

REGULAR MEETING – OCTOBER 19, 2017

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

MOMENT OF SILENCE/PRAAYER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

None

PROCLAMATIONS & PRESENTATIONS

- Pop Warner Flag Football Donations
- Business of the Month: Sun Tavern

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

Special Meeting Open & Closed Session of September 7, 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. 2505 AN ORDINANCE AMENDING AND ABOLISHING CHAPTER V, SECTION 7 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "DANCES AND ENTERTAINMENT"

ORD. No. 2506 AN ORDINANCE AMENDING CHAPTER VIII, SECTION 2.2 AND 2.3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "LICENSING OF DOGS"

ORD. No. 2507 AN ORDINANCE AMENDING CHAPTER VIII, SECTION 10.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "LICENSING OF CATS"

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:

- * **#288-17** – Approving the Insertion of a Body Armor Grant as a Special Item of Revenue in the 2017 Municipal Budget in the Amount of \$3,231.73
- * **#289-17** – Awarding a Non-Fair and Open Contract to McManimon, Scotland, Baumann, LLC for Special Redevelopment Counsel Services for Block 506, Lots 2, 3, 4 and 5 (Hunter Building Supply) in an Amount Not to Exceed \$18,000.00
- * **#290-17** – Authorizing the Treasurer to Issue One Check Totaling \$5,985.66 Payable to One (1) Lien Holder on One (1) Property and a Check Totaling \$2,300.00 from the Tax Collector’s Premium Account
- * **#291-17** – Extending the Grace Period for Year 2017 4th Quarter Tax Payments until November 13, 2017
- * **#292-17** – Amending Resolution 257-17 to Reflect the Correct Bid Tabulation and Contract Award Amount of Not to Exceed \$214,215.17 to American Asphalt & Milling Services, LLC for the Project: East Colfax Avenue Improvements
- * **#293-17** – Designating Block 610, Lots 1 and 3 in the Borough of Roselle Park as an Area in Need of Redevelopment Pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq. and Authorizing the Preparation of a Redevelopment Plan with Respect Thereto

MAYOR AND COUNCIL COMMITTEE REPORTS / REPORTS OF DEPARTMENTS

- Construction Official’s Report for September 2017
- Police Chief’s Report for September 2017
- Fire Chief’s Report for September 2017
- Municipal Court Report for September 2017
- Treasurer’s Report for September 30, 2017
- Community Center Director’s Report for September 18 – October 13, 2017
- Mayoral Appointment(s) (No Confirmation from Council Required):
None

WORKSHOP DISCUSSION

Items Carried from Prior Meeting(s):
None

New Items:

- Hiring Joe Hannay for Mobile App (Councilwoman Storey)
- Deadline for Submitting Announcements to TV34/Website (Councilwoman Storey)
- Casano Center Party Rentals (Councilman Fahoury)

- Eliminate Pro-Rating for Initial Vacant Property Registrations (Councilman Fahoury)

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 NOVEMBER 2, 2017**

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2505

AN ORDINANCE AMENDING AND ABOLISHING CHAPTER V, SECTION 7
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED,
“DANCES AND ENTERTAINMENT”

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

SECTION 1. 5-7 Reserved. DANCES AND ENTERTAINMENT.

5-7.1 Permit Required.

~~—No public dance or public entertainment, exclusive of any athletic event which is part of a normal school program and/or part of the regular school athletic schedule, shall be held in any school or other place of public assemblage unless a permit to hold such dance or entertainment shall have been obtained from the Municipal Clerk. Any person applying for such permit must submit an application to the Municipal Clerk at least ten (10) days prior to the public dance or public entertainment event. (1980 Code § 96-1)~~

5-7.2 Attendance of Fireman.

~~—The Municipal Clerk shall notify the Chief of the Fire Department of the time and place of such dance or entertainment, and the Chief shall send a Firefighter to the place designated, whose duty it shall be to inspect the premises for fire hazards and to remain on duty until the termination of the dance or entertainment. (1980 Code § 96-2)~~

5-7.3 Permit Fee; Exception.

~~—The Municipal Clerk shall collect a fee of five (\$5.00) dollars before issuing the permit, and if the dance or entertainment is to continue after 12:00 midnight, then an additional fee of one (\$1.00) dollar for each hour after 12:00 midnight shall be collected by the Clerk; provided, however, that no fee shall be charged by the Clerk for issuing a permit for any school or church benefit dance or entertainment. In addition to the fee required above, the applicant shall pay to the Clerk an amount sufficient to cover the cost of the attendance of the Firefighter as provided in subsection 5-7.2. (1980 Code § 96-3)~~

5-7.4 Compensation of Firefighter.

~~—The Firefighter who is on duty at the dance or entertainment shall be paid at the prevailing rate as established by the Mayor and Council by resolution. (1980 Code § 96-4)~~

5-7.5 Violations and Penalties.

~~—Any person who shall violate any of the provisions of this section shall, upon conviction thereof, be liable for the penalty stated in Chapter I, Section 1-5. (1980 Code § 96-5)~~

5-7.6 Casano Community Center.

~~—Notwithstanding anything contained in this section to the contrary, any regular or special meeting of any organization conducted at the Casano Community Center shall not be deemed a public assemblage~~

requiring the presence of a Firefighter so long as the majority of the persons present are members of the organization holding the meeting. (1980 Code § 96-6)

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. 2506

AN ORDINANCE AMENDING CHAPTER VIII, SECTION 2.2 AND 2.3
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED,
“LICENSING OF DOGS”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter VIII, Section 2.2 and 2.3 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. 8-2 LICENSING OF DOGS.

8-2.2 Time for Applying for License and Registration Tag.

a. Every person who owns, harbors, keeps or possesses one (1) or more dogs within the Borough, which dog or dogs attained the age of seven (7) months or which possesses a set of permanent teeth, shall procure from the Borough Clerk a license and official metal registration tag for each dog so owned, kept or harbored and shall pay therefore the sum of fifteen (~~\$15.00~~) dollars **and eighty cents (\$15.80) effective January 1, 2018** for each license and also the sum of one (\$1.00) dollar for each registration tag to be paid and collected as hereinafter provided. In addition, the Borough Clerk shall collect twenty (\$0.20) cents for each dog licensed to be remitted to the New Jersey Department of Health for the Pilot Clinic Fund as required by P.L. 1983 c. 181, and three (\$3.00) dollars for any dog of reproductive age which has not had its reproductive capacity permanently altered through sterilization as required by P.L. 1983 c. 1972.

b. *Newly-Acquired Dogs and Dogs Attaining Licensing Age.* The owner of any newly-acquired dog of licensing age or of any dog which attains licensing age shall make application for license and registration tag for such dog within ten (10) days after such acquisition or age attainment.

c. Every person who shall harbor or possess any dog for a period of ten (10) days or more shall, for the purposes of this subsection, be deemed to be the owner of the dog so harbored or possessed.

d. Any dog owner, as defined above, shall submit proof to the Licensing Official either by means of a certificate from a licensed veterinarian and/or by affidavit that their dog has been spayed or neutered

as a condition to their nonpayment of the licensing fee set forth in subsection 8-2.3 with reference to the Animal Population Control Fund.
(1980 Code § 100-1; Ord. No. 2206 § 1)

8-2.3 Fees; Expiration Dates; "Seeing Eye" and "Hearing Ear" Dogs.

a. *License Fees and Expiration Date.*

1. The person applying for an annual license and registration tag shall pay a fee of fifteen ~~(\$15.00)~~ dollars **and eighty cents (\$15.80) effective January 1, 2018** for the license for each dog, three (\$3.00) dollars for any dog not spayed or altered, the sum of one (\$1.00) dollar for the registration tag, and twenty (\$0.20) cents for each dog to be remitted to the New Jersey Department of Health for the Pilot Clinic Fund as required by N.J.S.A. 4:19-15.1 et seq.

2. The person applying for a license and registration tag for any dog who has been spayed or neutered shall present a certificate signed by a licensed veterinarian stating that the dog has been spayed or neutered and shall be entitled to such license at a fee of fifteen ~~(\$15.00)~~ dollars **and eighty cents (\$15.80) effective January 1, 2018**, a registration fee of one (\$1.00) dollar and payment of twenty (\$0.20) cents for the New Jersey Department of Health Pilot Clinic Fee.

b. *Late Fee.* There shall be a late fee charged for all dog license renewals not made by January 31 of the license year. The fee shall be two (\$2.00) dollars per month, chargeable on the first day of each month beginning on February 1 of the license year, to a maximum late fee of ten (\$10.00) dollars per license year. Thereafter, in addition to the fee and late registration fee, an applicant shall be subject to summons and fine unless fees shall be paid voluntarily prior to the issuance of summons.

c. *Seeing Eye and Hearing Ear Dogs.* Dogs used as guides for blind or hard of hearing persons and commonly known as "Seeing Eye" and "Hearing Ear" dogs shall be licensed and registered as other dogs as hereinabove provided for, except that the owner or keeper of such dogs shall not be required to pay any fee.

(1980 Code § 100-1; New; Ord. No. 2206 § 1)

SECTION 2. Invalidity

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

SECTION 3. Inconsistent Ordinances Repealed.

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

SECTION 4. Captions.

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

SECTION 5. Effective Date.

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

ORDINANCE NO. 2507

AN ORDINANCE AMENDING CHAPTER VIII, SECTION 10.1
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED,
“LICENSING OF CATS”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter VIII, Section 10.1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. 8-10 LICENSING OF CATS.

8-10.1 Licensing Requirements.

a. *Cats to have License Number Displayed; License Required; Penalty.*

1. Any person who shall own, keep or harbor a cat of licensing age shall annually apply for and procure from the Licensing Official a license and official registration tag with license number, or a registration sleeve for each cat so owned, kept or harbored and shall place upon such cat a collar or other device with the license number securely fastened or displayed thereto. Acceptable methods of displaying the license number shall include but are not limited to breakaway or elastic collars. License tags or sleeves are not transferable.

2. Unless another penalty is expressly provided by statute, any person convicted of a violation of paragraph a. shall be liable to a penalty of forty-eight (\$48.00) dollars or imprisoned for a term not to exceed fifteen (15) days.

(Ord. No. 2335)

b. *Time for Applying for License.*

1. The owner of any newly acquired cat of licensing age or of any cat which attains licensing age shall make application for a license tag or sleeve for such cat within ten (10) days after such acquisition or age attainment. This requirement will not apply to a nonresident keeping a cat within the Borough for no longer than ninety (90) days.

2. **The owner of every cat of licensing age shall apply for license renewal and pay the annual license fee as outlined in paragraph g. of this section on or before the last day of January of each year. Renewal applications submitted February 1st and thereafter shall be subject to a late fee.**

c. *Cats Brought into Jurisdiction.*

1. Any person who shall bring or cause to be brought into the Borough any cat licensed in another state for the current year and bearing a registration tag or sleeve and shall keep the same or permit the same to be kept within the Borough for a period of more than ninety (90) days shall immediately apply for a license and registration tag or sleeve for each such cat.

2. Any person who shall bring or cause to be brought into the Borough any unlicensed cat and shall keep the same or permit the same to be kept within the Borough for a period of more than ten (10) days shall immediately apply for a license and registration tag or sleeve for each such cat.

d. *Application Contents; Preservation of Information.* The application shall state the breed, sex, age, color and markings of the cat for which license and registration are sought and whether it is of a long- or shorthaired variety, also the name, street and post office address of the owner and the person who shall keep or harbor such cat. The information on the application and the registration number issued for the cat shall be preserved for a period of three (3) years by the Licensing Official.

e. *License Forms and Tags.* License forms and official tags or sleeves shall be furnished by the Borough and shall be numbered serially and shall bear the year of issuance and the name of the Borough of Roselle Park.

f. *Evidence of Inoculation with Rabies Vaccine or Certification of Exemption; Requirement for License.* No Licensing Official shall grant any such license and official registration tag or sleeve for any cat unless the owner thereof provides evidence that the cat to be licensed and registered has been inoculated with a rabies vaccine of a type approved by and administered in accordance with the recommendation of the United States Department of Agriculture and the United States Department of Human Services or has been certified exempt as provided in subsection 8-10.2. The rabies inoculation shall be administered by a duly licensed veterinarian or by such other veterinarian permitted by law to do the same.

g. *Annual License, License Fees, Late Fees, and Tag; Placement of Tags on Cat.*

1. Any person who shall own, keep, harbor or maintain a cat of licensing age in the Borough shall annually in the month of January, apply for and procure a registration tag for each cat so owned, kept, harbored or maintained and shall place upon each such cat a collar or harness with the registration tag securely fastened thereon.

2. Only one (1) license and registration tag or sleeve shall be required in the licensing year for any cat in the Borough. Any valid New Jersey license tag or sleeve issued by a New Jersey municipality shall be accepted by the Borough as evidence of compliance.

3. Effective January 1, 2018 the license fee for unneutered cats will be fifteen (\$15.00) dollars and neutered cats will be ten (\$10.00) dollars. Persons who fail to obtain a license as required within the time period specified herein shall be subject to a delinquent fee of two (\$2.00) dollars per month, with a maximum of ten (\$10.00) dollars per year.

h. *Loss of License.* If a license tag or sleeve has been misplaced or lost, the Licensing Official may issue a duplicate license and/or registration sleeve for that particular cat for a fee of fifty (\$.50) cents.

i. *Proof of Licensing.* Proof of licensing shall be produced by any person owning, keeping, maintaining or harboring a cat, upon the request of any Health Official, Police Officer, Animal Control Officer or other authorized person.

j. *Interfering with Persons Performing Duties under this Chapter.* No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this chapter.

k. *Disposition of Fees Collected.* License fees and other moneys collected or received under the provisions of this section shall be forwarded to the Chief Financial Officer and shall be placed in a special account separate from any of the other accounts of the Borough and shall be used for the following purposes only: collecting, keeping and disposing of cats liable to seizure, for local prevention and control of rabies, providing antirabies treatment under the direction of the local Board of Health for any person

known or suspected to have been exposed to rabies and for administering the provisions of this chapter. Any unexpected balance remaining in such special account shall be retained until the end of the third fiscal year following and may be used for any of the purposes set forth in this section. At the end of the third fiscal year following and at the end of each fiscal year thereafter, there shall be transferred from such special account to the general funds of the Borough any amount then in such account which is in excess of the total amount paid into the special account during the last two (2) fiscal years next preceding. (1980 Code § 88-3)

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.

ORDINANCES FOR INTRODUCTION

NONE

RESOLUTIONS

RESOLUTION NO. 288-17

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

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount, 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 2017 in the sum of \$3,231.73 which item is now available as a revenue from the Body Armor Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that the like sum of \$3,231.73 is hereby appropriated under the caption of the Body Armor Grant, and

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

RESOLUTION NO. 289-17

WHEREAS, the Borough of Roselle Park has a need to acquire Special Redevelopment Counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Chief Financial Officer has submitted a Determination of Value and thereby certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be subject to extension to effectuate the completion the terms; and,

WHEREAS, McManimon, Scotland, Baumann, LLC has submitted a proposal dated October 16, 2017 indicating they will provide Special Redevelopment Counsel Services for Block 506, Lots 2, 3, 4 and 5 (commonly known as Hunter Building Supply) with the following general price structure in addition to reimbursement costs:

<u>Direct Client Billing</u>	<u>Developer-Funded Escrow Billing</u>
\$225.00 per hour for attorneys	\$350.00 per hour for attorneys
\$135 per hour for paralegals	\$190.00 per hour for legal assistants

WHEREAS, McManimon, Scotland, Baumann, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that McManimon, Scotland, Baumann, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Roselle Park in the previous one year, and that the contract will prohibit McManimon, Scotland, Baumann, LLC from making any reportable contributions through the term of the contract; and,

WHEREAS, the Chief Financial Officer has certified on this Resolution as the availability of funds to effectuate the execution of the agreement.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to McManimon, Scotland, Baumann, LLC for Special Redevelopment Counsel Services for Block 506, Lots 2, 3, 4 and 5 in an amount not to exceed eighteen-thousand dollars and zero cents (\$18,000.00) and authorize the Mayor and Borough Clerk to enter into a contract with McManimon, Scotland, Baumann, LLC on behalf of the Borough as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that notice of award of this Professional Services Contract be published in accordance with the law.

RESOLUTION NO. 290-17

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 \$5,985.66 payable to one (1) lien holder on one (1) property; and,

BOROUGH OF ROSELLE PARK TAX COLLECTOR ANALYSIS OF LIEN REDEMPTIONS 10/19/2017																
TSC #	BLOCK	LOT	QUAL.	PREMIUM	TOTAL AMOUNT REDEEMED	CERTIFICATE AMOUNT	REDEMPTION PENALTY PERCENTAGE	INTEREST ON CERTIFICATE DATE 10/19/2017	SEARCH FEE	RECORDING FEE	SUBSEQUENT TAXES PAID	INTEREST ON SUBSEQUENTS TO 10/19/2017	6% INTEREST PENALTY	LEGAL FEES		
MAS CAPITAL	16-047	901	29	\$ 2,300.00	\$ 5,985.66	\$ 1,139.00	\$ 22.78		\$ 12.00	\$ 43.00	\$ 4,510.60	\$ 258.28				
					\$ -											
					\$ -											
					\$ -											
					\$ -											
					\$ -											
					\$ -											
					\$ -											
TOTAL				\$ 2,300.00	\$ 5,985.66	\$ 1,139.00	\$ 22.78	\$ -	\$ 12.00	\$ 43.00	\$ 4,510.60	\$ 258.28	\$ -	\$ -		

BE IT FURTHER RESOLVED that one check shall be issued in the amount of \$2,300.00 from the Tax Collector's Premium Account on one property.

RESOLUTION NO. 291-17

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby authorize the extension of the grace period for the payment of 4h quarter taxes for the year 2017 until November 13, 2017.

RESOLUTION NO. 292-17

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

WHEREAS, multiple bids were received in connection with the aforementioned project where, thereafter receipt, American Asphalt & Milling Services, LLC of 96 Midland Ave, Kearny, NJ 07032 was determined to be the lowest responsive responsible bidder and awarded a contract in Resolution 257-17; and,

WHEREAS, upon submission of Resolution 257-17 and supporting bid documentation to the New Jersey Department of Transportation, it was found that the bid tabulation as submitted by American Asphalt & Milling Services, LLC included the incorrect sum; and,

WHEREAS, the contract amount awarded in Resolution 257-17 was determined to be higher than the actual bid tabulation in the total amount of twenty cents (\$0.20); and,

WHEREAS, the governing body, at the recommendation of the Borough Engineer, and in compliance with the provisions set forth by the New Jersey Department of Transportation, wishes to amend Resolution 257-17 to reflect the correct bid tabulation and amount of award for the project: East Colfax Avenue Improvements, submitted by American Asphalt & Milling Services, LLC who remains the lowest responsive responsible bidder.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey do hereby amend Resolution 257-17 upon the recommendation of the Borough Engineer, Michael J. Neglia, and confirm 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 corrected amount of not to exceed two-hundred fourteen thousand two-hundred fifteen dollars and seventeen cents (\$214,215.17); 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. 293-17

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and,

WHEREAS, pursuant to N.J.S.A. 40A:12A-6 of the Redevelopment Law, the Council of the Borough of Roselle Park, in the County of Union, New Jersey (the "Borough Council") must authorize the Land Use Board of the Borough (the "Land Use Board") to conduct an investigation of the area and make recommendations to the Borough Council; and,

WHEREAS, the Borough Council, by Resolution #156-17, adopted May 18, 2017 pursuant to the Redevelopment Law, authorized and directed the Land Use Board to undertake a preliminary investigation to determine if a specific area located at Block 610, Lots 1 and 3 on the tax map of the Borough of Roselle Park, (together, the "Study Area") constituted an area in need of redevelopment according to the criteria set forth in the Redevelopment Law; and,

WHEREAS, the aforesaid resolution authorized the Land Use Board to investigate the Study Area as a Condemnation Redevelopment Area (as defined in N.J.S.A. 40A:12A-6(a) of the Redevelopment Law), within which the Borough may use all of those powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain; and,

WHEREAS, the Redevelopment Law requires the Land Use Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of redevelopment, at which hearing the Land Use Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and,

WHEREAS, the Land Use Board properly noticed a public hearing on the preliminary investigation of the Study Area which conforms to the Redevelopment Law; and,

WHEREAS, on October 16, 2017, the Land Use Board, conducted a public hearing in accordance with the Redevelopment Law and by resolution, made a recommendation to the Borough Council to determine that the Study Area constituted an area in need of redevelopment (the "Study"); and,

WHEREAS, the Land Use Board, after due consideration of the preliminary investigation and the comments and objections from the public made part of the public record and after consulting appropriate municipal departments and counsel, adopted a resolution recommending to the Borough Council to adopt a resolution designating the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law, including the power of eminent domain; and,

WHEREAS, the Borough Council has determined that, based upon the recommendations of the Land Use Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, such designation authorizing the Borough and Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain; and,

WHEREAS, the Borough Council has determined to direct the Land Use Board to prepare a redevelopment plan for such Study Area.

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

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

Section 2. The recommendations and conclusions of the Land Use Board are hereby accepted by the Borough Council.

Section 3. Based upon the findings and recommendations of the Land Use Board, the Study Area is hereby designated an area in need of redevelopment including the power of eminent domain pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law.

Section 4. The Borough Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 5. The Borough Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Study Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Land Use Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. The Borough Land Use Board is authorized to prepare a redevelopment plan for the Study Area.

Section 7. This Resolution shall take effect immediately.