

REGULAR MEETING – JUNE 1, 2017

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

MOMENT OF SILENCE/PRAYER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

None

PROCLAMATIONS & PRESENTATIONS

- Presentation: AT&T; Re: Installation of Fiber Optic Cable
- Gun Violence Awareness Day

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

Special Meeting of May 4, 2017

Regular Meeting & Closed Session of May 4, 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

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

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

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

ORDINANCES FOR INTRODUCTION: COUNCILMAN SHIPLEY

- ORD. No. 2494 BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,468,000 FOR VARIOUS CAPITAL IMPROVEMENTS BY AND FOR THE BOROUGH OF ROSELLE PARK IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,300,000 IN BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION
- ORD. No. 2495 AN ORDINANCE AMENDING CHAPTER XIII, ARTICLE I, SECTION 1.18 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "CODE ENFORCEMENT, DIRECTOR OF"
- ORD. No. 2496 AN ORDINANCE AMENDING CHAPTER II, ARTICLE III, SECTION 30 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "DEPARTMENT OF CODE ENFORCEMENT"
- ORD. No. 2497 AN ORDINANCE AMENDING CHAPTER XIX OF THE CODE OF THE BOROUGH OF ROSELLE PARK INSERTING SECTION 19-5 ENTITLED, "BOARD-UP OF BUILDINGS"
- ORD. No. 2498 AN ORDINANCE AMENDING CHAPTER XL, ARTICLE XXVIII, SECTION 2803 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "OFF-STREET PARKING" WITH SPECIFIC AMENDMENTS TO PARAGRAPH D
- ORD. No. 2499 AN ORDINANCE OF THE BOROUGH OF ROSELLE PARK AMENDING CHAPTER XIX OF THE CODE OF THE BOROUGH OF ROSELLE PARK INSERTING SECTION 19-6 TO BE ENTITLED "RESIDENTIAL MAINTENANCE AND REGISTRATION" TO ESTABLISH STANDARDS FOR THE REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN FORECLOSURE BY CREDITORS

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:

- * # 157-17 – Approving a Person-to-Person Transfer of Plenary Retail Consumption Liquor License #2015-33-006-011 from Limerick’s, LLC to Café C Roselle Park, LLC effective June 2, 2017

- * **#158-17** – Appointing Donna Corrigan to the Position of Multi-Dwelling Administrator of the Borough of Roselle Park Effective July 1, 2017
- * **#159-17** – Approving Amendments to the Capital Budget
- * **#160-17** – Ratifying and Confirming the Request of the Governing Body to Hang a Banner Advertising the June 2017 Borough-Wide Garage Sale Over Chestnut Street
- * **#161-17** – Appointing John A. Fugett to the Position of Part-Time Senior Bus Driver for the Casano Community Center Effective June 2, 2017
- * **#162-17** – Renewing Certain ABC Licenses for the 2017-2018 Licensing Term
- * **#163-17** – Authorizing the Treasurer to Issue Multiple Checks in the Amount of \$6,676.27 Payable to Two (2) Lien Holder on Four (4) Properties and Multiple Checks in the Amount of \$5,500.00 from the Tax Collector’s Premium Account
- * **#164-17** – Awarding a Contract Pursuant to New Jersey State Contract for Six (6) Copiers for a Forty-Eight (48) Month Lease to Ricoh USA, 5 Dedrick Place, West Caldwell, New Jersey 07006 in the Amount Not to Exceed \$37,666.08
- * **#165-17** – Setting Terms of Time Owed to Greg Powers

MAYOR AND COUNCIL COMMITTEE REPORTS / REPORTS OF DEPARTMENTS

- Treasurers Report for April 2017
- Mayoral Appointment(s) (No Confirmation from Council Required)
 - Appointing Jeanine Goodis as a full-member of the Recreation Committee to fill the unexpired term of Jackie Taluba set to expire December 31, 2017.
 - Appointing Ilene Antonucci as Alternate #1 of the Recreation Committee to fill the unexpired term of Jeanine Goodis set to expire December 31, 2020.
 - Appointing Jamie O’Connell as Alternate #2 of the Recreation Committee to fill the unexpired term of Ilene Antonucci set to expire December 31, 2019.

WORKSHOP DISCUSSION

Items Carried from Prior Meeting(s):

- Maintenance of Casano Center Bus (Councilman Fahoury)
- Purchasing Pictures from a Stock Company for Borough Use (Councilwoman Storey)
- 311 App (Councilwoman Storey)

New Items:

- Correcting WWII Memorial Plaque (Mayor Hokanson)
- Planting of Trees (Mayor Hokanson)

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

EXECUTIVE (CLOSED) SESSION

- Potential Litigation – First Aid Squad

ADJOURNMENT

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL
WILL BE HELD ON JUNE 15, 2017**

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2491

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

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

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

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

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

[...]

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

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

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

[...]

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

[...]

SECTION 3. 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 4. Inconsistent Ordinances Repealed.

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

SECTION 5. Captions.

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

SECTION 6. Effective Date.

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

ORDINANCE NO. 2492

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

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

SECTION 1. 3-8.3 Definitions.

As used in this chapter:

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

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

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

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

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

(1980 Code § 152-3)

SECTION 2. Invalidity

If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this Ordinance.

SECTION 3. Inconsistent Ordinances Repealed.

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

SECTION 4. Captions.

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

SECTION 5. Effective Date.

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

ORDINANCE NO. 2493

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

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

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

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

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

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

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

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

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

1. The Redevelopment Area is not currently developed to its maximum potential. The Redevelopment Area is sparsely developed and underutilized and generates minimal taxes for the Borough. Development in the Redevelopment Area is

- financially infeasible without financial assistance. Upon expiration of the exemption, the Project shall be fully assessed and conventionally taxed;
2. Given the costs as well as the uncertainty and instability of current economic and market conditions as well as aggressive competition within the region, the investment risk makes the financing of the Project infeasible in the absence of a tax exemption provided by the Borough;
 3. The construction of the Project will result in the remediation of the Redevelopment Area, substantial improvements to the infrastructure on the site as well as community benefits in the form of increased jobs and ratables;
 4. The Project is consistent with the Redevelopment Plan, will further its objectives and will contribute to the economic growth of the Borough;
 5. The Financial Agreement was a material inducement to Meridia to undertake the Project in the Borough and facilitate the redevelopment of the Redevelopment Area; and

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

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

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

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

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

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

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

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

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

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

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

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

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 2494

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,468,000 FOR VARIOUS CAPITAL IMPROVEMENTS BY AND FOR THE BOROUGH OF ROSELLE PARK IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,300,000 IN BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1: The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Roselle Park, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$2,468,000, such sum includes the sum of (a) \$25,000 expected to be received as a Union County Senior Focus Grant in connection with the improvement described in Section 3(a)(ii) and (b) \$143,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A, Municipalities and Counties of the Revised Statutes of New Jersey (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2: In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,300,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$2,300,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements hereby authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each improvement are as follows:

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Average Period of Usefulness
(i) Purchase of equipment and capital items for various departments including but not limited to (a) street sweeper and signs for the Public Works Department; (b) emergency communications radio system for the Public Works Department, Police and Fire Department, First Aid Squad and Office of Emergency Management; (c) Scott SCBA air bottles, turnout gear and pagers and batteries for the Fire Department and (d) computer equipment	\$1,042,000	\$980,000	10.80 years

Purpose	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Average Period of Usefulness</u>
and software for all Borough Departments.			
(ii) Various improvements to Borough property including but not limited to improvements to municipal buildings and grounds, sidewalk improvements, tree plant Borough-wide, improvements to Library buildings and grounds ADA ramp and replacement of roof and gutters at the Casano Center, including all work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on the file in the Office of the Clerk.	360,000	\$313,000	15 years
(iii) Resurfacing of various streets, including but not limited to East Colfax Avenue from Chestnut Street to Walnut Street, resurfacing of Butler Avenue from Meadow Street to Locust Street, resurfacing of Spruce Street from East Clay Avenue to East Lincoln Avenue, including all work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on the file in the Office of the Clerk.	716,000	677,000	10 years
(iv) Open channel storm sewer improvements between East Lincoln Avenue and East Webster Avenue and various improvements to sewer system, including all work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on the file in the Office of the Clerk.	350,000	330,000	40 Years
TOTAL:	\$2,468,000	\$2,300,000	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$2,300,000.

(c) The estimated cost of the Improvements is \$2,468,000, which amount represents the appropriation made by the Borough.

SECTION 4: All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Officer shall determine

all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5: The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6: The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 15.32 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$2,300,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7: Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8: The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9: This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by

the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$2,300,000.

SECTION 10: This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE NO. 2495

AN ORDINANCE AMENDING CHAPTER XIII, ARTICLE I, SECTION 1.18
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
ENTITLED, "CODE ENFORCEMENT, DIRECTOR OF"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter XIII, Article I, Section 1.18 be and hereby is amended as follows:

SECTION 1. 13-1.18 Code Enforcement, Director of.

a. *Position Created; Compensation.* There is hereby created the position of Director of Code Enforcement in the ~~Construction~~ Department of **Code Enforcement** of the Borough. This position/title will encompass the ~~positions~~^{duties} of Construction Code Official, Housing Inspector, Building Subcode Official, **and** Building Inspector ~~and Zoning Officer~~. Compensation shall be established in the Salary Ordinance.

b. *Manner of Payment.* See Section 13-6.

c. *Duties.* See Chapter II, Administration, Section 2-30.

~~d. *Deputy Code Enforcement Officer.* See Chapter II, Administration, subsection 2-30.7.
(1980 Code §§ 43-115; 43-116; New)~~

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. 2496

AN ORDINANCE AMENDING CHAPTER II, ARTICLE III, SECTION 30
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
ENTITLED, "DEPARTMENT OF CODE ENFORCEMENT"

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 III, Section 30 be and hereby is amended as follows:

SECTION 1. 2-30.1 Department Created.

There is hereby created the Department of Code Enforcement. The head of the Department shall be known as the "Director of Code Enforcement-" **who shall also serve as, and be responsible to administer the duties of, the Construction Official, Building Subcode Official, and Building Inspector pursuant to 13-1.18 of the Code of the Borough of Roselle Park.**

SECTION 2. 2-30.2 Appointment of Director; Positions Established Within the Department.

a. The Director of the Department of Code Enforcement shall be appointed by the Mayor with confirmation of the Council. **Such appointment shall be made concurrent with the appointment of the Construction Official, Building Subcode Official, and Building Inspector.**

b. *Positions Within the Department.*

1. Director of Code Enforcement;
2. Zoning Officer;
3. Deputy Code Enforcement Officer;
4. Construction Official ~~and Building Subcode Official~~;
5. Housing Inspector;
6. Administrative Officer for zoning matters in accordance with N.J.S.A. 40:55D-3.
7. **Building Subcode Official / Inspector**
8. **Control Person**
9. **Electrical Subcode Official / Inspector**
10. **Fire Subcode Official / Inspector**
11. **Plumbing Subcode Official / Inspector**
12. **Anti-Litter/Code Enforcement Officer**
13. **Apartment House Inspector**
14. **Building Inspector/Construction Official Trainee**
15. **Hotel and Multiple Dwelling Inspector**
16. **Multidwelling Administrator**

17. Residential Tenancy Inspector

18. Clean Community Coordinator

SECTION 3. 2-30.3 Duties of Department Head.

The Department Head shall:

- a. Exercise and discharge the functions, powers and duties of the Department.
- b. Prescribe the internal organization of the Department and the duties of his/her subordinates and assistants, which shall include, but may not be limited to, the Apartment House Inspector, Clean Community Coordinator and Multi-Dwelling Administrator-, **Zoning Officer, Deputy Code Enforcement Officer, Administrative Officer for zoning matters in accordance with N.J.S.A. 40:55D-3.7, Control Person, Electrical Subcode Official, Fire Subcode Official, Plumbing Subcode Official, Anti-Litter/Code Enforcement Officer, Building Inspector/Construction Official Trainee, Hotel and Multiple Dwelling Inspector, Residential Tenancy Inspector.**
- c. Administer the work of the Department. ~~and the divisions established by this section and such other units of administration as he/she may find necessary or desirable with respect to the Borough Maintenance Code, the issuance of certificates of occupancy and the responsibilities of the Apartment House Inspector.~~
- d. Delegate such of his/her powers as he/she may deem necessary for the efficient administration of the Department to be exercised under his/her direction. ~~and supervision by Division Heads.~~
- e. Report to the Mayor and Council of the activities, progress, problems and achievements of the Department on a monthly basis.
- f. Perform such other duties as may be delegated to the Director of the Mayor and Council.
- g. Comply with all County, State and Federal requirements.

SECTION 4. 2-30.4 Compensation.

The Director of Code Enforcement and others of the Department shall receive such compensation as shall be established in the Salary Ordinance. (1980 Code § 19-4)

SECTION 5. 2-30.5 Duties of Construction Official.

The Construction Official shall have, exercise and discharge functions, powers and duties of the Construction Official as provided by ordinance and the Uniform Construction Code Act (N.J.S.A. 52:27D-119 et seq.) and in accordance with the regulations for the New Jersey Uniform Construction Code (N.J.A.C. 5:23-1 and 5:23A-1 et seq.). ~~There should be appointed within the Division of Code Enforcement those subcode officials provided for in Ordinance No. 983 and amendments thereto.~~

The Construction Official shall ~~make~~**perform and/or delegate** all of the required inspections to **applicable subcode officials or inspectors.**, ~~or shall accept reports of inspection by approved agencies or individuals.~~ All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The ~~Code~~**Construction** Official is authorized to engage such expert opinion as deemed necessary to report upon technical issues that arise for plot plan

review such as but not limited to drainage, landscape, utility work and grading. Initial escrow should be posted in the amount of seven hundred fifty (\$750.00) dollars to cover the expert charges. (1980 Code § 19-5; Ord. No. 2352)

SECTION 6. 2-30.6 Duties of Housing Inspector.

The Housing Inspector shall be responsible for enforcement of the Property Maintenance Code of the Borough.* (1980 Code § 19-6)

SECTION 7. 2-30.7 Duties of Zoning Officer.

a. The Zoning Officer shall review all applications for construction within the Borough to determine if a project conforms with Chapter XXXV, Land Use Regulations.

b. The Zoning Officer shall sign off on all construction applications certifying that the construction conforms with all the requirements of Chapter XXXV, Land Use Regulations, or shall indicate what sections of the Regulations are intended to be violated and shall inform the applicant of his options.

c. The Zoning Officer shall review all applications before the Planning Board or Board of Adjustment and shall submit a written report to the applicant and appropriate Board with respect to the compliance or lack of compliance with the Zoning Regulations.

(1980 Code § 19-7)

SECTION 8. 2-30.8 Deputy Code Enforcement Officer.

There is hereby created the position of Deputy Code Enforcement Officer who shall have the responsibility and the authority to enforce the following portion of the Borough Ordinances:

Chapter III –	Section 3-3 Section 3-6 Section 3-7 Section 3-8 Section 3-9 Section 3-14
Chapter IV –	Section 4-3 Section 4-7
Chapter VIII	Section 8-8
Chapter XIII –	Section 13-1
Chapter XVII –	Section 17-1
Chapter XIX –	Section 19-1 Section 19-2 Section 19-4 Section 19-5 Section 19-6
Chapter XX –	All Sections
Chapter XXIII –	Section 23-1.29 Section 23-2 Section 23-4 Section 23-5
Chapter XXVIII –	Section 28-1 Section 28-2 Section 28-3 Section 28-4 Section 28-5
Chapter XL –	All Sections

Specifically included in the responsibility and authority of the Deputy Code Enforcement Officer is to issue summonses or notices of violation for the following:

- a. Failure to obtain the requisite permits before initiating construction and/or alterations;
 - b. Failure to receive a Certificate of Occupancy before occupying the property;
 - c. Changing the use or converting the occupancy of any structure, in violation of the Land Use Ordinance as cited above;
 - d. Overcrowding of dwelling units;
 - e. Failure to adhere to the Borough's sanitation and litter ordinances; and
 - f. Inspecting structures and issuing certificates for smoke detectors and carbon monoxide.
- (1980 Code § 19-8; Ord. No. 2264 § 1)

SECTION 9. 2-30.9 Subcode Officials

Subcode Officials, while subordinate to the Department Head for purposes of organization and efficient operation, shall be appointed and shall carry out all official duties in full compliance with the prevailing provisions of the Uniform Construction Code.

SECTION 10. 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 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. 2497

**AN ORDINANCE AMENDING CHAPTER XIX
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
INSERTING SECTION 19-5 ENTITLED, "BOARD-UP OF BUILDINGS"**

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter XIX be and hereby is amended so as to insert a new section, 19-5, to be entitled "Board-Up of Buildings," as follows:

SECTION 1. 19-5.1 Board-Up Required

Whenever a building, of any type or use, shall exhibit conditions where its means of ingress or egress, including but not limited to windows and doorways, are breached so as to leave the building itself open to the effects of adverse weather conditions, wildlife, intruders, and other undesirable effects, it shall be the responsibility of the owner of such building to board-up the breached means of ingress or egress in accordance to the provisions of this section.

SECTION 2. 19-5.2 Acceptable Materials

The board-up of buildings qualified by section 19-5.1 of this Chapter shall be conducted

in a manner which utilizes polycarbonate clear boarding materials. Such materials should be fully transparent so as to allow clear sight into and out of the building. Such materials shall be affixed to the building so as so eliminate the exposure of the internal structure to exterior elements. The use of plywood is expressly prohibited.

SECTION 3. 19-5.3 Enforcement; Violations and Penalties

- a. The enforcement of this section shall be the responsibility, and under the authority, of the Director of Code Enforcement and the Deputy Code Enforcement Officer on behalf of the Borough of Roselle Park.**
- b. This section shall be enforced throughout the Borough in its entirety without exception. The Borough shall not grandfather any buildings that are shown to have exhibited the conditions in section 19-5.1 prior the effective date of this ordinance.**

Nothing in the forgoing paragraph shall be construed as to authorize a retroactive penalty or fine.

- c. Upon written notice of violation, the Borough shall provide fourteen (14) days in which the owner of a building may legally and without penalty abate conditions referenced in section 19-5.1.**
- d. Upon the expiration of the fourteenth (14th) day after the issuance of a written notice of violation a penalty shall be imposed pursuant to the provisions of the General Penalty, section 1-5 of the Code of the Borough of Roselle Park. Such aforementioned penalty shall compound each and every day that such violation shall exist in accordance with, and as permitted in Section 1-5.7 of the Code.**

SECTION 4. 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 5. Inconsistent Ordinances Repealed.

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

SECTION 6. 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 7. 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. 2498

**AN ORDINANCE AMENDING CHAPTER XL, ARTICLE XXVIII, SECTION 2803,
OF THE CODE OF THE BOROUGH OF ROSELLE PARK
ENTITLED, "OFF-STREET PARKING"
WITH SPECIFIC AMENDMENTS TO PARAGRAPH D**

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, Article XXVIII, Section 2803, Paragraph D be and hereby is amended as follows:

SECTION 1. 40-2803 OFF-STREET PARKING.

[...]

D. Any parking area for any use permitted in this chapter which is open to the public later than one (1) hour after sunset or earlier than one (1) hour before sunrise shall be sufficiently lighted so as to provide a minimum of two-tenths (0.2) lumen per square foot throughout the area of the lot. **All outdoor lighting for any permitted use shall be shielded to reduce glare and shall be so arranged so as to reflect lights away from all adjacent residential districts, residences, and public thoroughfares so as not to interfere with the vision of motor vehicle operators or pedestrians.** All proposed lighting shall be approved by the Construction Code Official prior to installation. ~~All light shall be ground-type lighting and shall be shaded in such a manner that no disturbing glare is visible to adjacent property owners or to motorists using the public streets.~~

- 1. Duly authorized events sponsored by and for the Borough of Roselle Park and the Roselle Park School District shall be expressly exempt from the restrictions and regulations of paragraph D of this section**
- 2. Nothing in this paragraph shall be interpreted or construed so as to hinder the Roselle Park Police Department, or any other public safety agency, in the full execution of their duties to protect the public's health, safety, and welfare.**

[...]

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. 2499

AN ORDINANCE OF THE BOROUGH OF ROSELLE PARK AMENDING
CHAPTER XIX OF THE CODE OF THE BOROUGH OF ROSELLE PARK
INSERTING SECTION 19-6 TO BE ENTITLED "RESIDENTIAL MAINTENANCE
AND REGISTRATION" TO ESTABLISH STANDARDS FOR THE REGISTRATION
AND MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL
PROPERTIES IN FORECLOSURE BY CREDITORS

WHEREAS, mortgage foreclosures often result in the abandonment and neglect of residential properties; and,

WHEREAS, P.L., c.35. authorizes municipalities to adopt ordinances for the purpose of regulating the care, maintenance, security, and upkeep of the exterior of vacant and abandoned properties for which a creditor has filed an action to foreclose; and,

WHEREAS, it is in the public interest for the Borough of Roselle Park to establish a mechanism to identify and track vacant and abandoned residential properties in the Borough, which are in foreclosure, to establish standards for the maintenance of those properties, and to enforce those standards of maintenance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter XIX of the Code of the Borough of Roselle Park be and is hereby amended so as to insert a new Section 19-6, to be entitled “Residential Maintenance and Registration,” as follows:

SECTION 1. 19-6.1 Purpose.

The Purpose of this chapter is to create a regulation regarding registration and maintenance of vacant and abandoned residential properties in foreclosure.

SECTION 2. 19-6.2 Definitions.

- A. “Creditor” means a State chartered bank, saving and loan association or credit union, any person or entity required to be licensed under the provisions of the “New Jersey Residential Mortgage Act,” P.L. 2009, c.53 (C. 17:11C-51 et seq.), any foreclosure entity subject to the provisions of C. 46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, services.
- B. “Vacant and Abandoned” residential property means, consistent with N.J.S.A. 2A:50-73, residential real estate, where a notice of violation has been issued pursuant to N.J.S.A. 40:48-2.12s(1)(b). Residential property shall further be deemed vacant and abandoned where a mortgage property is not occupied by a mortgagor or tenant and at least two of the following conditions exists:
1. Overgrown or neglected vegetation;
 2. The accumulation of newspapers, circulars, flyers, or mail on the property;
 3. Disconnected gas, electric, or water utility to the property;
 4. The accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
 5. The accumulation of junk, litter, trash, or debris on the property;
 6. The absence of window treatments such as blinds, curtains or shutters;
 7. The absence of furnishings and personal belongings;
 8. Windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken, and unrepaired;
 9. Doors to the property that are smashed through, broken-off, unhinged, or continuously unlocked;
 10. A risk to the health, safety, or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;

11. An uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
12. The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
13. A written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property;
14. Any other reasonable indicia of abandonment.

C. A residential property shall not be considered “Vacant and Abandoned” if, on the property:

1. There is an unoccupied building which is undergoing construction, renovation or rehabilitation that is proceeding diligently to completion, and the building is in compliance with all applicable ordinances, codes, regulations, and statutes;
2. There is a building occupied on a seasonal basis, but otherwise secure; or
3. There is a building that is secure, but is the subject of a probate action, action to quiet title, or other ownership dispute.

SECTION 3. 19-6.3 Creditor Responsibility for Vacant and Abandoned Properties.

- A. A Creditor filing a summons and complaint in an action to foreclose on a residential property within the Borough of Roselle Park, shall be immediately responsible for the care, maintenance, security, and upkeep of the exterior of the property, after the property becomes Vacant and Abandoned.
- B. Where a Creditor is located out-of-state, the Creditor shall be responsible for appointing an in-State representative or agent to act on the Creditor’s behalf for the purpose of satisfying the requirements of N.J.S.A. 2A:50-73(d)(1). Notice of said representative or agent shall be provided to the Municipal Clerk pursuant to N.J.S.A. 40:48-2.12(b)(3) & (4) and pursuant to N.J.S.A. 46:10B-51(a)(1).
- C. A Creditor filing a summons and complaint in an action to foreclose on a residential property within the Borough of Roselle Park, shall post a sign affixed to the building indicating the name, address and telephone number of the owner, the owner’s authorized agent for purposes of service of process (if designated pursuant to section B of this section), and the person responsible for day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18” x 24”.

SECTION 4. 19-6.4 Property Inspection and Notice.

- A. The owner and/or creditor of any vacant property shall provide access to the Borough of Roselle Park to conduct an exterior and interior inspection of the building to Determine compliance with the municipal code following reasonable notice.

- B. The enforcement officers designated in Section 19-6.5 shall be authorized to issue a notice to a Creditor that has filed a summons and complaint in an action to foreclose on a residential property within the Borough of Roselle Park, if the enforcement officers determine that the Creditor has violated this Section by failing to provide the care, maintenance, security, and upkeep of the exterior of a Vacant and Abandoned property, or otherwise fail to comply with this Section.
- D. Where a creditor is an out-of-State Creditor, the notice shall be issued to the Representative or agent that has been identified by the Creditor pursuant to N.J.S.A. 2A:50-73(d)(2) and N.J.S.A. 46:10B-51(a)(1).
- E. The Notice referenced in paragraphs (b) and (c) of this subsection shall require the Creditor to correct the violation(s) within thirty (30) days of receipt of the notice, or within ten (10) days of the receipt of the notice if the enforcement officer has deemed the violation presents an imminent threat to public health and safety.
- F. The issuance of a notice pursuant to paragraphs (b) and (c) of this subsection shall constitute proof that a residential property is Vacant and Abandoned for the purposes of this Chapter.

SECTION 5. 19-6.5 Enforcement Officers.

The duty of administering and enforcing the provisions of this Chapter is conferred upon the Municipal Clerk, Director of Code Enforcement, Zoning Officer, Deputy Code Enforcement Officer, Board of Health, or their designees, and any other duly appointed representative of the Borough of Roselle Park.

SECTION 6. 19-6.6 Registration of Vacant and Abandoned properties.

The creditor of any property defined in Section 19-6.2, as defined herein shall, within thirty (30) days after the property becomes vacant and abandoned as defined herein, file a Registration Statement for such property with the Municipal Clerk of the Borough of Roselle Park on such form as may be provided by the Borough for such provisions. Failure to receive notice by the Municipality shall not constitute grounds for failing to register the property. Each registration shall contain the following:

- A. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.
- B. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceedings on behalf of such owner or owners in connection with the enforcement of any applicable code; and the name, street address, telephone number, and email (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a twenty-four hour per day, seven day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey as applicable.

- C. The registration shall remain valid for one (1) year from the date registration, except for the initial registration, which shall be prorated on a monthly basis through December 31. The owner shall be required to renew the registration annually as long as the building remains a vacant and abandoned property and shall pay a registration or renewal fee in the amount prescribed in Section 19:6-7, of this article for each vacant property registered.
- D. The annual renewal shall be completed by January 1 each year.
- E. The owner shall notify the Municipal Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement.
- F. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the owner or owners of the building.

SECTION 7. 19-6.7 Registration Fee Schedule.

The initial registration fee for each building, subject to Section 19-6.6 shall be \$500.00 per annum. The fee for the first renewal is \$1,500.00 per annum; the fee for the second renewal is \$3,000.00 per annum; and the fee for any subsequent renewal beyond the second renewal is \$5,000.00 per annum.

The initial registration fee shall apply upon initial registration of a building qualified by this Section, or upon transfer of ownership to another creditor.

SECTION 8. 19-6.8 Violations and Penalties.

- A. A Creditor subject to this Chapter that is found by the Roselle Park Municipal Court or by any other court of competent jurisdiction, to be in violation of the requirement to correct, care, maintenance, secure, or upkeep violation cited in a notice issued pursuant to this Chapter shall be subject to a fine of \$1,500.00 for each day of the violation. Any violation imposed pursuant to this paragraph shall commence thirty-one (31) days following the receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any violation shall commence eleven (11) days following receipt of the notice.
- B. An out-of-State Creditor subject to this Chapter that is found by the Municipal Court of the Borough of Roselle Park, or by any court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to this Chapter shall be subject to a fine of \$2,500.00 for each day of the violation. Any fines imposed on a Creditor for the failure to appoint an in-State representative or agent shall commence on the day after the ten (10) day period set forth in N.J.S.A. 46:10B-51(a)(1) for providing notice to the Municipal Clerk that a summons and complaint in an action to foreclose on a mortgage has been served.
- C. A Creditor subject to this Chapter that is found by the Roselle Park Municipal Court or by any other court of competent jurisdiction, to be in violation of the

requirement to register a Vacant and Abandoned property pursuant Section 19-6.6 of this Chapter shall be subject to a penalty imposed pursuant to the provisions of the General Penalty, Section 1-5 of the Code of the Borough of Roselle Park.

SECTION 9. 19-6.9 Grandfathering

No properties and/or buildings shall be grandfathered.

SECTION 10. Severability.

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clauses are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

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 with an implementation date of August 1, 2017.

RESOLUTIONS

RESOLUTION NO. 157-17

WHEREAS, application has been made for a person-to-person transfer of Retail Consumption Liquor License No. 2015-33-006-011 previously issued to Limerick's, LLC 248 West Westfield Avenue, Roselle Park, NJ; and,

WHEREAS, application has been made to the Mayor and Council of the Borough of Roselle Park for a person-to-person transfer of the said license, which would transfer same from the existing license to Café C Roselle Park, LLC; and,

WHEREAS, the proposed transfer has been properly advertised, a police investigation has been completed, all state and local ABC regulations has been complied with, and all fees having been paid; and,

WHEREAS, the applicant has disclosed and the Borough of Roselle Park has reviewed the source of all funds used in the purchase of the aforesaid license and business and all additional financing obtained in connection with said licensed business.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that approval is hereby granted to allow the transfer from Limerick's, LLC to Café C Roselle Park, LLC effective June 2, 2017.

RESOLUTION NO. 158-17

WHEREAS, the current Multi-Dwelling Administrator of the Borough of Roselle Park has notified the governing body of their intention to retire effective July 1, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Donna Corrigan, 608 Ashwood Avenue, Roselle Park, New Jersey 07204 as Multi-Dwelling Administrator of the Borough of Roselle Park at the annual salary of \$7,467.70 effective July 1, 2017.

RESOLUTION NO. 159-17

WHEREAS, the Borough of Roselle Park desires to amend the 2017 Capital Budget of said municipality by inserting thereon the items therein shown in such budget for:

Purchase of Equipment and capital items for various departments including but not limited to (a) street sweeper and signs for the Public Works Department; (b) emergency communications radio system for the Public Works Department, Police and Fire Departments, First Aid Squad and Office of Emergency Management; (c) Scott SCBA air bottles, turnout gear, and pagers and batteries for the Fire Department and (d) computer equipment and software for all Borough Departments.

Various improvements to Borough property including but not limited to improvements to municipal buildings and grounds, sidewalk improvements, tree planting Borough-wide, improvements to Library buildings and grounds ADA Ramp and replacement of roof and gutters at the Casano Center, including all work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on the file in the Office of the Clerk.

Resurfacing of various streets, including but not limited to East Colfax Avenue from Chestnut Street to Walnut Street, resurfacing of Butler Avenue from Meadow Street to Locust Street, and resurfacing of Spruce Street from East Clay Avenue to East Lincoln Avenue, including all work

and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on the file in the Office of the Clerk.

Open channel storm sewer improvements between East Lincoln Avenue and East Webster Avenue and various improvements to sewer system, including all work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on the file in the Office of the Clerk.

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

AMENDMENT
CAPITAL BUDGET OF THE
BOROUGH OF ROSELLE PARK
COUNTY OF UNION, NEW JERSEY

PROJECTS SCHEDULE FOR 2017

METHOD OF FINANCING

<u>PROJECT</u>	<u>ESTIMATED COSTS</u>	<u>BONDS OR NOTES AUTHORIZED</u>	<u>CAPITAL IMPROVEMENT FUND</u>	<u>GRANTS</u>
Purchase of Equipment and capital items For Various Departments as stated above	\$1,042,000.00	\$980,000.00	\$62,000.00	
Various Improvements to Borough Property	\$360,000.00	\$313,000.00	\$22,000.00	\$25,000.00
Resurfacing of Various Streets as Stated above	\$716,000.00	\$677,000.00	\$39,000.00	
Improvements to Sewer System as Stated above	\$350,000.00	\$330,000.00	\$20,000.00	
TOTAL	\$2,468,000.00	\$2,300,000.00	\$143,000.00	\$25,000.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services.

RESOLUTION NO. 160-17

WHEREAS, at the Regular Meeting of May 18, 2017 the governing body unanimously approved a motion which requested the permission of the County of Union to hang a banner advertising the June 2017 Borough of Roselle Park Borough-Wide Garage Sale over Chestnut Street (a County road); and,

WHEREAS, certain documents were required to be executed between May 18, 2017 and the present time in furtherance of the desires of the governing body; and,

WHEREAS, the governing body wishes to formalize their action by Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey does hereby memorialize the action taken at the May 18, 2017 Regular Meeting where permission was requested of the County of Union to hang a banner advertising the June 2017 Borough of Roselle Park Borough-Wide Garage Sale over Chestnut Street; and,

BE IT FURTHER RESOLVED that the actions taken by the Borough Clerk in executing a Hold

Harmless Agreement with the County of Union for the hanging of the above referenced banner are hereby ratified and confirmed.

RESOLUTION NO. 161-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that John A. Fugett, 21 North 6th Street, Kenilworth, New Jersey 07033 be and is hereby appointed to the position of part-time Senior Bus Driver for the Casano Community Center, effective June 2, 2017, not to exceed 20 hours per week at a salary of \$15.96 per hour.

RESOLUTION NO. 162-17

WHEREAS, all Plenary Retail Consumption, Retail Distribution, Limited Distribution and Club Licenses will expire on June 30, 2017; and

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

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 Borough Clerk be and is hereby authorized to issue licenses effective July 1, 2017 to expire June 30, 2018, to the following:

PLENARY RETAIL CONSUMPTION LICENSES - \$1,385.00

2015-33-002-005	Cascios Taverne II, Inc., 400 Seaton Avenue, Roselle Park, NJ 07204 t/a Cascios Tavern II (<i>Pursuant to Special Ruling Dated January 4, 2017</i>)
2015-33-010-006	Ocean Castle, Inc., 9 W. Westfield Avenue, Roselle Park, NJ 07204 t/a Vintage Italian Restaurant & Catering
2015-33-015-004	Caracitas Corporation, 157 E. Westfield Avenue, Roselle Park, NJ 07204 t/a Vinhus Restaurant & Lounge
2015-33-004-008	Willow Kacie, LLC, 600 W. Westfield Avenue, Roselle Park, NJ 07204 t/a Sun Tavern
2015-33-009-013	Old Dowlings LLC, 117 Chestnut Street, Roselle Park, NJ 07204 t/a Dowling Irish Pub & Restaurant
2015-33-005-003	Frenchy's Bar Grill, Inc., 545 W. Westfield Avenue, Roselle Park, NJ 07204 t/a Frenchy's Bar Grill

PLENARY RETAIL DISTRIBUTION LICENSES - \$931.00

2015-44-003-003	Gajani Inc., 117 W. Colfax Avenue, Roselle Park, NJ 07204 t/a Roselle Park Liquors and Food
2015-44-013-008	David McAdam, Inc., 137 Chestnut Street, Roselle Park, NJ 07204 t/a Roselle Park Liquors

CLUB LICENSES - \$132.00

2015-31-017-001	American Legion Post 60, Inc., 34 E. Westfield Avenue, Roselle Park, NJ 07204
2015-31-018-001	West End Community Center, 205 W. Clay Avenue, Roselle Park, NJ 07204

RESOLUTION NO. 163-17

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 in the amount of \$6,676.27 payable to two (2) lien holders on four (4) properties; and,

BE IT FURTHER RESOLVED that multiple checks shall be issued in the amount of \$5,500.00 from the Tax Collector's Premium Account on multiple properties.

BOROUGH OF ROSELLE PARK TAX COLLECTOR ANALYSIS OF LIEN REDEMPTIONS 6/1/2017														
TSC#	BLOCK	LOT	QUAL.	PREMIUM	TOTAL AMOUNT REDEEMED	CERTIFICATE AMOUNT	REDEMPTION PENALTY PERCENTAGE	INTEREST ON CERTIFICATE DATE 6/1/2017	SEARCH FEE	RECORDING FEE	SUBSEQUENT TAXES PAID	INTEREST ON SUBSEQUENTS TO 6/1/2017	6% INTEREST PENALTY	LEGAL FEES
FNA JERSEY LIEN SERVICES LLC	14-049	1013	8	\$ 1,300.00	\$ 3,346.77	\$ 588.79	\$ 11.78		\$ 12.00	\$ 43.00	\$ 1,211.33	\$ 319.61		\$ 1,160.26
MAS CAPITAL	16-030	514	1	\$ 500.00	\$ 445.62	\$ 101.67			\$ 12.00	\$ 43.00	\$ 264.12	\$ 24.83		
MAS CAPITAL	16-041	803	18	\$ 1,400.00	\$ 846.86	\$ 438.33	\$ 8.77		\$ 12.00	\$ 43.00	\$ 315.14	\$ 29.62		
MAS CAPITAL	16-055	1007	2	\$ 2,300.00	\$ 2,037.02	\$ 1,006.40	\$ 20.13		\$ 12.00	\$ 43.00	\$ 873.39	\$ 82.10		
				\$ -	\$ -	\$ -								
				\$ -	\$ -	\$ -								
				\$ -	\$ -	\$ -								
				\$ -	\$ -	\$ -								
TOTAL				\$ 5,500.00	\$ 6,676.27	\$ 2,135.19	\$ 40.68	\$ -	\$ 48.00	\$ 172.00	\$ 2,663.98	\$ 456.16		\$ 1,160.26

RESOLUTION NO. 164-17

WHEREAS, the Borough of Roselle Park wishes to lease copiers from an authorized vendor under the State of New Jersey Cooperative Purchasing; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A11-12; and,

WHEREAS, Ricoh USA, 5 Detrick Place, West Caldwell, New Jersey 07006 has been awarded New Jersey State Contract Number G2075/A-40467; and,

WHEREAS, the actual cost for six (6) copiers for a forty eight (48) month lease is expected not to exceed \$37,666.08.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Ricoh USA, 5 Detrick Place, West Caldwell, New Jersey 07006 be awarded the contract for six (6) copiers for a forty eight (48) month lease in an amount not to exceed \$37,666.08 pursuant to State Contract Number G2075/A-40467.

RESOLUTION NO. 165-17

WHEREAS, due to the passing of Greg Powers on May 26, 2017, the Estate of Greg Powers is entitled to certain compensation; and

WHEREAS, it has been agreed by the Mayor and Council of the Borough of Roselle Park and the Estate of Greg Powers that the above compensation will be paid as follows:

Description	Amount of Days	Daily Rate	Amount Due
Vacation Days for 2017	24	260.07	6,241.68
Personal Days for 2017	3	260.07	780.21
Vacation Days for 2018 (25 days prorated for 5 months)	10.41666667	260.07	<u>2,709.06</u>
Total Due			\$9,730.95

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Chief Financial Officer is hereby directed to pay the Estate of Greg Powers the entitled compensation at the above schedule.