

REGULAR MEETING – SEPTEMBER 21, 2017

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

MOMENT OF SILENCE/PRAAYER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

None

PROCLAMATIONS & PRESENTATIONS

- RPHS STEM Team

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

Regular Meeting & Closed Session of August 17, 2017

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

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

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

ORDINANCES FOR ADOPTION (HEARING HELD 9/7/17): COUNCILMAN SHIPLEY

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

ORDINANCES FOR 2ND READING: COUNCILMAN SHIPLEY

None

ORDINANCES FOR INTRODUCTION: COUNCILMAN SHIPLEY

None

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:

- * # 255-17 – Accepting a Material Donation in the Form of Banner Brackets from Kean

University for Unrestricted General Use by the Borough

- * # **256-17** – Accepting the Resignation of Tyler Damm as Police Dispatcher
- * # **257-17** – Awarding a Contract to American Asphalt & Milling Services, LLC for the Project: East Colfax Avenue Improvements, in an Amount Not to Exceed \$214,215.37
- * # **258-17** – Awarding a Contract to Frank Cyrwus, Inc. for the Project: Casano Community Center Roof Replacement, in an Amount Not to Exceed \$44,711.00
- * # **259-17** – Authorizing the Auction of Property (Vehicles) No Longer Needed for Public Use via an Online Auction Website
- * # **260-17** – Requesting Permission of the County of Union to Hang a Banner Advertising the October 2017 Borough-Wide Garage Sale Over Chestnut Street
- * # **261-17** – Authorizing the Tax Collector to Reduce Sewer Utility Bills on One (1) Property Totaling \$477.25
- * # **262-17** – Authorizing the Tax Collector Per the State Tax Court of New Jersey to Issue a Reduction and/or Refund in the Amount of \$6,046.22 for the years 2013-2016 on Block 605/Lot 16
- * # **263-17** – Awarding a Professional Services Contract to Neglia Engineering for Design and Construction Management Services for the Project: Roselle Park Library ADA Access Improvements; in an Amount Not to Exceed \$4,900.00
- * # **264-17** – Awarding a Professional Services Contract to Neglia Engineering for Construction Management Services for the Project: East Colfax Avenue Improvements, Phase IV; in an Amount Not to Exceed \$15,200.00
- * # **265-17** – Awarding a Professional Services Contract to Neglia Engineering for Survey, Design and Construction Management Services for the Project: Cherry Street Drainage Improvements; in an Amount Not to Exceed \$5,600.00
- * # **266-17** – Awarding a Professional Services Contract to Neglia Engineering for Construction Management Services for the Project: Butler Avenue Improvements; in an Amount Not to Exceed \$13,500.00
- * # **267-17** – Awarding a Professional Services Contract to Neglia Engineering for Construction Management Services for the Project: Spruce Street Improvements; in an Amount Not to Exceed \$15,200.00
- * # **268-17** – Awarding a Professional Services Contract to Neglia Engineering for Construction Management Services for the Project: Casano Community Center Roof Replacement Project; in an Amount Not to Exceed \$2,600.00

* # 269-17 – Authorizing the Treasurer to Issue One Check Totaling \$2,388.59 Payable to One (1) Lien Holder on One (1) Property and a Check Totaling \$700.00 from the Tax Collector’s Premium Account

* # 270-17 – Confirming the Mayor and Council have Discussed the 2017 Best Practice Inventory

MAYOR AND COUNCIL COMMITTEE REPORTS / REPORTS OF DEPARTMENTS

- Municipal Court Report for July & August 2017
- DPW Report for August 2017
- Borough Clerk’s Report for August 2017
- Treasurer’s Report for July & August 2017
- Casano Center Director’s Report for August 14 – September 18, 2017
- Mayoral Appointment(s) (No Confirmation from Council Required):
 1. Appointing Jamie O’Connell, 129 Bender Avenue, as a member of the Arts Committee effective immediately to fill a vacant position with a term set to expire December 31, 2017.
 2. Appointing Shana Darling O’Keefe, 321 Sheridan Avenue, as a member of the Arts Committee effective immediately to fill a vacant position with a term set to expire December 31, 2017.
 3. Appointing Kristy May Chatelain, 112 Berwyn Street, as a member of the Arts Committee effective immediately to fill a vacant position with a term set to expire December 31, 2017.

WORKSHOP DISCUSSION

Items Carried from Prior Meeting(s):

- Backyard Chickens (Councilwoman Storey)

New Items:

- Casual First Meeting / Formal Second Meeting (Councilman Meola)
- Résumé References (Councilman Fahoury)
- Event Sign Policy (Councilman Fahoury)
- Repealing Licensing of Public Dances & Entertainment Events (Mayor Hokanson)
- Amending Fees for Pet Licensing (Mayor Hokanson)
- Grease Trap Ordinance, Ord. 2501 (Councilman Shipley)

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

EXECUTIVE (CLOSED) SESSION

ADJOURNMENT

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL
WILL BE HELD ON OCTOBER 5, 2017**

ORDINANCES FOR ADOPTION
(Public Hearing Held 9/7/17)

ORDINANCE NO. 2503

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

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

SECTION 1. 40-3002 SIGNS.

[...]

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

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

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

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

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

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

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

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

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

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

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

7. Temporary Signs.

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

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

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

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

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

[...]

SECTION 2. Invalidity

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

SECTION 3. Inconsistent Ordinances Repealed.

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

SECTION 4. Captions.

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

SECTION 5. Effective Date.

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

ORDINANCES FOR SECOND READING

NONE

ORDINANCES FOR INTRODUCTION

NONE

RESOLUTIONS

RESOLUTION NO. 255-17

WHEREAS, the Mayor and Council accepted a material donation from Kean University by motion and voice vote at the Regular Meeting of September 7, 2017; and,

WHEREAS, the Mayor and Council wish for formalize the aforementioned action in the form of a Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby accept a material donation of banner brackets and bracket hardware from Kean University, 1000 Morris Avenue, Union, New Jersey 07083, for unrestricted general use by the Borough.

RESOLUTION NO. 256-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby accept the resignation of Tyler Damm as Police Dispatcher effective September 7, 2017.

RESOLUTION NO. 257-17

WHEREAS, the Borough Clerk received sealed bids at 2:00 p.m. on Thursday, September 14, 2017 for the project: East Colfax Avenue Improvements.

NOW, THEREFORE, BE IT RESOLVED that upon the recommendation of the Borough Engineer, Michael J. Neglia, the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to American Asphalt & Milling Services, LLC of 96 Midland Ave, Kearny, NJ 07032 pursuant to the advertised specifications for the project: Improvements to East Colfax Avenue Improvements in the amount not to exceed two-hundred fourteen thousand two-hundred fifteen dollars and thirty-seven cents (\$214,215.37); and,

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

RESOLUTION NO. 258-17

WHEREAS, the Borough Clerk received sealed bids at 2:30 p.m. on Thursday, September 14, 2017 for the project: Casano Community Center Roof Replacement.

NOW, THEREFORE, BE IT RESOLVED that upon the recommendation of the Borough Engineer, Michael J. Neglia, the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to Frank Cyrwus, Inc. of 44 Old Beaver Road, Lafayette, NJ 07848 pursuant to the advertised specifications for the project: Casano Community Center Roof Replacement in the amount not to exceed forty-four thousand seven-hundred eleven dollars (\$44,711.00); and,

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

RESOLUTION NO. 259-17

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby authorize the sale of the surplus property through GovDeals pursuant to NJ Local Finance Notice 2008-9 and State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract (terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Roselle Park Borough Website); and,

BE IT FURTHER RESOLVED that the auction will be conducted online October 6, 2017 to October 17, 2017 and the address of the auction site is www.govdeals.com; and,

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

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

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

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

RESOLUTION NO. 260-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby request permission of the County of Union to hang a banner advertising the October 14, 2017 Borough of Roselle Park Borough-Wide Garage Sale over Chestnut Street; and,

BE IT FURTHER RESOLVED that the Borough Clerk is authorized to execute a Hold Harmless Agreement with the County of Union for the hanging of the above referenced banner.

RESOLUTION NO. 261-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Tax Collector is hereby authorized to reduce Sewer Utility bills on one (1) property totaling \$477.25 (paperwork available in Finance Office):

| <u>Block</u> | <u>Lot</u> | <u>Address</u> | <u>Original Bill</u> | <u>Reduction</u> | <u>New Bill</u> |
|--------------|------------|----------------------|----------------------|------------------|-----------------|
| 810 | 9 | 114 East Clay Avenue | \$ 754.00 | \$ 477.25 | \$ 276.75 |

RESOLUTION NO. 262-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Tax Collector is hereby authorized per the State Tax Court of New Jersey to issue reductions and/or refunds totaling \$6,046.22 for an appeal granted on Block 605, Lot 16 (otherwise known as 224 Chestnut Street, Roselle Park, N.J.) and assessed in the name of Leo, Robert & Dorothy L.

| Block/Lot | Year | Original Assessment | New Assessment | Reduction x Rate = | Refund |
|-----------|------|---------------------|----------------|--------------------|--------------------|
| 605/16 | 2013 | \$289,000.00 | \$289,000.00 | \$0 x 12.406 | \$ 0.00 |
| 605/16 | 2014 | \$289,000.00 | \$289,000.00 | \$0 x 12.907 | \$ 0.00 |
| 605/16 | 2015 | \$289,000.00 | \$244,500.00 | \$44,500 x 13.587 | \$ 6,046.22 |
| 605/16 | 2016 | \$888,200.00 | \$888,200.00 | \$0 x 3.811 | \$ 0.00 |
| | | | | | <u>\$ 6,046.22</u> |

Check to be issued to: Daniel G. Keough, Trustee

RESOLUTION NO. 263-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for design and construction management services for the project:

ROSELLE PARK LIBRARY ADA ACCESS IMPROVEMENTS

be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum not to exceed Four Thousand Nine-Hundred dollars (\$4,900.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 264-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for construction management services for the project:

EAST COLFAX AVENUE IMPROVEMENTS PHASE IV

be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum not to exceed Fifteen Thousand Two-Hundred dollars (\$15,200.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 265-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for survey, design, and construction management services for the project:

CHERRY STREET DRAINAGE IMPROVEMENTS

be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum not to exceed Five Thousand Six-Hundred dollars (\$5,600.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 266-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for construction management services for the project:

BUTLER AVENUE IMPROVEMENTS

be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum not to exceed Thirteen Thousand Five-Hundred dollars (\$13,500.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 267-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for construction management services for the project:

SPRUCE STREET IMPROVEMENTS

be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum not to exceed Fifteen Thousand Two-Hundred dollars (\$15,200.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 268-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for construction management services for the project:

CASANO COMMUNITY CENTER ROOF REPLACEMENT

be awarded to Neglia Engineering Associates of Lyndhurst, New Jersey for the sum not to exceed Two Thousand Six-Hundred dollars (\$2,600.00). This Resolution to take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 269-17

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 one check totaling \$2,388.59 payable to one (1) lien holder on one (1) property; and,

| BOROUGH OF ROSELLE PARK TAX COLLECTOR ANALYSIS OF LIEN REDEMPTIONS 9/21/2017 | | | | | | | | | | | | | | | |
|---|--------|-------|-----|-------|-----------|-----------------------|--------------------|-------------------------------|--|------------|---------------|-----------------------|--------------------------------------|---------------------|------------|
| | TSC # | BLOCK | LOT | QUAL. | PREMIUM | TOTAL AMOUNT REDEEMED | CERTIFICATE AMOUNT | REDEMPTION PENALTY PERCENTAGE | INTEREST ON CERTIFICATE DATE 7/20/2017 | SEARCH FEE | RECORDING FEE | SUBSEQUENT TAXES PAID | INTEREST ON SUBSEQUENTS TO 7/20/2017 | 6% INTEREST PENALTY | LEGAL FEES |
| MAS CAPITAL | 16-032 | 602 | 30 | | \$ 700.00 | \$ 2,388.59 | \$ 125.00 | \$ - | | \$ 12.00 | \$ 43.00 | \$ 2,069.47 | \$ 139.12 | | |
| | | | | | | \$ - | | | | | | | | | |
| | | | | | | \$ - | | | | | | | | | |
| | | | | | | \$ - | | | | | | | | | |
| | | | | | | \$ - | | | | | | | | | |
| | | | | | | \$ - | | | | | | | | | |
| | | | | | | \$ - | | | | | | | | | |
| | | | | | | \$ - | | | | | | | | | |
| TOTAL | | | | | \$ 700.00 | \$ 2,388.59 | \$ 125.00 | \$ - | \$ - | \$ 12.00 | \$ 43.00 | \$ 2,069.47 | \$ 139.12 | \$ - | \$ - |

BE IT FURTHER RESOLVED that one check shall be issued in the amount of \$700.00 from the Tax Collector's Premium Account on one property

RESOLUTION NO. 270-17

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Mayor and Council have discussed the Best Practice Inventory as prepared by the Chief Financial Officer at the Regular Open Public Meeting of the Governing Body held on September 21, 2017.