

RESOLUTION NO. 323-18

BY: COUNCILMEMBER Fahoury

RESOLUTION OF THE BOROUGH OF ROSELLE PARK, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE EXECUTION OF AN AMENDED REDEVELOPER'S AGREEMENT BETWEEN THE BOROUGH OF ROSELLE PARK AND THE REDEVELOPER, ROSELLE PARK VP, LLC, FOR THE PROPERTY COMMONLY KNOWN AS BLOCK 213, LOT 1 AND BLOCK 314, LOT 1 ON THE TAX MAP OF THE BOROUGH OF ROSELLE PARK

WHEREAS, the Mayor and Council (hereinafter, "governing body") of the Borough of Roselle Park (hereinafter, "Borough") adopted Resolution 137-09 which designated Roselle Park VP, LLC (herein after "Redevelopment Entity") as redeveloper of the property commonly known as Block 213, Lot 1 and Block 314, Lot 1, authorized execution of a Redeveloper's Agreement (hereinafter, "Agreement"), and settled litigation between the parties; and,

WHEREAS, such Agreement was executed by all parties and is dated October 2, 2009; and,

WHEREAS, the Redevelopment Entity has given indication to the Borough that it wishes to replace one members of the limited liability company that constitutes a portion of the redevelopment entity, namely Avalon Bay Communities, LLC (hereinafter, "Avalon"), with Fernmoor Homes (hereinafter, "Fernmoor"); and,

WHEREAS, Avalon has consented and agreed to be replaced by Fernmoor as a member of the Redevelopment Entity in correspondence dated October 11, 2018; and,

WHEREAS, Fernmoor presented its qualifications both before the governing body of the Borough and by way of written communication, with the governing body being generally satisfied that Fernmoor can meet and fulfill all obligations required by the Agreement; and,

WHEREAS, in consideration of the aforementioned substitution of Fernmoor for Avalon, the parties seek to extend the time period for project commencement; and,

WHEREAS, this amended Agreement is required in order to effectuate and consent to changes to the redevelopment entity, and the time period for project commencement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, upon review and recommendation of legal counsel, the following actions are so authorized:

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

SECTION 2. The Borough Council hereby authorizes the Mayor to execute, and the Borough Clerk to attest, an Amended Redeveloper's Agreement, attached hereto as Exhibit A.

SECTION 3. Copies of the executed Redevelopment Agreement shall be placed on file with the Office of the Borough Clerk and be available for public inspection in accordance with the law.

SECTION 4. This Resolution shall take effect immediately.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



**Andrew J. Casais, RMC
Borough Clerk**

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|------|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | | YES | ✓ NO | | |

EXHIBIT A

AMENDMENT OF REDEVELOPER'S AGREEMENT BETWEEN ROSELLE PARK VP,
LLC AND THE BOROUGH OF ROSELLE PARK, NEW JERSEY

This Amendment and Assignment Agreement (hereinafter "Amended Agreement") is entered into on this ____ day of _____ 2018, by and between Roselle Park VP, LLC, a limited liability company under the laws of the State of Delaware, with a business address of 517 Route 1 South, Iselin, New Jersey ("Developer"), , and the Borough of Roselle Park, County of Union, State of New Jersey, a municipal corporation of the State of New Jersey, with an address located at 110 East Westfield Avenue, Roselle Park, New Jersey ("Borough"). The Developer, any member or proposed member thereof, and the Borough are also referred to herein individually as "Party" and collectively as the "Parties."

WITNESSETH

WHEREAS, the Developer and the Borough entered into a Developer's Agreement for the site known as Block 213, Lot 1 and Block 314, Lot 1 on the official tax map of the Borough of Roselle Park, a 4.68 acre parcel commonly referred to as the Romerovski site (hereinafter referred to as "Property") on October 2, 2009; and

WHEREAS, the Developer submitted to the Borough, by correspondence dated June 14, 2018 stating that Fernmoor Homes ("Fernmoor") intends to replace one of the member of the Developer, AvalonBay Communities, LLC, in the limited liability corporation known as Roselle Park VP, LLC; and

WHEREAS, the Fernmoor presented its qualifications before the governing body of the Borough, with the governing body being satisfied that Fernmoor can meet fulfill all obligations required by the Developer's Agreement; and

WHEREAS, AvalonBay Communities, LLC, one of the members of the Developer, by correspondence dated October 11, 2018, has agreed to be replaced as a member of the Developer by Fernmoor; and

WHEREAS, in consideration of the aforementioned substitution of Fernmoor as a member of the Developer, the Parties seek to extend the time period for certain contingencies present in the Developer's Agreement; and

WHEREAS, this Amended Agreement is required in order to effectuate the replacement of one of the Members of the Developer and to amend the terms for the development of same.

NOW, THEREFORE, in consideration of the promises and of the mutual representations, covenants and agreements set forth herein, the Parties hereto, each binding itself, its successor and assigns, do mutually promise, covenant and agree as follows:

SECTION 1. SUBSTITUTION OF MEMBER OF DEVELOPER

- A. Pursuant to Section V.B.1.c of the Developer's Agreement, Fernmoor presented its qualifications as an experienced developer of multi-family units to the governing body of the Borough and accepts any and all associated rights, obligations and duties under the Developer's Agreement as a member of the Developer.

- B. Fernmoor hereby accepts all rights, obligations and duties under the Developer's Agreement and is subject to all terms and conditions running with the land contained therein.
- B. AvalonBay Communities, LLC has submitted a letter attached hereto agreeing to be replaced by Fernmoor as a member of the Developer and hereby relinquishes all rights, obligations and duties conferred by the Developer's Agreement to Fernmoor.
- C. By this Amended Agreement, the Borough hereby finds that Fernmoor has experience sufficient to be accepted as a member of the Developer and consents to the substitution of Fernmoor for AvalonBay Communities, LLC in the Developer's Agreement.

SECTION 2. AMENDMENT OF PROJECT COMMENCEMENT DATE

- A. By amending the Developers Agreement the, Developer shall begin the building of the improvements for the Redevelopment Project no later than December 31, 2020.
- B. The Borough waives the requirement that the building of improvements for the Redevelopment Project must commence no later than December 31, 2018 and consents to the amendment of Section V.B.1.b. consistent with Paragraph A of this Section.

SECTION 3. INCORPORATION BY REFERENCE

- A. The terms, conditions, rights, obligations, duties and responsibilities set for in the Developer's Agreement between the Developer and the Borough are incorporated by reference in their entirety in this Amended Agreement.
- B. Fernmoor, as substituting member of the Developer, expressly agrees to be bound without qualification to all terms, conditions, obligations, duties and responsibilities as set forth in the Developer's Agreement as incorporated by reference herein.

SECTION 4 LEGAL TRANSFER OF INTEREST IN DEVELOPER

- A. AvalonBay Communities, LLC and Fernmoor hereby agree to effectuate a transfer of AvalonBay Communities, LLC's interest in the Developer to Fernmoor by whatever conveyance or instrument is required by law.
- B. The Developer shall transmit proof of any assignment of any interest therein to the Borough within thirty (30) of the effective date of said assignment.
- C. Fernmoor shall transmit proof of closing of title for the Property to the Borough within thirty (30) days thereof.

SECTION 5. EFFECTIVE DATE

The Parties agree that this Amended Agreement shall take effect on the last date when an authorized representative of each Party has executed the Agreement.

SECTION 6. RECORDATION

This agreement may be enforced by any of the Parties, their successor and assigns. To achieve this purpose, the Borough shall record the Amended Agreement in a manner consistent with the provisions of Section V.B.1 of the Developer's Agreement.

SECTION 7. ENTIRE AGREEMENT

Subject to Section 3 hereof, this Amended Agreement contains the entire agreement between the Parties. No representative, agent or employee of any of the Parties has been authorized to make any representations or promises with reference to this Agreement or to vary, alter or modify the terms hereof except as stated herein. No additions, changes or modifications, renewals or extensions hereof, shall be binding unless memorialized in writing and signed by the Parties hereto.

SECTION 8. COUNTERPARTS

This Amended Agreement may be executed simultaneously in one (1) or more counterparts, each of which shall be deemed to be the original.

SECTION 9. PREPARATION

Each of the Parties hereto acknowledges that this Amended Agreement was not drafted by an individual Party, but was drafted, negotiated, and reviewed by one or more representatives of all Parties and, therefore, the presumption of resolving ambiguities against the drafter shall not apply. Each of the Parties expressly represents to the other Parties that: (a) it has been represented by counsel in connection with negotiating the terms of this Amended Agreement; and (b) it has conferred due authority upon the persons executing this Amended Agreement.

SECTION 10. SUCCESSORS AND ASSIGNS

Notwithstanding any provision to the contrary, this Amended Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, including any successor or assignee of the interest of AvalonBay Communities, LLC in the Developer.

SECTION 11. WAIVER

Failure to enforce any of the provisions of this Amended Agreement by any of the Parties shall not be construed as a waiver of these provisions.

SECTION 12. CAPTIONS

Captions and titles to this Amended Agreement and the several sections and subsections are inserted for purposes of convenience of reference only, and are in no way to be construed as limiting or modifying the scope and intent of the various provisions of this Amended Agreement.

SECTION 13. SEVERABILITY

In the event any one or more of the provisions of this Amended Agreement shall be adjudged to be invalid, void or unenforceable, such adjudication shall apply only to the section, paragraph,

subdivision, clause or provision and the remainder of this Amended Agreement shall be deemed valid and effective.

SECTION 14. NOTICE OF ACTION

The Parties agree to provide to each other prompt notice of any lawsuit, action or governmental declaration threatened or pending by third parties of which they are actually aware which may affect the provisions of this Amended Agreement, including without limitation any third party claim.

SECTION 15. NOTICE OF CONVEYANCE OR TRANSACTION

The Developer agrees to provide the Borough prompt notice of any conveyance of real property concerning any part of whole of the Property or other transaction related to any aspect of the Developer's Agreement.

SECTION 16. CONSTRUCTION

This Amended Agreement has been entered into and shall be construed, governed and enforced in accordance with the laws of the State of New Jersey, without giving effect to provisions relating to the conflict of laws.

SECTION 17. NOTICES

Any notice or transmittal of any document required, permitted or appropriate hereunder and/or any transmittal between the Parties relating to the property (herein "Notices") shall be written and shall be served upon the respective Parties by certified mail, return receipt requested, or recognized overnight or personal carrier with certified proof of receipt and, where feasible, and in addition thereto, facsimile delivery shall be provided. All Notices shall be deemed received upon the date of delivery set forth in such certified proof, and all times for performances based upon notices shall be from the date set forth therein. Delivery shall be affected as set forth above, subject to change as to the person(s) to be notified and/or their respective addresses upon ten (10) days notice as provided herein.

IN WITNESS WHEREOF, the Parties and/or their authorized representatives have signed this agreement.

ATTEST:

THE BOROUGH OF ROSELLE PARK

Andrew J. Casais, RMC QPA
Borough Clerk

By _____
Carl A. Hokanson, Mayor

Date signed: _____

ATTEST:

ROSELLE PARK VP, LLC

By _____

Date signed: _____

ATTEST:

FERNMOOR HOMES, LLC

By _____

Date signed: _____

RESOLUTION NO. 332-18

BY: COUNCILMEMBER Fahoury

WHEREAS, NJDOT submitted an amendment to Utility Agreement No. UECA-6-Rt. 28 Grove Street to Highland Avenue 124210 to the Borough of Roselle Park for execution by the Borough relating to the possible relocation of certain sanitary sewer facilities on Route 28 between Grove Street to Highland Avenue in the Borough of Roselle Park, Union County; and,

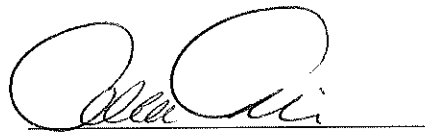
WHEREAS, the initial Utility Agreement No. UECA-6-Rt. 28 was executed by virtue of the adoption of Borough of Roselle Park Resolution 147-16; and,

WHEREAS, the Borough Engineer has reviewed said agreement and finds it acceptable as it protects the interests of the Borough during design and construction of said project, and reimburses the Borough for the cost of engineering services in connection with its review of the design and construction plans up to One Thousand & 00/100 Dollars (\$1,000.00).

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorizes, ratifies, and confirms the actions of Robert Krahnert, Assistant Superintendent of Public Works in executing an amendment to Agreement No. UECA-6-Rt. 28 between the NJDOT and the Borough of Roselle Park for the possible relocation of certain sanitary sewer facilities in connection with the construction of the above referenced project.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



**Andrew J. Casais, RMC
Borough Clerk**

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|------|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | | YES | ✓ NO | | |

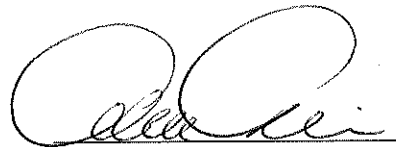
RESOLUTION NO. 333-18

BY: COUNCILMEMBER Fanoury

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 Michael Maiorelli from the position of Alternate Crossing Guard effective November 21, 2018.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



**Andrew J. Casais, RMC
Borough Clerk**

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | ✓ | YES | NO | | |

RESOLUTION NO. 334-18

BY: COUNCILMEMBER Fanoury

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 Thomas Thompson from the position of Crossing Guard effective December 3, 2018.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



**Andrew J. Casais, RMC
Borough Clerk**

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | ✓ | YES | NO | | |


RESOLUTION NO. 335-18

BY: COUNCILMEMBER Fahoury

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby promote Alternate Crossing Guard Gerald E. Vitale to the position of Crossing Guard to be paid \$67.26 per day effective immediately.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.


Andrew J. Casais, RMC
Borough Clerk

I hereby certify that funds are available in the line item: **01-0240-00-01391-101**.


Kenneth Blum, CFO

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | ✓ | YES | NO | | |

RESOLUTION NO. 336-18

BY: COUNCILMEMBER Fahoury

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey does hereby accept the retirement of Harold Breuninger from the position of Sergeant in the Roselle Park Police Department effective February 1, 2019.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



**Andrew J. Casais, RMC
Borough Clerk**

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|------|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | | YES | ✓ NO | | |


RESOLUTION NO. 337-18

BY: COUNCILMEMBER Fahoury

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Roselle Park Police Department be and is hereby authorized and directed to cover the parking meters in the downtown business area for the holiday season from December 14, 2018 to January 4, 2019.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.


Andrew J. Casais, RMC
Borough Clerk

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | ✓ | YES | NO | | |

RESOLUTION NO. 338-18

BY: COUNCILMEMBER Fahoury

WHEREAS, Local Finance Notice 2015-20 provided guidance to municipalities and school districts relating to a adjusted bidding thresholds, promulgated by the Governor of the State of New Jersey, that went into effect July 1, 2015; and,

WHEREAS, such promulgation includes the provision of a maximum bidding threshold for municipalities without a Qualified Purchasing Agent to be seventeen thousand five-hundred dollars (\$17,500.00), and the provision of a maximum bidding threshold for municipalities with a Qualified Purchasing Agent to be forty thousand dollars (\$40,000.00); and,

WHEREAS, effective October 1, 2018 the Borough of Roselle Park retained a Qualified Purchasing Agent to oversee purchasing operations for the municipality; and,

WHEREAS, pursuant to New Jersey State Statute and direction of the Division of Local Government Services within the State of New Jersey Department of Community Affairs, the Borough of Roselle Park may implement the bidding threshold associated with municipalities retaining a Qualified Purchasing Agent; and,

WHEREAS, it is the recommendation of the Borough's Qualified Purchasing Agent, Andrew J. Casais, that the governing body formally implement the bidding threshold of forty thousand dollars (\$40,000.00), as promulgated by the Governor, with a quotation threshold of fifteen percent (15%) of that amount, six thousand dollars (\$6,000.00), pursuant to N.J.S.A. 40A:11-6.1(a), with a policy effective date of January 1, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that procurement thresholds of the Borough of Roselle Park shall be established in accordance with the recommendations of the Qualified Purchasing Agent of the Borough of Roselle Park and the promulgation of the Governor of the State of New Jersey so as to set the Bidding Threshold of the Borough of Roselle Park as forty thousand dollars (\$40,000.00), and the Quotation Threshold as fifteen percent (15%) of the Bidding Threshold, six thousand dollars (\$6,000.00), pursuant to N.J.S.A. 40A:11-6.1(a), with a policy effective date of January 1, 2019; and,

BE IT FURTHER RESOLVED that the Qualified Purchasing Agent is hereby directed to effectively distribute this policy to all departments of the Borough of Roselle Park.

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | ✓ | YES | | NO | |

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



Andrew J. Casais, RMC
Borough Clerk

RESOLUTION NO. 339-18

BY: COUNCILMEMBER Fahoury

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 Connie Baña from the Community Center Committee effective November 28, 2018.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



Andrew J. Casais, RMC
Borough Clerk

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | ✓ | YES | NO | | | |

RESOLUTION NO. 340-18

BY: COUNCILMEMBER Fahoury

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey does hereby accept the retirement of Paul W. Morrison from the position of Chief of Police in the Roselle Park Police Department effective March 1, 2019.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



Andrew J. Casais, RMC
Borough Clerk

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | YES | ✓ | NO | | |

RESOLUTION NO. 341-18

BY: COUNCILMEMBER Fahoury

WHEREAS, the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, have adopted an Ordinance implementing a five-year tax abatement program for improvements made to single family and multi-family dwellings; and,

WHEREAS, the ordinance provides that a tax abatement shall not be granted unless approved by Resolution of the Borough Council; and,

WHEREAS, application for tax abatement has been received from the following:

| Name | Address | Block | Lot |
|----------------|---------------------------------------------------|-------|-----|
| Jorge Casalins | 122 Bender Avenue, Roselle Park, New Jersey 07204 | 1109 | 23 |

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 application listed above for abatement is hereby granted according to the terms of the Ordinance.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



**Andrew J. Casais, RMC
Borough Clerk**

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | ✓ | YES | NO | | |

RESOLUTION NO. 342-18

BY: COUNCILMEMBER Fahoury

WHEREAS, Michele McGlynn LoManto of 28 East Grant Avenue, Roselle Park, New Jersey 07204 was appointed as Clean Communities Coordinator of the Borough of Roselle Park for the year 2018 through the passage of Resolution 3-18; and,

WHEREAS, the governing body wishes to revise the term of appointment for Michele McGlynn LoManto as Clean Communities Coordinator to reflect one that is indefinite and terminable only for cause or resignation; and,

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 term of Michele McGlynn LoManto as Clean Communities Coordinator of the Borough of Roselle Park is hereby amended so as to reflect one that is indefinite, terminable only for cause or resignation; and,

BE IT FURTHER RESOLVED that the above shall constitute the only change to Resolution 3-18 without any change to total compensation or the need for further certification as to the availability of funds.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



**Andrew J. Casais, RMC
Borough Clerk**

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | | ✓ | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | | ✓ | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | | YES | ✓ | NO | |

RESOLUTION NO. 343-18

BY: COUNCILMEMBER Fahoury

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the hourly rate of pay of Michael Powers, Class II Special Law Enforcement Officer of the Borough of Roselle Park, be and is hereby increased to \$25.00 per hour effective immediately.

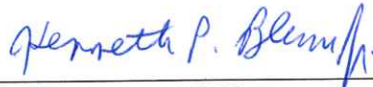
ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



**Andrew J. Casais, RMC
Borough Clerk**

I hereby certify that funds are available in line item: 01-0240-00-01371-102.



Kenneth Blum, CFO

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-------|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | | ✓ YES | NO | | |

RESOLUTION NO. 344-18

BY: COUNCILMEMBER Fahoury

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; and,

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 2018 in the sum of \$5,500.00 which item is now available as a revenue from the 2018 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant pursuant to the provisions of statute; and,


BE IT FURTHER RESOLVED, that the like sum of \$5,500.00 is hereby appropriated under the caption of the 2018 Drive Sober or Get Pulled Over Year End Holiday Crackdown 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.

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | ✓ | YES | | NO | |


Andrew J. Casais, RMC
Borough Clerk

RESOLUTION NO. 345-18

BY: COUNCILMEMBER Fanoury

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, that pursuant to the provisions of Ordinance 2430, Ordinance 2520 and Ordinance 2540, the annual 2019 salaries of certain officials and employees of the Borough of Roselle Park hereinafter named, be and are hereby fixed in the following amounts set forth opposite each name respectively, and salaries to be effective January 1, 2019 unless an alternative effective date is specified herein:

| Title | 2.00% Effective 1/1/2019 |
|-------------------------------|--------------------------|
| Qualified Purchasing Agent | \$ 15,300.00 |
| Economic Development Director | \$ 85,680.00 |
| Municipal Court Administrator | \$ 81,600.00 |
| Assistant Treasurer – K.L. | \$ 51,000.00 |
| Animal Control Officer | \$ 7,650.00 |

ADOPTED: December 6, 2018

I hereby certify that the foregoing resolution was adopted by the Council on December 6, 2018.



**Andrew J. Casais, RMC
Borough Clerk**

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | ✓ | | ✓ | | | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | | | ✓ | | | |
| ON CONSENT AGENDA | | ✓ | YES | | NO | |

RESOLUTION NO. 346-18

BY: COUNCILMEMBER DeToro

WHEREAS, the Municipal Land Use Board (hereinafter, "Land Use Board") of the Borough of Roselle Park (hereinafter, "Borough") held a Regular Meeting on Monday, November 5, 2018 where the West Webster Avenue Area 1 Redevelopment Plan (the "Plan"), encompassing Block 506, Lots 2, 3, 4 and 5 of the tax map of the Borough, dated October 2018 was reviewed as referred by the Mayor and Council (hereinafter, "Governing Body") in Resolution 308-18; and,

WHEREAS, the Land Use Board of the Borough adopted Resolution 2018-009, formalizing its recommendations in accordance with N.J.S.A. 40A:12A-7(e) to the Governing Body regarding the Plan; and,

WHEREAS, the Governing Body wishes to incorporate certain recommendations of the Land Use Board into the Plan as referenced in Resolution 2018-009.

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 Plan dated October 2018, referred in Resolution 308-18, be amended to effectuate and incorporate the following recommendation of the Land Use Board of the Borough with the condition that a shared parking analysis does not include on-street parking within the calculation:

Land Use Board Resolution: 2018-009

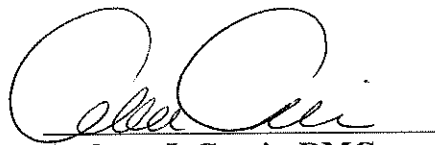
Recommendation No.: 1 of 4

Recommendation: "Shared parking should not be automatically allowed in this Plan. The Board suggests the issue of shared parking remain an issue for the Board's consideration and something to be determined on a case by case basis."

ADOPTED: December 6, 2018

| COUNCIL | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| HOKANSON | | | | | | |
| PETROSKY | | | ✓ | | | |
| SHIPLEY | | | ✓ | | | |
| FAHOURY | | | | | ✓ | |
| CONNELLY | | ✓ | ✓ | | | |
| NEGRON | | | ✓ | | | |
| DEIORIO | ✓ | | ✓ | | | |
| ON CONSENT AGENDA | | | YES | NO | | |

I hereby certify that the foregoing Resolution was acted upon by the Council on December 6, 2018 with the below captioned results on a motion to adopt.


Andrew J. Casais, RMC
Borough Clerk