810	48		\$ 900.00	\$ 6,282.50	\$ 1,154.94	\$ 23.10		\$ 12.00	\$ 43.00	\$ 3,423.58	\$ 1,625.88		
					\$ -	\$ -	\$ -	\$ -							
					\$ -	\$ -	\$ -	\$ -							
					\$ -	\$ -	\$ -	\$ -							
TOTAL					\$ 5,600.00	\$ 9,349.54	\$ 2,545.89	\$ 48.75	\$ -	\$ 60.00	\$ 215.00	\$ 4,702.48	\$ 1,777.42		\$ -

RESOLUTION NO. 197-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Tax Collector is hereby authorized to reduce Sewer Utility bills on three (3) properties totaling \$2,454.18 (see attached; paperwork available in Tax Office).

RESOLUTION NO. 198-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Tax Collector is hereby authorized per the State Tax Court of New Jersey to issue reductions and/or refunds totaling \$19,259.15 for an appeal granted on Block 610, Lot 2 (otherwise known as 74 West Westfield Avenue, Roselle Park, N.J.) and assessed in the name of Somerset Tire Service, Inc.

Block/Lot	Year	Original Assessment	New Assessment	Reduction x Rate =	Refund
610/2	2013	\$455,000.00	\$455,000.00	\$0 x 12.406	\$ 0.00
610/2	2014	\$455,000.00	\$390,000.00	\$65,000 x 12.907	\$ 8,389.55
610/2	2015	\$455,000.00	\$375,000.00	\$80,000 x 13.587	\$ 10,869.60
610/2	2016	\$455,000.00	\$455,000.00	\$0 x 3.811	\$ 0.00
610/2	2017	\$455,000.00	\$455,000.00	\$0 x N/A	\$ 0.00
					\$19,259.15

Check to be issued to: McCarter & English, LLP

RESOLUTION NO. 199-17

WHEREAS, the Borough Clerk received sealed bids at 10:30 a.m. on July 13, 2017 for 2017 Miscellaneous Concrete Repairs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract to Cifelli & Son General Contractors, Inc., 81 Franklin Avenue, Nutley, NJ 07110 pursuant to the advertised specifications for a one (1) year period commencing September 1, 2017 with an itemized cost breakdown as follows:

Item No. 1:	Square Yard of Concrete Sidewalk, 4" Thick	\$80.00
Item No. 2:	Square Yard of Concrete Driveway Apron	\$90.00
Item No. 3:	Linear Foot of Concrete Vertical Curb	\$40.00

BE IT FURTHER RESOLVED that the foregoing contract award shall be in the total sum not to exceed Fifty-Thousand Dollars and Zero Cents (\$50,000.00); and,

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 200-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Eric R. Meyer of 730 Riverbend Drive, Linden, New Jersey 07036 to the position of Part-Time Community Center Desk Person (nighttime "Director") at the rate of \$9.96 not to exceed twenty-five (25) hours per week, effective July 24, 2017.

RESOLUTION NO. 201-17

WHEREAS, the Borough Clerk received sealed bids at 11:00 a.m. on Friday, July 14, 2017 for the project: Improvements to West Colfax Avenue, Phase III.

NOW, THEREFORE, BE IT RESOLVED that upon the recommendation of the Borough Engineer, Michael J. Neglia, the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to Cifelli & Son General Contractors, Inc., 81 Franklin Avenue, Nutley, NJ 07110 pursuant to the advertised specifications for the project: Improvements to West Colfax Avenue, Phase III, in the amount not to exceed two hundred thirty five thousand four hundred eighty two dollars (\$235,482.00); and,

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption, approval of the New Jersey Department of Transportation, and certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 202-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Miguel A. Martinez, 320 Pershing Avenue, Roselle Park, NJ 07204 as a Per-Diem Dispatcher at the current Per-Diem pay rate of \$15.92 per hour effective immediately.

RESOLUTION NO. 203-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Hussam A. Assad, 10 Sun Hollow Road, Howell, NJ 07731 as a Per-Diem Dispatcher at the current Per-Diem pay rate of \$15.92 per hour effective immediately.

RESOLUTION NO. 204-17

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 Motorola Solutions, Inc., 123 Tice Boulevard, Suite 202, Woodcliff Lake, NJ 07677, for Borough-Wide Public Safety Radio Telecommunications pursuant to New Jersey State Contract #83909 in an amount not to exceed Seven-Hundred Thousand Dollars and Zero Cents (\$700,000.00); and,

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk, and Chief of Police are authorized to sign any and all documentation in furtherance of the aforementioned contract.

RESOLUTION NO. 205-17

WHEREAS, the Borough of Roselle Park is committed to maintaining and expanding recreational opportunities for residents especially the children and youth of the community.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the Borough's application for the 2017 Kids Recreation Trust Fund Grant; and,

BE IT FURTHER RESOLVED that all funds awarded through this grant must be matched dollar for dollar by the Borough of Roselle Park:

“Roselle Park Training Center”

Includes the acquisition of strength and conditioning training equipment, and the implementation of a comprehensive fitness program. The program will utilize the most effective strength and fitness training techniques and exercises using both bodyweight and developmentally appropriate fitness equipment. The program will be administered by Roselle Park Recreation on behalf of the Borough as a whole.

Total Grant Request:	\$30,000.
Local Match:	\$30,000.
Total anticipated cost of project:	\$60,000.

RESOLUTION NO. 206-17

WHEREAS, the Borough of Roselle Park and Roselle Park Loves Arts will hold a 2017 Arts Festival on Saturday, September 23, 2017 from 7:00 a.m. to 9:30 p.m.; and

WHEREAS, the 2017 Arts Festival will be held on Chestnut Street from Webster Avenue to Charles Street; now therefore

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby requests approval from the Union County Board of Chosen Freeholders to close Chestnut Street, from Webster Avenue to Charles Street, on Saturday, September 23, 2017, in order to hold a 2017 Arts Festival.

RESOLUTION NO. 207-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, Union County, New Jersey that the request of Roselle Park Loves Arts for permission to hang a banner on Chestnut Street from September 1, 2017 to September 23, 2017 for the 2017 Arts Festival be and is hereby granted.

RESOLUTION NO. 208-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Madeline Colandro of 568 Stratford Road, Union, New Jersey 07083 to the position of Registrar of Vital Statistics with a salary of 3,746.20 per annum effective August 7, 2017; and,

BE IT FURTHER RESOLVED that this appointment shall be effective for three (3) years pursuant to New Jersey State Statute set to expire on August 6, 2020.

RESOLUTION NO. 209-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Madeline Colandro of 568 Stratford Road, Union, New Jersey 07083 to the position of “Clerk, Construction” within the Office of the Borough Clerk with a salary of 41,509.44 per annum effective August 7, 2017.

RESOLUTION NO. 210-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough of Roselle Park hereby supports and co-sponsors “Arts in the Park” organized by Roselle Park Arts for purposes of insurance coverage; and,

BE IT FURTHER RESOLVED that the dates for “Arts in the Park” are hereby established as Wednesday(s) August 2, 2017, August 9, 2017, August 16, 2017, August 23, 2017, and August 30, 2017.

RESOLUTION NO. 211-17

WHEREAS, the Borough of Roselle Park intends to participate in the Houston-Galveston Area Cooperative Purchasing System for Contract No. SW04-16 to purchase a TYMCO Model 600 Regenerative Air Sweeper; and,

WHEREAS, information regarding the contract may be found at the Office of the Borough Clerk during regular business hours, 8:30 a.m. to 4:30 p.m., as well as on the Houston-Galveston Area Cooperative Purchasing System website at: www.hgacbuy.org; and,

WHEREAS, the Borough of Roselle Park joined the Houston-Galveston Area Cooperative Purchasing System on September 4, 2014, with a contract term automatically renewable based on the Borough’s fiscal year, now set to expire December 31, 2017; and,

WHEREAS, the Borough of Roselle Park anticipates joining the Houston-Galveston Area Cooperative Purchasing System Contract No. SW04-16 on August 17, 2017, with a contract delivery term of 60-90 days for the above mentioned street sweeping apparatus; and,

WHEREAS, it is the intent of the Borough of Roselle Park to make a contract award to TYMCO, Inc., 225 E Industrial Boulevard, Waco, TX 76705 pursuant to the proposal submitted in response to the Houston-Galveston Area Cooperative Purchasing System’s request for bids; and,

WHEREAS, the Borough of Roselle Park is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the Borough Clerk to advertise a “Notice of Intent to Award Contract Under a National Cooperative Purchasing Agreement” pursuant to New Jersey Local Finance Notice 2012-10; and,

BE IT FURTHER RESOLVED that such notice shall have a comment period terminating upon the close of Borough business on Friday, August 11, 2017.

RESOLUTION NO. 212-17

WHEREAS, the Borough of Roselle Park is the owner of certain surplus property which it no longer needs for public use; and,

WHEREAS, the Borough of Roselle Park desires to auction said surplus property in an “as is” condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize the sale of the surplus property through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract (terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Roselle Park Borough Website); and,

BE IT FURTHER RESOLVED that the auction will be conducted online August 11, 2017 to August 25, 2017 and the address of the auction site is www.govdeals.com; and,

BE IT FURTHER RESOLVED that a list of the surplus property to be sold is as follows:

<u>Year</u>	<u>Make /Model</u>	<u>VIN #</u>
2007	Ford / Crown Victoria	2FAFP71W17X103642
2004	Ford / Crown Victoria	2FAFP71W04X171975
2001	Ford / Crown Victoria	2FAFP71W91X129817
2009	Dodge / Charger	3B3KA43VO9H546277
1999	Chevrolet / 3500	1GBJK34K7XF076826
1999	Ford / Expedition	1FMPU18L6XLB16430

BE IT FURTHER RESOLVED that the surplus property shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property; and,

BE IT FURTHER RESOLVED that the Borough of Roselle Park reserves the right to accept or reject any bid submitted.

RESOLUTION NO. 213-17

WHEREAS, Nancy Caliendo retired from the Borough of Roselle Park effective July 1, 2017; and,

WHEREAS, as Nancy Caliendo is entitled to certain compensation; and,

WHEREAS, it has been agreed by the Mayor and Council of the Borough of Roselle Park and Nancy Caliendo that the break-down of time-due compensation will be paid as follows:

Description	Amount of Days	Daily Rate	Amount Due
Vacation Days for 2017	25	\$ 202.78	\$ 5,069.50
Personal Days for 2017	3	\$ 202.78	\$ 608.34
Sick Days for 2017 (1 day for 3 days on cash in of 60 days, so get paid for 20 days)	20	\$ 202.78	\$ 4,055.60
Comp Time for 2017	0	\$ 28.9689	\$ 0.00
Vacation Days for 2018 (25 Prorated for 6 months)	12.5	\$ 202.78	\$ 2,534.75
Total Due			\$ 12,268.19

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 Chief Financial Officer is hereby directed to pay Nancy Caliendo the entitled compensation at the above schedule.

RESOLUTION NO. 214-17

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 Eric Finkle as a Lieutenant assigned to the Roselle Park Fire Department’s Lorraine Fire Company effective July 21, 2017.

RESOLUTION NO. 215-17

WHEREAS, Eric Finkle resigned from the position of Fire Lieutenant assigned to the Roselle Park Fire Department's Lorraine Fire Company effective July 21, 2017; and,

WHEREAS, the Mayor would like to fill the vacancy to ensure the health, safety, and wellbeing of the public.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby confirm the Mayor's nomination of Dante Verdun as Fire Lieutenant to be assigned to the Roselle Park Fire Department's Lorraine Fire Company effective July 22, 2017 for a term set to expire December 31, 2017; and,

BE IT FURTHER RESOLVED that Dante Verdun shall no longer be assigned as an Engineer for Lorraine Fire Company's Engine 1, and that such position shall remain vacant until further action by the Mayor and Council.