

REGULAR MEETING – MARCH 20, 2025

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

MOMENT OF SILENCE/PRAYER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

None

PROCLAMATIONS & PRESENTATIONS

1. Certificate of Recognition: Marc Dowling, Union County Saint Patrick’s Day Grand Marshal
2. Certificates of Recognition: Woman of the Year & Nominees
3. Certificates of Recognition: Assistance at American Legion Post 60
 - a. Floorlayers Local 251
 - b. Costa's Restaurant & Pizzeria
 - c. Dunkin’ of Roselle Park

APPROVAL OF MEETING MINUTES, PENDING ANY CORRECTIONS

1. Regular Meeting of February 20, 2025
2. Regular Meeting of March 6, 2025

MOTION BILLS & PAYROLLS BE NOT READ AND PASSED FOR PAYMENT

PUBLIC PORTION (Time Limit of 5 Minutes Limited to Agenda Items Only)

REPORTS OF DEPARTMENTS (Time Limit 3 Minutes)

Scheduled Verbal Reports:

None (Scheduled for April 3, 2025)

Written Reports Received:

1. Construction Official’s Report for February 2025
2. Court Administrator’s Report for February 2025

ORDINANCES FOR 2ND READING

ORD. No. 2808 AN ORDINANCE AMENDING CHAPTER 40, SECTION 3303 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “AFFORDABLE HOUSING PROGRAMS” WITH SPECIFIC AMENDMENTS TO PARAGRAPH B, ENTITLED “AFFORDABLE HOUSING SET-ASIDE REQUIREMENT FOR RESIDENTIAL DEVELOPMENT INCLUDING AREAS IN NEED OF REDEVELOPMENT OR REHABILITATION” (Councilman Johnson)

ORD. No. 2809 AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “ADMINISTRATION,” ESTABLISHING A NEW SECTION 64 THEREOF, ENTITLED “VETERANS GRANT WRITING ASSISTANCE PROGRAM” (Councilman Johnson)

ORDINANCES FOR INTRODUCTION

- ORD. No. 2810 AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF THE BOROUGH ENTITLED, "LAND USE," IMPLEMENTING DESIGN STANDARDS FOR SIGNAGE IN THE B-2 CENTRAL BUSINESS DISTRICT (**Mayor Signorello**)
- ORD. No. 2811 AN ORDINANCE AMENDING CHAPTER 27 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "SEWERS," WITH SPECIFIC AMENDMENTS TO ARTICLE II, ENTITLED "OBSTRUCTIONS AND BREAKS" (**Councilman Johnson**)
- ORD. No. 2812 AN ORDINANCE AMENDING CHAPTER 27, SECTION 6, SUBSECTION 3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED "IMPOSITION OF CHARGES" (**Finance**)
- ORD. No. 2813 AN ORDINANCE AMENDING CHAPTER 10, SECTION 4, SUBSECTION 4.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "RECREATION FEES ENUMERATED" (**Recreation**)

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:

- * **#97-25:** Authorizing the Borough Clerk to Auction Unclaimed Vehicles (**Borough Clerk**)
- * **#98-25:** Authorizing Certain Appropriation Transfers (**Finance**)
- * **#99-25:** Appointing Derrick Diaz, Jr. to the Position of Parking Enforcement Officer (**Police**)
- * **#100-25:** Appointing Jason Dias to the Position of Parking Enforcement Officer (**Police**)
- * **#101-25:** Appointing John Wilson to the Position of Patrolman within the Roselle Park Police Department (**Police**)
- * **#102-25:** Accepting the Resignation of Christopher Narine from the Position of Parking Enforcement Officer (**Police**)
- * **#103-25:** Awarding a Professional Services Contract to Colliers Engineering & Design for Professional Engineering and Environmental Services Associated with a Preliminary Environmental Assessment of Block 910, Lot 8 of the Municipal Tax Map, Commonly Known as 31 East Westfield Avenue, in Connection with and Support of the Borough's Prospective Acquisition Thereof in an Amount Not to Exceed \$12,000.00 (**Business Administrator**)

* **#104-25:** Amending Resolution No. 45-25 entitled, “Reappointing John V. Zimmerman to the Position of Class II Special Law Enforcement Officer within the Roselle Park Police Department,” to Correct the Weekly Authorized Hours of Work (**Finance**)

REPORTS OF BOROUGH COUNCIL/ COMMITTEES (Time Limit 7 Minutes)

REPORT OF THE MAYOR AND MAYORAL APPOINTMENTS (Time Limit 7 Minutes)

PUBLIC PORTION (Time Limit of 4 Minutes On Any Subject)

EXECUTIVE (CLOSED) SESSION

ADJOURNMENT

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL
WILL BE HELD ON APRIL 3, 2025**

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2808

AN ORDINANCE AMENDING CHAPTER 40, SECTION 3303 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "AFFORDABLE HOUSING PROGRAMS" WITH SPECIFIC AMENDMENTS TO PARAGRAPH B, ENTITLED "AFFORDABLE HOUSING SET-ASIDE REQUIREMENT FOR RESIDENTIAL DEVELOPMENT INCLUDING AREAS IN NEED OF REDEVELOPMENT OR REHABILITATION"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 40 of the Code of the Borough of Roselle Park be and hereby is amended and supplemented as follows:

SECTION 1. Increasing Affordable Housing Set-Aside

§ 40-3303.B. Affordable Housing Set-Aside Requirement for Residential Development Including Areas in Need of Redevelopment or Rehabilitation.

1. If the Borough of Roselle Park or a Borough's Land Use Board permits the construction of residential development that is "approvable" and "developable," as defined at N.J.A.C. 5:93-1.3, at least ~~15%~~ **20%** of the total number of residential units shall be set aside as affordable for very-low-, low- and moderate-income households as set forth in this article. This requirement shall apply beginning with the effective date of this article to any residential development, including the residential portion of a mixed-use project, which consists of five or more new residential units, whether permitted by a zoning amendment, a variance granted by the Borough's Land Use Board, or adoption of a redevelopment plan, or amended redevelopment plan in areas in need of redevelopment or rehabilitation. This requirement shall not apply to any development application pending on the effective date of this article, unless the applicant thereafter secures an increase in the number of proposed residential units equal to or greater than 25%. Nothing in this subsection precludes the Borough of Roselle Park or the Borough's Land Use Board from imposing an affordable housing set-aside in a development not required to have a set-aside pursuant to this subsection consistent with N.J.S.A. 52:27D-311(h) and other applicable law.
2. For projects generating residential units within areas designated as in need of redevelopment or rehabilitation, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., at least ~~15%~~ **20%** of the total number of residential units shall be affordable to very-low-, low-, and moderate-income households as set forth in this article. Fractional obligations shall be rounded up unless waived at the sole discretion of the Borough's governing body.
 - a. For example, under the provisions of this article, a sixteen-unit rental development would mathematically generate a requirement for ~~2.40~~ **3.20** affordable housing units (i.e. 16 units times ~~15%~~ $= 2.40$ **20%** $= 3.20$ affordable housing units). However, since the redeveloper must provide a set-aside of at least ~~15%~~ **20% rounded up on a fractional basis**, the developer shall provide ~~three~~ **four** units of affordable housing.
3. The sole purpose of this section is to create the responsibility for a developer or redeveloper to deliver residential units with controls on affordability and that otherwise comply with the "Uniform Housing Affordability Controls" regulations, N.J.A.C. 5:80-26.1 et seq. and this

general Affordable Housing Ordinance. Therefore, nothing in either ordinance shall be construed to create any rights including, but not limited to, the right to: a zoning amendment; a variance; adoption of a redevelopment plan or amended redevelopment plan; or approval of any particular development application.

4. Likewise, this section shall not apply to development applications containing four or less dwelling units. All subdivision and site plan approvals of qualifying residential developments shall be conditioned upon compliance with the provisions of this section. Where a developer demolishes existing dwelling units and builds new dwelling units on the same site, the provisions of this section shall apply only if the net number of dwelling units is five or more.

SECTION 2. Invalidity

If any section or portion of a section of this Ordinance 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 and Editing Indications.

Any 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. Likewise, editing indications are structured such that all strikethrough text, ~~thusly~~, should be considered a deletion from existing Borough Code, and all bolded text, **thusly**, should be considered an addition to existing Borough Code.

SECTION 5. Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk.

ORDINANCE NO. 2809

AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “ADMINISTRATION,” ESTABLISHING A NEW SECTION 64 THEREOF, ENTITLED “VETERANS GRANT WRITING ASSISTANCE PROGRAM”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 2 of the Code of the Borough of Roselle Park be and hereby is amended and supplemented as follows:

SECTION 1. Section Title

§ 2-64 Veterans Grant Writing Assistance Program.

SECTION 2. Definition of Terms

§ 2-64.2 Definitions.

The following shall be the definition of various terms used within this Section:

PROGRAM

The Borough of Roselle Park’s Veterans Grant Writing Assistance Program; which shall assist Qualified Veterans Organizations in preparing and submitting one (1) grant application per year aimed at alleviating the financial and administrative burdens on veterans service organizations.

PROGRAM ADMINISTRATOR

The Chief Administrative Officer of the Borough of Roselle Park who shall have the express authority to delegate duties and responsibilities related to the administration of the Program to one or more municipal departments as they see fit, so as to ensure flexibility and effective Program management.

QUALIFIED VETERANS ORGANIZATION

An organization legally constituted with its primary focus and objective to recognize, advocate for, and further the betterment of veterans of the United State military. For the purposes of this Section, such organization shall meet the following criteria and bear the burden proving the same as outlined within this Section: be in continuous, uninterrupted operation for a period of no less than ten (10) years; be based within the Borough of Roselle Park; hold all regular meetings within the geographical limits of the Borough of Roselle Park; and, have a bank balance of less than \$25,000.

SECTION 3. Purpose of Program

§ 2-64.2 Purpose.

The purpose of the Program shall be to provide technical grant writing support to Qualified Veterans Organizations. The Program shall assist such organizations with grant writing services to support their constituency of veterans, thereby enhancing their ability to contribute meaningfully to the community. The Program shall not provide for direct, monetary funding from the Borough to any Qualified Veterans Organization.

SECTION 3. Program Eligibility

§ 2-64.2 Eligibility Criteria.

The following shall be the eligibility criteria for participation in the Program:

- a. Applicants must meet the definition of a Qualified Veterans Organizations by providing the following as part of each program application:
 1. Proof of continuous, uninterrupted operation within the Borough of Roselle Park for no less than ten (10) years;
 2. Proof that all regular meetings of the organization are held within the Borough of Roselle Park; and,
 3. Bank statements for two (2) years prior to the time a Program application is submitted.
- b. Applicants must apply for the Program naming a specific grant opportunity they would like to pursue with the assistance of the Borough. The Borough will not conduct independent grant research on behalf of an applicant.
- c. Applicants must state how grant funding or resources would be utilized if the Program facilitates a grant award. Under the Program, acceptable grant opportunities may be used for to support a wide range of initiatives, including maintenance of facilities, compliance with safety and structural standards, veterans outreach, and other similar programs for the veteran community. Any grant opportunities encompassing the following will not be considered acceptable under the Program:
 1. Funding for consumable items including, but not limited to alcohol and other intoxicating substances.
- d. Applicants must submit an affidavit swearing to the following:
 1. That they will enter into a Program agreement with the Borough of Roselle Park should they be chosen to receive assistance as part of the Program.
 2. That they will comply with any and all requirements of a grant agreement resulting from the assistance of the Program.
 3. That they will, in addition to any reporting requirements of a grant agreement entered from the assistance of the Program, submit to periodic, written reporting to the Borough, no less than once per year, of the use and outcome of such awarded grant funding or resources, and how such funding or resourced befitted the veteran community.

4. That they were not the beneficiary of a grant award facilitated by the Program during the prior calendar year that included \$50,000 in direct or in-kind funding

SECTION 4. Budget and Funding

§ 2-64.3 Program Budget and Funding Flexibility.

- a. The budgetary appropriation for the Program shall be subject to annual approval of the governing body as part of the regular budgeting process.
- b. Funding for each Program application shall be capped at an amount determined based on the overall Program appropriation, participation, and prioritized need of the Borough.
 1. Requests for Program funding above an advertised cap shall be subject to approval of the governing body upon formal request for the consideration of special circumstances of a participating Qualified Veterans Organization.
 2. Organizations shall be encouraged to contribute to Program costs, particularly for applications that exceed the Borough's cap, allowing for greater community benefit.

SECTION 5. Compliance and Enforcement

§ 2-64.4 Program Compliance and Enforcement.

- a. Any Qualified Veterans Organization found to have submitted a forgery, falsehood, or willful misrepresentation to the Borough, through the Borough as part of a grant application, or to a grant program during period reporting or otherwise based on an award facilitated by the Borough's Program, shall be subject to the following:
 1. Revocation of any existing Program agreement;
 2. The demand for repayment of any funds expended by the Borough as part of the underlying Program case in a court of competent jurisdiction, or otherwise;
 3. Disqualification from participation in the Program for a period of ten (10) years.

SECTION 6. Invalidity

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

SECTION 7. Inconsistent Ordinances Repealed.

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

SECTION 8. Captions and Editing Indications.

Any 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. Likewise, editing indications are structured such that all strikethrough text, ~~thusly~~, should be considered a deletion from exiting Borough Code, and all bolded text, **thusly**, should be considered an addition to existing Borough Code.

SECTION 9. Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk.

ORDINANCES FOR INTRODUCTION

ORDINANCE NO. 2810

**AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF THE BOROUGH ENTITLED,
“LAND USE,” IMPLEMENTING DESIGN STANDARDS FOR SIGNAGE**

WHEREAS, the Planning Board of the Borough of Roselle Park (hereinafter, the “Borough”) adopted a revised Master Plan on October 20, 1997 (hereinafter the “Master Plan”); and,

WHEREAS, the Planning Board adopted a Master Plan Re-Examination Report on December 29, 2003; and,

WHEREAS, the Planning Board adopted a Vision Plan (hereinafter the “New Directions Vision Plan”) in January 2007; and,

WHEREAS, the Planning Board adopted a Master Plan Re-Examination Report on December 14, 2009; and,

WHEREAS, the Municipal Land Use Board of the Borough adopted a Master Plan Re-Examination Report on August 15, 2016 (hereinafter, the “2016 Master Plan Re-Exam”); and,

WHEREAS, the 2016 Master Plan Re-Exam found that various objectives of the Master Plan were still valid, including: (a) Improve the appearance of the CBD through implementation of a streetscape improvement program, support for façade improvements and the adoption of design standards. (Land Use-Commercial, Objective 3); (b) Ensure that new development is visually and functionally compatible with the physical character and desired image of the Borough (Community Design, Objective 1); (c) Improve the visual and physical appearance of all nonresidential areas, while protecting residential neighborhoods from nonresidential encroachment. (Community Design, Objective 2); and, (d) Ensure that all development is designed with respect to architectural heritage, including buildings, streetscape and landscape. (Community Design, Objective 3); and,

WHEREAS, the 2016 Master Plan Re-Exam noted that the Community Design Principles of the New Directions Vision Plan were still valid; and,

WHEREAS, the 2016 Master Plan Re-Exam recommended that The Revised General Ordinances of the Borough of Roselle Park, 2007 (hereinafter, the “Ordinance”) be amended to include design standards that incorporate key principles of community planning as described within the New Directions Vision Plan; and,

WHEREAS, the Borough desires to amend the Ordinance to adopt design standards as recommended by the Master Plan and the New Directions Vision Plan.

NOW, THEREOFRE, BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 40 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Amendments to Article IV

Chapter 40 Land Use

[...]

Part II Land Subdivision and Site Plan Review

Article VI Definitions

§ 40-601. TERMS DEFINED.

The following words, terms or phrases, when used in Chapter 40, Land Use, shall have the meanings ascribed in this section:

[...]

A-FRAME SIGNS

Shall mean a portable outdoor sign that holds one or two posters on either side of an A-shaped frame for support. A-frame signs shall be allowed for businesses such as restaurants, liquor stores, etc., to advertise daily specials. The A-frame signs shall be no greater than two (2) foot wide by four (4) foot tall, total size above finished grade and must be maintained against the building so as not to impede pedestrian traffic. The A-frame signs can only be exhibited during business hours and must be removed at the conclusion of business hours.

[...]

AUTOMOTIVE SERVICE STATION

Shall mean an establishment which gasoline and/or services for automobiles, including mechanical repair, but not including body repair or the storage of inoperable vehicles.

AWNING SIGN

Shall mean a sign that is painted or screened onto a roof-like covering of canvas or cloth that is attached to a metal frame, which projects from the wall of a building and is supported entirely by a building.

BILLBOARD

~~Shall mean any structure or portion thereof on which lettered or pictorial matter is displayed for advertising purposes, other than a sign giving the name and business or occupation of the occupant of the premises, the nature of the business conducted thereon or products sold or manufactured by the occupant.~~

Shall mean a sign, in excess of twenty-four (24) square feet in area, that directs attention to a business, commodity, service, entertainment or facility and is not located upon the business premises.

[...]

BULK NONCONFORMING

Shall mean that part of a building or non-building use which does not conform to one (1) or more of the applicable bulk regulations prescribing the minimum floor area, maximum height of a building or non-building use, or the minimum lot area per dwelling unit, lot frontage, yards, courts, required spacing between the detached buildings on the same lot and usable open space on the lot for the district in which such building or non-building use is located, among other applicable regulations.

BULLETIN BOARD

Shall mean a sign describing events, schedules, functions and the like, not exceeding twenty-four (24) square feet in area and set back at least one-third from any existing front yard.

BUSINESS SIGN

Shall mean a sign which directs attention to the sale of goods or to professional services, other services or entertainment rendered or offered upon the premises where such sign is located.

[...]

CONFORMING BUILDING, LOT, STRUCTURE OR USE

Shall mean a building, lot, structure or use that conforms to the regulations herein made for the district in which such building, lot, structure, or use is located.

CORNICE

Shall mean any horizontal member, structural or nonstructural, projecting outward from the exterior walls at the roofline, including eaves and other roof overhang.

[...]

DEVELOPMENT COORDINATOR

Shall be appointed by the Governing Body. ~~The Development Coordinator shall officially receive all applications for development. The Development Coordinator, in consultation with the~~ **duly appointed Zoning Officer of the Borough, and** shall determine which local board, official or agency has jurisdiction over the application, and ~~the Development Coordinator~~ shall forward copies to all Federal, State and local agencies required to review the applications.

DIRECTIONAL SIGN

Shall mean a sign containing no advertising other than a name, either temporary or permanent that serves as a convenience to the public to show direction to a place or activity.

DIRECTORY SIGN

Shall mean a sign of permanent character that is attached directly to the building and is parallel to the building. The sign is typically located adjacent to an entrance and identifies upper story uses in the building.

DRAINAGE RIGHT-OF-WAY

Shall mean the lands required for the installation of stormwater sewers or drainage ditches or those required along a natural stream or watercourse for preserving the channel and providing for a flow of water therein to safeguard the public against flood damage in accordance with Chapter 1 of Title 58 of the New Jersey Statutes Annotated, as amended.

DRIVE-THROUGH MENU BOARD SIGN

Shall mean a sign displaying food and/or beverages offered for sale at a restaurant with drive-through service and located adjacent to the drive-through lane on the premises upon which such service is offered.

[...]

DWELLING UNIT

Shall mean any room or group of rooms located within a dwelling forming a single habitable unit, which includes facilities for living, sleeping, cooking, eating, bathing and toilet purposes.

ERECT

Shall mean to build, construct, attach, hang, place, suspend or affix, and also includes the painting of wall signs.

FAÇADE

Shall mean the exterior portion of a building exposed to public view.

FACADE, PRINCIPAL

Shall mean that face of a building which is most exposed to public view, such as a street, park, or plaza.

FACING OR SURFACE

Shall mean the surface of a sign upon, against or through which the message is displayed or illustrated on the sign.

[...]

FAMILY DAY CARE

Shall mean a private residence which is registered as a family day-care home pursuant to the Family Day Care Provider Registration Act, N.J.S.A. 30:5B-16 et seq., and is further defined as a private residence in which child-care services are provided for a fee for not less than three (3) nor more than five (5) children at one time for no less than fifteen (15) hours per week; except that the division shall not exclude a family day-care home with less than three (3) children from voluntary registration.

FASCIA

Shall mean a vertical frieze or band under a roof edge, or which forms the outer surface of a cornice, visible to an observer.

FAST-FOOD RESTAURANT

Shall mean any establishment which serves food and drink on the premises to be consumed entirely within the principal building or off the premises, wherein the average duration of stay for on-site consumption or pickup does not exceed one-half (1/2) hour and the seating capacity for such establishment exceeds twenty (20) persons.

FEATHER FLAG

Shall mean a freestanding sign that is comprised of a pole and flag that is typically taller than wider. The sign is lightweight and portable.

FINAL PLAT

Shall mean the final map of all or a portion of the subdivision which is presented to the Borough Planning Board for final referral in accordance with regulations established by this chapter and which, if approved, shall be filed with the proper County Recording Officer.

FLAG

Shall mean any fabric or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity.

FLASHING SIGN

Shall mean any illuminated sign on which the artificial light is not maintained stationary and constant in intensity or color at all times when such sign is in use, including, but not limited to moving, rotating, flashing, oscillating, shuttered or similar signage.

[...]

FLOOR AREA RATIO

Shall mean the sum of the area of all floors of building or structures compared to the total area of the site.

FREESTANDING BANNERS

Shall mean a graphic that is supported by a base. A freestanding banner shall be allowed for all businesses. The freestanding banner shall be no greater than one (1) foot wide by eight (8) feet tall total size above finished grade, and must be maintained against the building so as not to impede pedestrian traffic or obstruct the visual path of vehicular traffic. The freestanding banner may only be exhibited during business hours and must be removed at the conclusion of business hours.

[...]

GRADE

Shall mean the curb level on a level lot. Where the lot level is higher or lower than the curb level, the average level along the wall in question shall be taken at the base for measuring the height of a building, yard or court.

HANGING SIGN

Shall mean a sign that hangs off of brackets or chains.

HOME PROFESSIONAL OFFICE

Shall mean a professional office which occupies a portion of a residential structure, the remainder of which is actually used by the member of the recognized profession for his or her own dwelling purposes and in which office there are employed no more than two (2) employees in addition to the aforesaid professional.

ILLUMINATED SIGN

Shall mean any sign or portion thereof which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

IMPERVIOUS COVERAGE

Shall mean that portion of the lot that is covered by non-permeable surfaces, including but not limited to buildings, parking areas, driveways, service areas, streets, walkways, patios, pools and plazas. All required parking areas which are permitted to remain unimproved and all gravel areas and landscape areas lined with weed-inhibiting plastic sheeting shall be considered impervious surfaces.

INCIDENTAL SIGN

Shall mean a sign not exceeding one square foot attached to a building wall or door that identifies credit cards accepted at the establishment and/or provides information (e.g., “employee entrance,” “receiving,” etc.).

INSTITUTIONAL AND PUBLIC USES

Shall mean nonprofit public or quasi-public institutions and uses such as municipally owned structures, houses of worship, public and private schools and/or land used for such purposes.

INSTRUCTIONAL SIGN

Shall mean on-site signage that provides direction or information to pedestrians and/or vehicular traffic that is related to the movement of pedestrian and/or vehicular traffic on the premises and not displaying a commercial message (e.g., “entrance,” “exit,” “no parking,” “one-way” and the like).

KITCHEN

Shall mean a room or area with a refrigerator and/or a cooking device.

LOADING SPACE

Shall mean any off-street space required for the loading or unloading of goods, not less than fifteen (15) feet wide, twenty-five (25) feet long and fourteen (14) feet high, and having direct usable access to a street and/or alley, except that where one (1) such “loading space” has been provided, any additional “loading space” lying alongside, contiguous to and not separated from such first “loading space” need not be wider than twelve (12) feet.

LOGO

Shall mean any symbol, shape, graphic or picture that a company uses to represent itself as a branding tool.

[...]

MINOR SUBDIVISION

Shall mean a subdivision of land for the creation of three (3) or fewer lots, provided that such subdivision does not involve a planned development, any new street, any variances as part of the application, and conditions necessitating further action or approval by the appropriate Board and/or the extension of any off-tract improvement, the cost of which is to be prorated pursuant to N.J.S.A. 40:55D-42.

MONUMENT SIGN

Shall mean a sign in which the entire bottom is in contact with the ground and is independent of any other structure.

NAMEPLATE SIGN

Shall mean a nonilluminated sign indicating the name, address and/or profession or occupation of the occupant. The nameplate sign may include the name of the business. A nameplate sign is attached directly to the building and is parallel to the building. Such nameplate sign shall be affixed to the door or wall adjacent to the entrance to the premises where such use is conducted or maintained.

[...]

POLE SIGN

~~Shall mean a freestanding sign supported by a pole or poles.~~

Shall mean a sign constructed of one (1) or two (2) poles with the sign permanently affixed to the pole(s) and containing one (1) or two (2) sign faces.

POLITICAL CAMPAIGN SIGN

Shall mean a sign advertising in favor of or in opposition to a candidate for election, a political party, or a public question.

PORTABLE FREESTANDING SIGN

Shall mean a sign that is not permanent, affixed to a building, structure or the ground. Portable freestanding signs shall be nonilluminated and removed at closing time.

PROFESSIONAL ARTS CENTER

Shall mean a building containing a group of professional offices for medical and osteopathic physicians, dentists and other practitioners having a State license in the healing arts, together with attorneys, engineers and accountants having a State license to practice their professions. The building may contain a pharmacy which is not visible, identified nor accessible directly from the street.

PROFESSIONAL OFFICE

Shall mean the office of a member of a recognized profession maintained for the conduct of that profession. The definition shall be limited to the professions of medicine, law, architecture, engineering, dentistry, planning and such similar professions which require a comparable degree of formal education and experience.

PROJECTING SIGN

Shall mean a sign that is wholly or partly dependent upon a building for support and that projects perpendicularly more than 12 inches from such building. May also be referred to as a "hanging sign" or a "shingle sign." Projecting signs may be internally or externally illuminated.

[...]

RETAIL TRADE

Shall mean and include the following major groups, or portions thereof, as enumerated in the ~~(NASICS) North American Standard Industry Classification System (1997), Office of Management and Budget~~ **North American Industry Classification System (NAICS):**

- A. 455. Food and beverage stores.
- B. 446. Health and personal care stores
- C. 448. Clothing and clothing accessory stores.
- D. 451. Sporting goods, hobby, book and music stores.
- E. 452. General merchandise stores.
- F. 453. Miscellaneous store retailers, excluding manufactured (mobile) home dealers.

ROOF SIGN

Shall mean any sign erected, constructed and maintained wholly upon or over the roof of any building, with the principal support on the roof structure.

SENIOR CITIZEN HOUSING

Shall mean a housing unit provided for residents aged fifty-five (55) years or over which conforms to the requirements of Section 213 of Title 11 of the National Housing Act (or provisions of a similar nature).

SETBACK

Shall mean the horizontal distance from a lot line to the part of a building or structure nearest such lot line.

SIGN

~~Shall mean any device, structure or object for visual communication that is used for the purpose of bringing the subject thereof to the attention of others, including but not limited to any flag, badge or insignia of any public, quasi-public, civic, charitable or religious group.~~

Shall mean any object, device, display or structure or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

[...]

SIGN, TEMPORARY

Shall mean a sign in place for forty-five (45) days or less, which may be constructed of material of a nonpermanent nature, such as paper, canvas or nondurable plastic. Such signs shall not be more than six (6) square feet in area and may be two-sided. The posting of such signs on fire hydrants, public telephone booths, utility poles or on trees in public right-of-way is expressly prohibited. The sign displayed inside the window of a business establishment, to be constructed of a nonpermanent material, shall be permitted, provided that it does not obstruct more than thirty (30%) percent of the window area and is not illuminated. **Temporary signs, including banners and pennants, shall be permitted for special public and semi-public events and for private grand openings, special sales events, contractors, mechanics, painters and artisans.**

SIGN AREA

Shall mean the gross area within a single continuous perimeter enclosing the extreme limits of such sign. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming and integral part of the display unless such structural elements are purposely illuminated to form a part of the display. In the case of an open sign, made up of individual letters, figures or designs, the space between such letters, figures or designs shall be included. In computing the area of a double-faced sign, both sides shall be considered, regardless whether both sides are identical.

SIGNAGE BAND

Shall mean the horizontal area on a building façade located between the top of any door and windows located on the first floor and the bottom of the second-floor windows. May also be referred to as “signage board.”

[...]

STREET

Shall mean any street, avenue, boulevard, road, lane, parkway, viaduct, alley or other way which is an existing State, County or Borough roadway, or a street or way shown upon a plat heretofore approved pursuant to law or approved by official action, or a street or way on a map or plat duly filed and recorded in the office of the County Recording Officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats. "street" also includes the land between the street lines, whether improved or unimproved, and may compromise pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas within the street lines. For the purpose of this chapter, the Planning Board, with the advice of the Borough Engineer, shall classify the streets as follows:

- A. Arterial Streets - Those which are used primarily for fast or heavy traffic of considerable continuity and used primarily as a traffic artery for intercommunication between large areas.
- B. Collector Streets – Those which carry traffic from minor streets to the major system of arterial streets and highways, including the principal entrance streets of a residential development and streets for circulation within such development.
- C. Minor Streets – Those which are used primarily for access to the abutting properties.
- D. Marginal Access Streets – Those which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.
- E. Alleys – Minor ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.
- F. Dead-End Streets – Those used primarily for access to abutting properties, having a length not to exceed six hundred (600) feet with only one (1) outlet and a turnaround at the closed end.

STREET ADDRESS SIGN

Shall mean any sign denoting the street address of the premises on which it is attached or located.

[...]

SUBDIVISION COMMITTEE

Shall mean a committee of at least three (3) Planning Board members appointed by the Chairman of the Planning Board for the purpose of classifying subdivisions in accordance with the provisions of Part 2, Land Subdivision and Site Plan Review, of this chapter and such other duties relating to the land subdivision which may be conferred on this Committee by the Planning Board.

SUBSTANTIALLY DAMAGED OR DESTROYED

Shall mean as it pertains to a nonconforming sign: 50% or more of the upright supports of a sign structure are physically damaged such that normal repair practices of the sign industry would call for, in the case of wooden structures, replacement of the broken supports and, in the case of a metal sign structure, replacement of at least 25% of the

length above the ground of each broke, bent or twisted support; or more than 50% of a projecting or wall sign is physically damaged such that normal repair practices of the sign industry would call for the same to be replaced or repaired.

USE

Shall mean the principal purpose for which a lot or the principal building thereon is designed occupied, maintained or intended to be used.

VEHICLE SIGN

Shall mean a sign or signs where the total sign area covers more than 10 square feet of the vehicle.

WALL SIGN

Shall mean a sign attached to or painted on a wall and subject to all sign regulations herein.

WINDOW SIGN

Shall mean any sign, pictures, symbol or combination thereof displayed in a window. Window signs shall not be illuminated.

[...]

SECTION 2. Amendments to Article XXX

Chapter 40 Land Use

[...]

Part III Zoning

Article XXX Miscellaneous

[...]

§ 40-3002. SIGNS.

~~A. Types and Area of Signs. A sign shall include banners, streamers, whirling or lighting devices or any other type of attention attracting device and may be a single faced, double faced or a V type structure. The following terms are defined as indicated below:~~

- ~~1. Business Sign. A sign which directs attention to the sale of goods or to professional services, other services or entertainment rendered or offered upon the premises where such sign is located.~~
- ~~2. Billboard. A sign, in excess of twenty four (24) square feet in area, that directs attention to a business, commodity, service, entertainment or facility and is not located upon the business premises.~~

- ~~3. Flashing Sign. Any illuminated sign on which the artificial light is not maintained stationary and constant in intensity or color at all times when such sign is in use, including, but not limited to moving, rotating, flashing, oscillating, shuttered or similar signage.~~
- ~~4. Directional Sign. A sign containing no advertising other than a name, either temporary or permanent that serves as a convenience to the public to show direction to a place or activity.~~
- ~~5. Political Campaign Sign. A sign advertising in favor of or in opposition to a candidate for election, a political party, or a public question.~~
- ~~6. Temporary signs, including banners and pennants, shall be permitted for special public and semi public events and for private grand openings, special sales events, contractors, mechanics, painters and artisans.~~
- ~~7. Illuminated Sign. Any sign which is designed to be seen at night by virtue of artificial light from within, behind or upon such sign, but not including reflector type signs unless the source of light is made a part of, or is related to, such sign.~~
- ~~8. Sign Area. The gross area within a single continuous perimeter enclosing the extreme limits of such sign. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display unless such structural elements are purposely illuminated to form a part of the display. In the case of an open sign, made up of individual letters, figures or designs, the space between such letters, figures or designs shall be included. In computing the area of a double faced sign, both sides shall be considered, regardless whether both sides are identical.~~
- ~~9. Wall Sign. A sign attached to or painted on a wall and subject to all sign regulations herein.~~
- ~~10. Pole Sign. A sign constructed of one (1) or two (2) poles with the sign permanently affixed to the pole(s) and containing one (1) or two (2) sign faces.~~
- ~~11. Hanging Sign. A sign that hangs off of brackets or chains.~~
- ~~12. Bulletin Board. A sign describing events, schedules, functions and the like, not exceeding twenty four (24) square feet in area and set back at least one third (1/3) from any existing front yard.~~
- ~~13. A Frame Signs. A frame signs shall be allowed for businesses such as restaurants, liquor stores, etc., to advertise daily specials. The A frame signs shall be no greater than two (2) foot wide by four (4) foot tall, total size above finished grade and must be maintained against the building so as not to impede pedestrian traffic. The A frame signs can only be exhibited during business hours and must be removed at the conclusion of business hours.~~
- ~~14. Freestanding Banners. A freestanding banner shall be allowed for all businesses. The freestanding banner shall be no greater than one (1) foot wide by eight (8) feet tall total size above finished grade, and must be maintained against the building so as not to impede pedestrian traffic or obstruct the visual path of vehicular traffic. The freestanding banner may only be exhibited during business hours and must be removed at the conclusion of business hours.~~

~~B.~~ **A.** Signs in R-1, R-2, R-3 and R-4 Residential Districts as Defined in This Land Use Chapter of the Borough of Roselle Park. No sign shall be placed where it obstructs pedestrian or vehicular views.

[...]

~~C.~~ **B.** Awnings and Signs in R-1, R-2, R-3, R-4, B-1, B-2, B-3, SCH and PD Districts as Defined in This Chapter 40, Land Use of the Revised General Ordinances of the Borough of Roselle Park. The following signs may be erected and maintained, subject to the conditions specified. No sign shall be placed where it would obstruct pedestrian or vehicular view.

[...]

~~D.~~ **C.** Signs in the ROB District as defined in this Chapter 40, Land Use, of the Revised General Ordinances of the Borough of Roselle Park. The following signs may be erected and maintained, subject to the conditions specified:

[...]

~~E.~~ **D.** Signs in the Industrial District as Defined in Chapter 40, Land Use, of the Revised General Ordinances of the Borough of Roselle Park. The following signs may be erected and maintained, subject to the following conditions specified:

[...]

~~F.~~ **E.** 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. All pole signs shall be securely built, constructed and erected upon posts and standards that penetrate at least three feet below the natural surface of the ground.~~
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.~~

Every projecting sign, including the frames, braces and supports thereof, shall be designed by a structural engineer or manufacturer and shall be approved by the Borough's Administrator or his/her designee as in compliance with the building construction standards. Sign support framework shall be well-crafted, in keeping with the sign and building architecture.

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. The lower edge of an awning shall be at least eight feet above the sidewalk or ground at its leading edge. The length of the awning shall be limited to the width of the door or window. When multiple awnings occur within the same building structure, they shall be compatible in style, color, dimension and mounting height.~~
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.~~

All window signs shall be neat, clean and professional-looking. Window signs shall pertain only to the establishment occupying the premises where the window is located.

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.~~

~~e. 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.~~

The base of a monument sign shall be constructed of materials that are consistent with the building architecture. If lighted, a monument sign shall be lit by direct, external light sources or back-lit raised letters/logos.

8. No hanging sign shall be permitted in any district of the Borough of Roselle Park.
9. **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.**
10. **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.**
11. **Illuminated Sign Regulations. The following shall apply to all illuminated signs in the Borough:**
 - a. **Illumination of signs shall not cause light spillage onto adjacent properties.**
 - b. **Lights used for the illumination of signs shall be shielded so as not to project light above the sign or the highest elevation of the front wall of the building on which the sign is attached.**
 - c. **Free-form exposed neon lights for signs are prohibited.**
 - d. **The light intensity for the illumination of a sign visible from the public right-of-way shall not exceed 50 footcandles.**
 - e. **Illumination shall be of a continuous (nonintermittent) nature and of a uniform color value.**

- f. Illumination of signs, where permitted, which face or are adjacent to a property with a residential use shall not be illuminated from 11:00 p.m. until the following dusk, except that an establishment may keep the sign illuminated until the business is closed to the public, but not thereafter.**
- g. No illuminated sign shall be of such a color or located in such a manner as to be confused with or to diminish or detract in any way from the effectiveness of any traffic signal or similar official safety or warning device**
- h. No sign illumination or other illumination shall be used or designed for use as an attraction device in itself, but shall be used and designed for use solely to illuminate the sign to which it is accessory. The foregoing shall be constructed to prohibit light bulbs, singly or in combination, used as an attraction device; strobe lights; black (i.e. ultraviolet) lights; string lights; moving lights of any kind; and similar uses of illumination as attraction devices.**
- i. Illuminated signs, in addition to conforming to all other requirements of this chapter, shall be shielded in such a manner so that no direct source of light is cast into residential properties or into a public street or right-of-way. Illuminated signs shall not interfere with pedestrian or motorist vision. The illumination shall not be reflective or phosphorescent and shall perform in a steady nonfluctuating manner and shall be placed in a manner that will not create a nuisance to other premises or interfere with vehicular movements.**

[...]

G. F. Sign Permits, Bond and License.

1. Permits. A sign permit shall be required for all signs regardless of size, excluding: temporary window signs for businesses that do not exceed thirty (30%) percent of the window to which it is attached, and temporary signs for contractors, mechanics, painters and artisans.
 - a. All signs shall incorporate the Borough's design standards for signage, as same may be amended from time to time.
2. Signs designating schools, nonprofit organizations, charities, places of worship, political signs, etc. are exempt from requiring a permit but must comply with any other requirements and regulations of this chapter.
3. All illuminated signs, regardless of size, shall require a sign permit, and such illumination shall be installed in accordance with applicable electric codes in force in the Borough, and further provided that all signs shall incorporate the Borough's design standards for signage, as same may be amended from time to time.
4. Permit Fees. No sign permit shall be issued until a sketch showing the size, location, and text and owner has been indicated in writing and a fee has been submitted as set forth in

Chapter 16, Building and Construction, of the Borough Code to the office of the Construction Official, together with license or bond, if required.

5. Bond or Liability Insurance Policy and License. For any sign in any district containing more than fifty (50) square feet and for any sign of any size which projects over public property, a liability insurance policy or an indemnity bond in an amount of ten thousand (\$10,000) dollars payable to the Borough of Roselle Park and in a form satisfactory to the Borough Attorney, shall be posted by the owner or erector of such sign; and any such sign and any roof sign of whatever size, shall be erected by an experienced sign erector and certified by a licensed engineer.
6. **A sign permit application shall be made upon a form provided by the Borough. The Sign permit application is in addition to any building permit application required by the New Jersey Uniform Construction Code. The sign permit application shall be accompanied by plans and specifications, together with any site plan required by this chapter or this Code. The application shall furnish the following information on or with the sign permit application form:**
 - a. **Name, address and telephone number of the applicant.**
 - b. **Location of building, structure or lot to which or upon which the sign is to be attached or erected. The location shall include the street address and block and lot.**
 - c. **The zoning district for the real property on which the sign will be located.**
 - d. **Written consent of the owner of the building, structure or land to which or on which the sign is to be erected.**
 - e. **Name of person, firm, corporation or association erecting the sign; address and telephone number of the sign contractor.**
 - f. **Type of proposed sign(s) (i.e., wall sign, projecting sign, etc.).**
 - g. **The square footage of the sign area(s).**
 - h. **Position of the sign(s) in relation to nearby buildings or structures.**
 - i. **Whether the proposed sign(s) will be illuminated or nonilluminated.**
 - j. **Three copies of the plans and specifications and method of construction and attachment to the building or in the ground.**
7. **An applicant shall deliver a sign permit application for a permanent sign to the Borough's Administrator or his/her designee or such other person as designated by the Borough. The sign permit application shall be reviewed for a determination of whether the proposed sign meets the applicable requirements of this chapter and any**

applicable zoning law. The review of the sign permit application shall be completed within 10 calendar days from the date of receipt of the application, and the application shall be granted or denied within that time frame. In the event that no decision is rendered within 10 calendar days following submission, the application shall be deemed denied and the applicant may appeal to the Board of Adjustment pursuant to the MLUL.

8. No sign permit shall be issued for the erection of a prohibited sign.
9. Unless explicitly exempt from permitting, no permanent sign shall be erected, altered, relocated or displayed until a sign permit is obtained from and the appropriate fee is paid to the Borough.
10. A sign lawfully erected may be repainted or have ordinary and customary repairs performed, including replacement of plastic or glass panels, without a new sign permit; however, if such sign is to be structurally altered in any manner, a sign permit shall be required and the altered sign must meet all requirements of this chapter and this Code.
11. Duration of permits. If the work authorized under a sign permit has not been completed within 180 days after the date of issuance, the permit shall become null and void and a new application for a sign permit shall be required.

~~H. G.~~ Lawful Pre-existing Nonconforming Signs. The following provisions shall apply to any sign which was lawful prior to the adoption, revision or amendment of the Chapter 40, Land Use, but which fails to conform to the requirements of the Land Use Chapter by reasons of such adoption, revision or amendment:

1. Routine Maintenance. Routine maintenance for any nonconforming sign shall be permitted, provided that such maintenance shall comply with the provisions of ~~Subsections H 2, 3 and 4 below~~ of this Section. The term "routine maintenance" is intended to include such activities as cleaning, replacement of light bulbs, and repainting.

[...]

~~I. Prohibited Signs and Sign Activities. The following signs and activities shall be prohibited throughout the Borough of Roselle Park, unless otherwise permitted by this chapter in specific circumstances:~~

- ~~1. Any sign which is a principal use on the lot, including but not limited to billboards;~~
- ~~2. Signs which are not associated with and accessory to the use on the same lot, excluding billboards;~~
- ~~3. The parking or storage of a motor vehicle or other mobile unit displaying a sign or signs so as to be visible from the public right of way or abutting residential zone district;~~
- ~~4. Flashing, fluttering, animated, moving, vibrating, sequential tracer, rotating or revolving signs, except for barber poles; all municipal and board of education building shall be exempt;~~

- ~~5. Signs attached to public buildings (except for official signs of the government entities using such buildings), sidewalks, curbs, traffic signs, trees, fences, retaining walls, freestanding walls, utility poles and other poles or posts which are not designed or intended specifically and primarily for the support of such signs;~~
- ~~6. Signs on railroad or vehicular overpasses, except for official railroad or traffic signs or directional signs;~~
- ~~7. Signs which simulate official directional or warning signs erected or maintained by the Federal Government, the State of New Jersey, and County or municipality thereof or by a railroad, public utility or similar agency concerned with the public health, safety and welfare;~~
- ~~8. Signs, illustrations or symbols placed so as to interfere with the opening of an exit door of any building, to obstruct any window opening of a room in a dwelling, to interfere with the use of any fire escape or to create a hazard to pedestrians;~~
- ~~9. Any sign which falsely identifies the premises or occupant of any premises or building or which falsely advertises for sale on any premises or in any building any product or service not available therein;~~
- ~~10. Any sign accessory to a home occupation; and~~
- ~~11. Signs containing obscene, pornographic or lewd messages.~~

H. Maintenance of signs. All visible portions of a sign and its supporting structure shall be maintained in a safe condition and neat appearance according to the following:

- 1. If the sign is lighted, all lights shall be maintained in working order and functioning in a safe manner.**
- 2. All signs, together with all supports, braces, anchor and other parts, shall be kept in continual repair, including cleaning, painting, replacing of defective parts and otherwise maintain a presentable condition.**
- 3. Every sign shall be kept in such manner as to constitute a complete or whole sign.**
- 4. Lack of proper maintenance shall be considered abandonment, and the sign shall be repaired, painted, cleaned or otherwise returned to a presentable condition or removed within 10 days upon notification by the Borough's Administrator or his/her designee.**
- 5. If the Borough's Administrator or his/her designee finds that any sign regulated herein is unsafe or insecure or is a menace to the public, he shall give written notice to the permittee thereof. If the permittee fails to remove or alter the structure so as to comply with the standards herein set forth within 10 days after such notice, such sign may be removed or altered by the Borough's Administrator or his/her designee at the expense of the permittee or owner of the property upon which it is located. The**

Borough's Administrator or his/her designee may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.

6. Lawfully erected nonconforming signs may suffer only ordinary and customary repairs and maintenance. A lawfully erected nonconforming sign shall not be structurally altered except in full conformance with this chapter.
- I. **Prohibited Signs and Sign Activities.** The following signs and activities shall be prohibited throughout the Borough of Roselle Park, unless otherwise permitted by this chapter in specific circumstances:
1. Any sign which is a principal use on the lot, including but not limited to billboards;
 2. Signs which are not associated with and accessory to the use on the same lot, excluding billboards;
 3. Roof signs;
 4. Vehicle signs when the vehicle is not regularly used in the conduct of the business or activity advertised on the vehicles; and where the vehicle is visible and parked within 50 feet of a street right-of-way; and is parked for more than six consecutive hours within 50 feet of any street right-of-way.
 5. Signs located on real property without the permission of the property owner;
 6. Signs prohibited by state or federal law;
 7. The parking or storage of a motor vehicle or other mobile unit displaying a sign or signs so as to be visible from the public right-of-way or abutting residential zone district;
 8. Flashing, fluttering, animated, moving, vibrating, sequential tracer, rotating or revolving signs, except for barber poles; all municipal and board of education building shall be exempt;
 9. Signs that emit smoke, visible vapor or smoke, sound, odor or visible particles;
 10. Signs that obstruct, conceal, hide or otherwise obscure from view any official traffic or governmental sign, signal or device;
 11. Freestanding signs that are higher than 20 feet;
 12. Signs within a sight triangle that obstruct a clear view of pedestrian and/or vehicular traffic;
 13. Mounted or portable search lighting used to project moving or stationary overhead light beams;

- 14. Signs which contain or consist of permanent ribbons, balloons or blimps, streamers, feather flags, spinners or other similar moving devices;**
 - 15. Obsolete or abandoned signs;**
 - 16. Domed, waterfall, box-shaped or backlit awnings are not permitted. Plastic coated or vinyl awnings or “day glow” colors are not permitted on awnings;**
 - 17. Signs with more than two faces;**
 - 18. Signs containing text and/or images intended to promote excessive consumption of legal cannabis products;**
 - 19. Signs attached to public buildings (except for official signs of the government entities using such buildings), sidewalks, curbs, traffic signs, trees, fences, retaining walls, freestanding walls, utility poles and other poles or posts which are not designed or intended specifically and primarily for the support of such signs;**
 - 20. Signs on railroad or vehicular overpasses, except for official railroad or traffic signs or directional signs;**
 - 21. Signs which simulate official directional or warning signs erected or maintained by the Federal Government, the State of New Jersey, and County or municipality thereof or by a railroad, public utility or similar agency concerned with the public health, safety and welfare;**
 - 22. Signs, illustrations or symbols placed so as to interfere with the opening of an exit door of any building, to obstruct any window opening of a room in a dwelling, to interfere with the use of any fire escape or to create a hazard to pedestrians;**
 - 23. Any sign which falsely identifies the premises or occupant of any premises or building or which falsely advertises for sale on any premises or in any building any product or service not available therein;**
 - 24. Any sign accessory to a home occupation; and,**
 - 25. Signs containing obscene, pornographic or lewd messages.**
- ~~J. Real Estate Signs. Real estate signs which are customary and necessary in the offering of real estate for sale or to rent by the owner or by his real estate agent or broker are permitted in all zones provided the following requirements are complied with:~~
- ~~1. Type of Sign: One (1) nonilluminated freestanding real estate for sale/for rent sign is permitted for each property (residential only).~~

2. ~~Size of Sign: Not to exceed two (2) feet by four (4) feet in size.~~
3. ~~Location of Sign: On the property which is for sale or for rent, and set back, at its closest point, not less than ten (10) feet from the outer edge of the curb or the pavement of the cart way.~~
4. ~~Local Address: Signs shall only advertise a residence within the Borough of Roselle Park.~~
5. ~~Removal: Sign on private property must be removed not later than thirty (30) days after the property is leased or "under contract," as defined by the Garden State Multiple Listing Service. Signs on public property may only be displayed between the hours of 9:00 a.m. and 7:00 p.m. on Saturday and Sunday.~~
6. ~~Prohibited Sign: Signs indicating that the property has been recently sold or leased by the owner, broker or real estate agent are prohibited.~~
7. ~~Open House signs shall not be affixed to any tree, utility pole or other sign.~~
8. ~~Open House: In the event the owner, broker or real estate agent conducts an open house at the premises, an additional sign stating "open house" day and hours may be added on the property on the condition that it may not exceed three (3) square feet and it is posted for a period not to exceed four (4) days prior to the open house. If the open house sign is a rider to the original sign, not exceeding two (2) square feet, it may be up for six (6) days including the day of the open house.~~
9. ~~Directional Signs: During the hours an open house is in progress, four (4) directional signs, not to exceed five (5) square feet each are permitted. Two (2) may be placed on a main thoroughfare, such as a county or local road within one quarter (1/4) mile of the property limited to one (1) per company and two (2) may be placed in the neighborhood of the premises, to assist persons in locating the home in which the open house is being held. No balloons, streamers or other appendages are permitted to be attached to any directional sign. No sign advertising an open house shall be located within one (1) foot of the curb, nor shall any sign be located on Westfield Avenue but may be permitted within one hundred (100) feet of said intersection.~~
9. ~~Penalty: Any person, firm or corporation who violates any provision of this subsection, for which another penalty is not prescribed, shall be fined twenty five (\$25) dollars per day or the sign may be removed by the Borough, in which case the owner of the sign and the owner of the property shall be jointly and severally liable to the Borough for the costs of removal.~~

J. Exemptions. The provisions and regulations of this chapter shall not apply to the following signs:

1. **Memorial signs or tables, names of buildings and date of erection which cut into any masonry surface or when constructed of bronze or other incombustible materials;**

2. **Traffic or other municipal signs, legal notices, railroad crossing signs, danger signs and such temporary, emergency or non-advertising signs as may be approved by the Borough Council;**
3. **Street address signage shall be provided on each building or for each building tenant. Street address signage may be placed on the façade, the door or on a permitted monument or pole sign. A corner building may have street address signage on both street-facing facades;**
4. **Private sale and private auction signs as permitted within Chapter 2;**
5. **On-site instructional signs, not exceeding three square feet in area and three feet in height shall be permitted on each nonresidential parcel. On-site instructional signs may be internally illuminated;**
6. **Political Campaign Signs. For each parcel, one political sign for each candidate and each issue may be displayed. A political sign may be displayed as a freestanding sign. The political sign shall not exceed eight square feet in area.**
7. **Flagpoles. One flagpole is permitted for each residential parcel. A flagpole shall not exceed 35 feet in height and shall be set back a minimum of 10 feet from all property lines. For each flagpole located in a residential zone, two flags not greater than 18 square feet in area each may be displayed.**
8. **Temporary construction signs. Temporary construction signs shall be permitted identifying the owner, architect, builder, realtor and/or contractor on the premises on which a building is being constructed, altered or repaired, subject to the following limitations:**
 - a. **For each parcel, one temporary construction sign shall be permitted.**
 - b. **For each parcel in residential use, the temporary construction sign shall not exceed four square feet in area and three feet in height; and for a parcel in nonresidential use, the temporary construction sign shall not exceed 12 square feet in area and five feet in height.**
 - c. **The sign shall be set back at least five feet from all property lines.**
 - d. **Temporary constructions signs shall not be displayed for a period longer than six months.**
 - e. **Temporary construction signs shall not be illuminated.**
9. **Temporary window signs. Where window signs are permitted, temporary window signs shall be permitted, subject to the following limitations:**
 - a. **One or more temporary window signs may be displayed at the same time.**

- b. Temporary window sign(s) shall not exceed an aggregate of 30 square feet in area.
 - c. Temporary window signs shall not cover more than 20% of any one window's glass surface.
 - d. Temporary window signs shall not be displayed for a period longer than 14 days.
- 10. Real Estate Signs.** Real estate signs which are customary and necessary in the offering of real estate for sale or to rent by the owner or by his real estate agent or broker are permitted in all zones provided the following requirements are complied with:
- a. **Type of Sign:** One (1) nonilluminated freestanding real estate for sale/for rent sign is permitted for each property (residential only).
 - b. **Size of Sign:** Not to exceed two (2) feet by four (4) feet in size.
 - c. **Location of Sign:** On the property which is for sale or for rent, and set back, at its closest point, not less than ten (10) feet from the outer edge of the curb or the pavement of the cart way.
 - d. **Local Address:** Signs shall only advertise a residence within the Borough of Roselle Park.
 - e. **Removal:** Sign on private property must be removed not later than thirty (30) days after the property is leased or "under contract," as defined by the Garden State Multiple Listing Service. Signs on public property may only be displayed between the hours of 9:00 a.m. and 7:00 p.m. on Saturday and Sunday.
 - f. **Prohibited Sign:** Signs indicating that the property has been recently sold or leased by the owner, broker or real estate agent are prohibited.
 - g. **Open House signs** shall not be affixed to any tree, utility pole or other sign.
 - h. **Real Estate signs** shall not be illuminated.
- 11. Open House:** In the event the owner, broker or real estate agent conducts an open house at the premises, an additional sign stating "open house" day and hours may be added on the property on the condition that it may not exceed three (3) square feet and it is posted for a period not to exceed four (4) days prior to the open house. If the open house sign is a rider to the original sign, not exceeding two (2) square feet, it may be up for six (6) days including the day of the open house.
- a. **Directional Signs:** During the hours an open house is in progress, four (4) directional signs, not to exceed five (5) square feet each are permitted. Two (2)

may be placed on a main thoroughfare, such as a county or local road within one-quarter (1/4) mile of the property limited to one (1) per company and two (2) may be placed in the neighborhood of the premises, to assist persons in locating the home in which the open house is being held. No balloons, streamers or other appendages are permitted to be attached to any directional sign. No sign advertising an open house shall be located within one (1) foot of the curb, nor shall any sign be located on Westfield Avenue but may be permitted within one hundred (100) feet of said intersection.

SECTION 3. Invalidity

If any Section or portion of a section of this Ordinance 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 and Editing Indications.

Any 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. Likewise, editing indications are structured such that all strikethrough text, ~~thusly~~, should be considered a deletion from existing Borough Code, and all bolded text, **thusly**, should be considered an addition to existing Borough Code.

SECTION 6. Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk.

ORDINANCE NO. 2811

AN ORDINANCE AMENDING CHAPTER 27 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “SEWERS,” WITH SPECIFIC AMENDMENTS TO ARTCILE II, ENEITLED “OBSTRUCTIONS AND BREAKS”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 27 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Amendment to Section Title

~~§ 27-5. COST OF STREET OPENINGS.~~ **DIVISION OF RESPONSIBILITY.**

SECTION 2. Amendment to Subsection Titles Regarding Borough and Property Owners

~~§ 27-5.1 Assessment of Costs for Certain Repairs.~~ **Borough and Private Property Owners.**

- a. The Borough of Roselle Park will assume the responsibility for the repair of breaks or obstructions in the sanitary sewer under the following conditions:
 1. The entire area and cause of the failure, break or stoppage occurs in the sanitary sewer main line. This specifically excludes any and all sanitary sewer laterals that are off the sanitary sewer main line. All sanitary sewer laterals shall be owned and maintained by the property owner(s) of the properties, which the lateral(s) serves.
 2. The responsibility of the Borough for repairs in accordance with Subparagraph a1 above shall exist only where the failure, break or stoppage has not resulted from the fault or negligence of the owner of the sanitary sewer lateral, his agent, servant or employee or other person using said sanitary sewer lateral with the owner's consent.
 3. The obligation of the Borough, in accordance with Subparagraph a1 above, shall exist only where the repairs are made at the direction and under the supervision of the Borough Engineer, Plumbing Inspector and/or Superintendent of Public Works.
- b. It shall be the responsibility of the property owner to provide proof that the failure, break or stoppage is entirely within the limits of the sanitary sewer main line in accordance with Subparagraph a1 above. Any and all maintenance, repairs, treatments, enhancements and/or replacements of the sanitary sewer lateral, clean-outs, associated joints, connections, backfill, grading and any general restoration shall be the full responsibility of the property owner.
- c. Where it has been determined that it is not the responsibility of the Borough of Roselle Park to make the repairs to the sanitary sewer main line in accordance with the terms of Paragraph a above, any costs incurred by the Borough for the time, labor, materials, equipment, disposal, outside consultants, outside contractors, traffic control, coordination with any utilities, outside agencies and all associated costs to perform any work related to an inspection, investigation, repair, replacement or restoration shall be billed to the property owner. Failure to make payment forthwith shall result in an assessment against the property and shall bear interest as

in the case of all other assessments for local improvements at the maximum rate allowed by law.

SECTION 3. New Provisions Regarding Public Utilities

§ 27-5.2 Utility Companies.

- a. Repair of damages and breaks, and the removal of obstructions inflicted on the Borough's sanitary or storm sewer systems caused by utility companies shall be the responsibility of such utility companies. Such entities shall include, but shall not be limited to, utility providers and conveyers of natural gas, potable water, electricity, telephone, and internet. Upon the identification of such damage, break, or obstruction the following shall be requisite protocol:**
 - 1. If damage, breaks or obstructions are identified by a utility company independently of the Borough, it shall be the legal responsibility of the entity to notify the Borough Engineer of the occurrence within twenty-four (24) hours the same. Whereas, if damage, breaks or obstructions are identified by an agent or employee of the Borough itself, said individual shall immediately notify the Borough Engineer of the finding. Upon verification of the accuracy of the finding, the Borough Engineer shall notify the Chief Administrative Officer of the Borough who shall communicate the verified finding to the governing body as a whole.**
 - a. Any utility company who fails to inform the Borough Engineer of a known occurrence of damage, breaks, or obstructions inflicted on the Borough's sewer system shall have risked the public health, safety, and welfare of the community and public-at-large, and shall therefore be in violation of this Subsection and be liable for a fine of two-thousand five-hundred dollars \$2,500.00 per occurrence.**
 - b. Any agent or employee of the Borough itself, who knowingly fails to communicate the occurrence of damage, breaks, or obstructions inflicted on the Borough's sewer system shall have risked the public health, safety, and welfare of the community and public-at-large, and may be subject to disciplinary action up to and including termination of employment; or, in the case of contracted services, contract termination.**
 - 2. The Borough Engineer shall analyze the damage, break or obstruction caused by the utility company to the Borough's sewer system. The Borough Engineer shall consider all impacts of the impediments to the system, including regional, state and federal stormwater regulations. The Borough Engineer shall issue a written directive to the entity detailing requirements for repair of the Borough's infrastructure. This directive shall include a full accounting of all immediate costs borne by the Borough due the damage break or obstruction, including but not limited to material costs, labor costs, vendor costs, and regulatory fines and fees, if any. Such costs shall be due and payable to the Borough with a 10% administrative fee added to the aggregate total.**

3. Within five (5) business days of the issuance of the Borough Engineer's directive, the utility company shall provide a corrective action plan to the Borough Engineer, or be subject to a fine of \$1,000.00 per day after the expiration of the fifth business day.
4. Upon approval of the corrective action plan by the Borough Engineer, the utility company shall within five (5) business days pay all enumerated costs inclusive of the 10% administrative fee, and post an escrow of not less than \$10,000.00 payable to the Borough. This escrow shall be used to support and pay for all costs borne by the Borough in connection with inspections during the implementation of corrective action measures by the utility company. This escrow shall be monitored and maintained to ensure a reasonable balance remains available to support inspections by the Borough Engineer. This escrow shall be replenished as may be determined necessary. This shall be in addition to any and all escrow required by Chapter 23 of this Code.
 - a. Failure of a utility company to remit payment of costs, fees, or escrow within five (5) business days of the Borough Engineer's approval of the corrective action plan shall subject the utility company to a fine of \$1,000.00 per day after the expiration of the fifth business day. Likewise, during the course of work, failure of a utility company to maintain a reasonable escrow balance as directed by the Borough Engineer shall subject the utility company to a fine of \$1,000.00 per day for each day of insufficient escrow fund balance.
5. After the payment of costs, fees, and escrow by the utility company, the Borough Engineer shall issue a notice to proceed with corrective actions. All work shall be overseen and inspected by the Borough Engineer and/or their designees.
6. Upon completion of all corrective actions by the utility company, the Borough Engineer shall conduct a final inspection and issue a notice of full and final completion, noting the date of said full and final completion.
7. One year after full and final completion completed, the Borough Engineer shall reinspect the area of the prior damage, break, or obstruction. If the workmanship remains satisfactory, the applicable escrow balance shall be refunded to the utility company. However, if additional work is required, the Borough Engineer shall notify the applicant in writing of the need for and timing of additional work to be performed and will re-inspect the restoration area again one (1) month after the corrective action. A refund shall then be made if restoration is satisfactory.
 - a. Failure of the utility company to conduct additional work within the timeframe directed by the Borough Engineer shall subject the utility company to a fine of \$1,000.00 per day for each day of inaction. Likewise, during any time of inaction by a utility company escrow balance may be utilized by the Borough to restore and maintain the area previously damaged, broken, or obstructed.

SECTION 4. Invalidity

If any Section or portion of a section of this Ordinance 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 and Editing Indications.

Any 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. Likewise, editing indications are structured such that all strikethrough text, ~~thusly~~, should be considered a deletion from existing Borough Code, and all bolded text, **thusly**, should be considered an addition to existing Borough Code.

SECTION 7. Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk.

ORDINANCE NO. 2812

**AN ORDINANCE AMENDING CHAPTER 27, SECTION 6,
SUBSECTION 3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK
ENTITLED "IMPOSITION OF CHARGES"**

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 27, Section 6, Subsection 3 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Rate Amendments

§ 27-6.3 Imposition of Charges.

- a. All residential, commercial, industrial, institutional and governmental users, except municipal and local school district users, shall be charged at a uniform rate for domestic waste contributed to said system. Effective January 1, 2025, the rate for the aforesaid usage shall be based on the water consumption in cubic feet consumed at any such premises based on the consumption readings as reported by New Jersey American Water Company for the final three (3) months of the preceding year annualized by multiplying the three-month consumption figure four times. The rate of charges shall be ~~eight (\$8.00)~~ **five dollars (\$5.00)** for ~~2024~~ **2025**. The unit basis for such charge shall consist of one hundred (100) cubic feet of water consumed. The minimum annual charge to be imposed pursuant to this section shall be ~~one hundred fifty two (\$152.00) dollars~~ **ninety-five dollars (\$95.00)**.
- b. "Domestic Use" or "waste" is hereby defined to be domestic wastewater from sanitary conveniences.
- c. User Charges for Industrial Wastes.
 1. User charges for industrial waste shall be charged to industrial waste contributors who discharge industrial waste into the system. User charges for industrial waste shall be based upon the flow, suspended solids and biochemical oxygen demand of the waste as determined by the Borough Engineer. Sampling and measurement shall be accomplished by each industrial discharger at its own expense, and the results thereof shall be monitored by the Borough Engineer. Where deemed necessary by the Borough Engineer, permanent measurement and sampling facilities shall be installed by the industrial user at its own expense. The rate of charges for ~~2024~~ **2025** shall be ~~\$936.77~~ **\$892.50**.
 2. User charges for industrial waste shall be assessed only where sampling and testing show that industrial waste from a particular industrial waste contributor exceeds 2,000 gallons per day or where the suspended solids contribution exceeds 50 pounds per day where the biochemical oxygen demand contribution exceeds 50 pounds per day.
- d. The cost of sampling and testing by the Borough of Roselle Park, as referred to in Subsection c1 and 2 herein, shall be assessed against each industrial waste contributor on the basis of the actual cost thereof.

- e. "Industrial waste" is hereby defined as nondomestic wastewater flow resulting from industrial processing and manufacturing, and including cooling water discharge
- f. Where an industry has both domestic wastes and industrial wastes and said wastes are commingled and discharged into the sewer system, the industrial waste charge as set forth in Subsection c1 and 2 shall apply. Any industry, at its option and at its own cost and expense, shall separate its industrial waste from its domestic waste and provide separate connections to the municipal sewer system for each such type of waste. If an industry exercises this option of separation of wastes as herein set forth, the schedule as set forth in Subsection a shall be applicable to its domestic waste flow, and the rate set forth in Subsection c1 and 2 shall be applicable to its industrial waste flow and use.
- g. The user charges imposed by the Borough of Roselle Park shall be as set forth in this Article III or amendments thereto and shall be based upon actual usage for the preceding year.

SECTION 2. Invalidity

If any Section or portion of a section of this Ordinance 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 and Editing Indications.

Any 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. Likewise, editing indications are structured such that all strikethrough text, ~~thusly~~, should be considered a deletion from existing Borough Code, and all bolded text, **thusly**, should be considered an addition to existing Borough Code.

SECTION 5. Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk.

ORDINANCE NO. 2813

AN ORDINANCE AMENDING CHAPTER 10, SECTION 4, SUBSECTION 4.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “RECREATION FEES ENUMERATED”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 10, Section 4, Subsection 4.1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Amendment to Fees

10-4.1 Recreation Fees Enumerated.

The fees for the Department of Recreation of the Borough of Roselle Park are hereby set as follows:

Recreation Membership	Fee(s)
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Annual membership fee	\$25 per person
All above Membership fees may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.	
All above Membership fees shall be waived (\$0) for active members of the Roselle Park Fire Department, and family members of firefighters living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Membership fees shall apply to non-resident active members of the Roselle Park Fire Department.	
All above Membership fees shall be waived (\$0) for active members of the Roselle Park Police Department, and family members of police officers living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Membership fees shall apply to non-resident active members of the Roselle Park Police Department.	
All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, shall be eligible for Membership with the Roselle Park Department of Recreation. All above Membership fees shall apply to non-resident civilian employees.	

Recreation Wrestling	Fee(s)
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Kindergarten through 2 nd Grade	\$ 65 75 per person
3 rd Grade through 8 th Grade	\$ 110 120 per person
Fee for Unreturned Singlet	\$100
Off Season Wrestling Program	\$40 60 per person
All above wrestling fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.	
All above Wrestling fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Fire Department, and family members of firefighters living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Wrestling fees shall apply to non-resident active members of the Roselle Park Fire Department.	
All above Wrestling fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Police Department, and family members of police officers living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Wrestling fees shall apply to non-resident active members of the Roselle Park Police Department.	
All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Wrestling programs with the Roselle Park Department of Recreation. All above Wrestling fees shall apply to non-resident civilian employees.	

Recreation Fitness and Training Center	Fee(s)
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3rd to 8th grade	\$40 60 per person
Family registration (3 or more people)	\$35 55 per person
Seasonal Fitness Program	\$40 60 per person
T-shirt	\$12
Tank top	\$15
Shorts	\$16

All above Fitness and Training Center fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Fitness and Training Center fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Fire Department, and family members of firefighters living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Fitness and Training Center fees shall apply to non-resident active members of the Roselle Park Fire Department.

All above Fitness and Training Center fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Police Department, and family members of police officers living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Fitness and Training Center fees shall apply to non-resident active members of the Roselle Park Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Fitness and Training Center programs with the Roselle Park Department of Recreation. All above Fitness and Training Center fees shall apply to non-resident civilian employees.

Recreation Basketball	Fee(s)
Kindergarten through 2 nd Grade	\$65 75 per person
3 rd Grade through 8 th Grade	\$110 120 per person
Off-Season Basketball Program	\$40 60 per person

All above Basketball fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Basketball fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Fire Department, and family members of firefighters living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Basketball fees shall apply to non-resident active members of the Roselle Park Fire Department.

All above Basketball fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Police Department, and family members of police officers living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Basketball fees shall apply to non-resident active members of the Roselle Park Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Basketball programs with the Roselle Park Department of Recreation. All above Basketball fees shall apply to non-resident civilian employees.

Recreation After-School Program	Fee(s)
Homework Club	
Individual	\$1,200 1,400 per child
Individual - special circumstances	\$720 920 per child
Family registration (3 or more children)	\$1,100 1,300 per child
Family registration (3 or more children) - special circumstances	\$650 850 per child
After Care	
Individual	\$1,000 1,200 per child
Individual - special circumstances	\$600 800 per child
Family registration (3 or more children)	\$900 1,100 per child
Family registration (3 or more children) - special circumstances	\$550 750 per child
Transportation (Sherman & Aldene Schools)	

Individual	\$400 500 per child
Individual - special circumstances	\$250 350 per child
Family registration (3 or more children)	\$360 460 per child
Family registration (3 or more children) - special circumstances	\$225 325 per child
Chaperone Service (Robert Gordon & Middle Schools)	
Individual	\$100 200 per child
Individual - special circumstances	\$50 150 per child
Family registration (3 or more children)	\$95 195 per child
Family registration (3 or more children) - special circumstances	\$45 145 per child

Late Fees

After 5 Minutes of Program Ending	\$2 per minute per child
After 5 Minutes of Program Ending – Special Circumstances	\$1 per minute per child

Eligibility for a special circumstance rate as part of the after-school program applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Recreation After-School Program fees, except for late fees, shall be waived (\$0) for active members of the Roselle Park Fire Department, and family members of firefighters living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above After-School Program fees shall apply to non-resident active members of the Roselle Park Fire Department.

All above Recreation After-School Program fees, except for late fees, shall be waived (\$0) for active members of the Roselle Park Police Department, and family members of police officers living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above After-School Program fees shall apply to non-resident active members of the Roselle Park Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in After-School programs with the Roselle Park Department of Recreation. All above After-School fees shall apply to non-resident civilian employees.

Recreation Volleyball

Fee(s)

Off Season Girls Volleyball Program

~~\$40~~ **60**

All above Volleyball fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Recreation Volleyball fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Fire Department, and family members of firefighters living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Volleyball fees shall apply to non-resident active members of the Roselle Park Fire Department.

All above Recreation Volleyball fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Police Department, and family members of police officers living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Volleyball fees shall apply to non-resident active members of the Roselle Park Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Volleyball programs with the Roselle Park Department of Recreation. All above Volleyball fees shall apply to non-resident civilian employees.

Intramural Sports & Activities

Fee(s)

Flag Football – Girls (Grades 9-12)

~~\$40~~ **60** per person

Adult Basketball Program

~~\$40~~ **60** per person

Zumba/Yoga

~~\$40~~ **60** per person

RecRiders Summer Program

\$200 per person

Soccer Summer Camp (Grades 6-12)

\$135 per person

RP-PAC (Performing Arts)

\$60 per person

All above Intramural Sports & Activities fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Intramural Sports & Activities fees shall be waived (\$0) for active members of the Roselle Park Fire Department, and family members of firefighters living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Intramural Sports & Activities fees shall apply to non-resident active members of the Roselle Park Fire Department.

All above Intramural Sports & Activities fees shall be waived (\$0) for active members of the Roselle Park Police Department, and family members of police officers living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Intramural Sports & Activities fees shall apply to non-resident active members of the Roselle Park Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Intramural Sports & Activities with the Roselle Park Department of Recreation. All above Intramural Sports & Activities fees shall apply to non-resident civilian employees.

Recreation Flag Football (Grades K – 8)	Fee(s)
Individual	\$100 120 per person
Family (3 or more)	\$95 105 per person
Pre-Season Clinics	\$50 60 per person

All above Recreation Flag Football fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Recreation Flag Football fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Fire Department, and family members of firefighters living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Flag Football fees shall apply to non-resident active members of the Roselle Park Fire Department.

All above Recreation Flag Football fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Police Department, and family members of police officers living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Flag Football fees shall apply to non-resident active members of the Roselle Park Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Flag Football programs with the Roselle Park Department of Recreation. All above Flag Football fees shall apply to non-resident civilian employees.

Recreation Co-Ed Tennis	Fee(s)
Individual (Grades 3 – 12)	\$40 60 per person
Family (3 or more children)	\$35 55 per person
Fall/Spring Seasonal Co-Ed Tennis Program	\$40 60 per person

All above Recreation Co-Ed Tennis fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Recreation Co-Ed Tennis fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Fire Department, and family members of firefighters living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Co-Ed Tennis fees shall apply to non-resident active members of the Roselle Park Fire Department.

All above Recreation Co-Ed Tennis fees, with the exception of gear, shall be waived (\$0) for active members of the Roselle Park Police Department, and family members of police officers living within the same household. Roselle Park residency shall be required to qualify for this fee exemption. All above Co-Ed Tennis fees shall apply to non-resident active members of the Roselle Park Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Recreation Co-Ed Tennis programs with the Roselle Park Department of Recreation. All above Co-Ed Tennis fees shall apply to non-resident civilian employees.

SECTION 2. Invalidation

If any section or portion of a section of this Ordinance 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 and Editing Indications.

Any 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. Likewise, editing indications are structured such that all strikethrough text, ~~thusly~~, should be considered a deletion from existing Borough Code, and all bolded text, **thusly**, should be considered an addition to existing Borough Code.

SECTION 5. Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk.

RESOLUTIONS

RESOLUTION NO. 97-25

AUTHORIZING THE BOROUGH CLERK TO AUCTION UNCLAIMED VEHICLES

WHEREAS, the Borough of Roselle Park (hereinafter, the “Borough”) no longer has use for the automobiles listed herein; and,

WHEREAS, the Mayor and Council (hereinafter, the “Governing Body”) of the Borough believes it to be advantageous to dispose of this now surplus property; and,

WHEREAS, N.J.S.A. 40A:12-13, N.J.S.A. 40A:12-13.1, and various other statutes and administrative regulations of the State of New Jersey permit the Borough to dispose of surplus property no longer needed for public use by auction and to authorize such action by Resolution.

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 sell the listed items, as is, at public auction beginning at 10:00 a.m., local prevailing time, on Thursday, March 27, 2025; and,

BE IT FURTHER RESOLVED that said auction will be advertised by way of the following printed and electronic media: (a) The Union County Local Source, and (b) Borough of Roselle Park website; and,

BE IT FURTHER RESOLVED that said auction shall be conducted by the Borough Clerk or by any person so designated by him with the following explicit provisions of sale:

1. Said property is being sold “as is”.
2. All prospective purchasers are put on notice to personally inspect the property.
3. At the date, time and place of sale, a purchaser shall deposit the entire purchase price with the Borough Clerk in cash or certified check made payable to the “Borough of Roselle Park.”
4. If the purchaser fails to take title and possession within ten calendar (10) days of the date of purchase, the Governing Body of the Borough may declare the contract of sale to be terminated and may retain all monies paid there under as liquidated damages; likewise, the Borough may re-sell said property or pursue such other and further legal and equitable remedies as it may have; furthermore, if the purchaser fails to take title or possession within said ten (10) days, purchaser will be liable for reasonable storage fees.
5. If the title to this property shall prove to be unmarketable, the liability of the Borough shall be limited to the repayment of the amount of any sums paid by said purchaser to the Borough without any further costs, expense, damage, claim against or liability upon the Borough.
6. The Borough of Roselle Park reserves the right to reject bids and shall not be obligated to accept any bids.

7. All prospective purchasers are put on notice that no employee, agent, officer, body or subordinate body has any authority to waive, modify or amend any of the conditions of sale.

Year	Make	Model	Identification Number	Minimum Bid	Location
1990	Ford		2FDLF47G7LCB10672	\$450.00	George's

RESOLUTION NO. 98-25

AUTHORIZING CERTAIN APPROPRIATION TRANSFERS

WHEREAS, it shall become necessary to expend, for some of the purposes specified in the Budget, an excess of the respective sums appropriated; and,

WHEREAS, there is an excess in one or more appropriations over and above the amount deemed necessary to fulfill the purposes of such appropriations; and,

WHEREAS, the proposed transfers do not affect any appropriation to which or from which transfers are prohibited under statute.

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 below captioned transfers between appropriations be authorized pursuant to *N.J.S.A. 40:4-59*:

TRANSFERS TO:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
01-0140-00-01452-264	Streets & Road Maintenance OE - Cinders & Salt	\$ 55,000.00
01-0140-00-01901-115	Compensated Absences S&W - Compensated Absences	\$ 100,000.00
01-0140-00-03802-210	Capital Improvement Fund OE - Miscellaneous	\$ 100,000.00
Total		<u>\$ 255,000.00</u>

(Continued on Next Page)

TRANSFERS FROM:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
01-0140-00-01011-101	Clerk S&W - Regular	\$ 12,000.00
01-0140-00-01192-205	Buildings & Grounds OE - Professional Fees & O/S Serv	\$ 10,000.00
01-0140-00-01192-214	Buildings & Grounds OE - Other Materials & Supplies	\$ 10,000.00
01-0140-00-01192-221	Buildings & Grounds OE - Hardware, Cleaning & Supplies	\$ 2,000.00
01-0140-00-01192-222	Buildings & Grounds OE - Electric	\$ 10,000.00
01-0140-00-01192-226	Buildings & Grounds OE - Beautification Program	\$ 3,000.00
01-0140-00-01252-210	Group Insurance Plans for Employees OE - Miscellaneous	\$ 12,000.00
01-0140-00-01331-101	Fire S&W - Regular	\$ 6,000.00
01-0140-00-01351-101	Fire Protection S&W - Regular	\$ 2,500.00
01-0140-00-01371-101	Police Salaries and Wages - Regular	\$ 12,000.00
01-0140-00-01371-102	Police Salaries and Wages - Overtime	\$ 13,000.00
01-0140-00-01371-103	Police Salaries and Wages - Part-Time	\$ 4,000.00
01-0140-00-01371-106	Police Salaries and Wages - SLEO	\$ 10,000.00
01-0140-00-01451-101	Streets & Road Maintenance S&W - Regular	\$ 5,000.00
01-0140-00-01451-102	Streets & Road Maintenance S&W - Overtime	\$ 4,500.00
01-0140-00-01472-210	Solid Waste Disposal Cost OE - Miscellaneous	\$ 20,000.00
01-0140-00-01482-210	Solid Waste Collection Cost OE - Miscellaneous	\$ 6,000.00
01-0140-00-01492-210	Recycling OE - Miscellaneous	\$ 25,000.00
01-0140-00-01591-101	Recreation S&W - Regular	\$ 42,000.00
01-0140-00-01802-210	Street Lighting OE - Miscellaneous	\$ 4,000.00
01-0140-00-01832-210	Telephone OE - Miscellaneous	\$ 20,000.00
01-0140-00-01842-210	Electricity OE - Miscellaneous	\$ 5,000.00
01-0140-00-01842-235	Electricity OE - Traffic Light Electric Service	\$ 3,000.00
01-0140-00-01862-210	Gas OE - Miscellaneous	\$ 7,000.00
01-0140-00-01872-210	Gasoline OE - Miscellaneous	\$ 7,000.00
Total		<u>\$ 255,000.00</u>

AND, BE IT FURTHER RESOLVED that a copy of this Resolution be filed forthwith with the Chief Financial Officer.

RESOLUTION NO. 99-25

**APPOINTING DERRICK DIAZ, JR. TO THE POSITION OF
PARKING ENFORCEMENT OFFICER**

WHEREAS, there exists a need for one or more Parking Enforcement Officer(s) within the Roselle Park Police Department; and,

WHEREAS, the Chief of Police has recommended Derrick Diaz, Jr. for appointment to the position of Parking Enforcement Officer; and,

WHEREAS, the Mayor and Council wish to act upon the recommendation of the Chief of Police and fill said position.

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 Derrick Diaz, Jr. of 135 East Grant Avenue, Roselle Park, New Jersey 07204 to the position of Parking Enforcement Officer effective March 24, 2024 at the rate of \$31.00 per hour not to exceed twenty-five (25) hours per week.

RESOLUTION NO. 100-25

**APPOINTING JASON DIAS TO THE POSITION OF
PARKING ENFORCEMENT OFFICER**

WHEREAS, there exists a need for one or more Parking Enforcement Officer(s) within the Roselle Park Police Department; and,

WHEREAS, the Chief of Police has recommended Jason Dias for appointment to the position of Parking Enforcement Officer; and,

WHEREAS, the Mayor and Council wish to act upon the recommendation of the Chief of Police and fill said position.

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 Jason Dias of 30 East Webster Avenue, Roselle Park, New Jersey 07204 to the position of Parking Enforcement Officer effective March 24, 2024 at the rate of \$31.00 per hour not to exceed twenty-five (25) hours per week.

RESOLUTION NO. 101-25

**APPOINTING JOHN WILSON TO THE POSITION OF PATROLMAN WITHIN THE
ROSELLE PARK POLICE DEPARTMENT**

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that John Wilson be and is hereby appointed to the position of Patrolman in the Roselle Park Police Department, at an annual salary of \$64,000.00 effective March 24, 2025, with a twelve (12) month probationary period ending March 23, 2026.

RESOLUTION NO. 102-25

**ACCEPTING THE RESIGNATION OF CHRISTOPHER NARINE FROM THE POSITION OF
PARKING ENFORCEMENT OFFICER**

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby accepts the resignation of Christopher Narine from the position of Parking Enforcement Officer effective February 28, 2025.

RESOLUTION NO. 103-25

AWARDING A PROFESSIONAL SERVICES CONTRACT TO COLLIERS ENGINEERING & DESIGN FOR PROFESSIONAL ENGINEERING AND ENVIRONMENTAL SERVICES ASSOCIATED WITH A PRELIMINARY ENVIRONMENTAL ASSESSMENT OF BLOCK 910, LOT 8 OF THE MUNICIPAL TAX MAP, COMMONLY KNOWN AS 31 EAST WESTFIELD AVENUE, IN CONNECTION WITH AND SUPPORT OF THE BOROUGH'S PROSPECTIVE ACQUISITION THEREOF IN AN AMOUNT NOT TO EXCEED \$12,000.00

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 professional planning and environmental services associated with a Preliminary Environmental Assessment of Block 910, Lot 8 of the municipal tax map, commonly known as 31 East Westfield Avenue, in connection with and support of the Borough's prospective acquisition thereof be awarded to Colliers Engineers & Design of 331 Newman Springs Road, Suite 203, Red Bank, New Jersey 07701 in an amount not to exceed \$12,000.00; and,

BE IT FURTHER RESOLVED that a Purchase Order in and of itself shall act as the Professional Services Contract so authorized herein; and,

BE IT FURTHER RESOLVED that this Resolution shall take effect upon certification on this Resolution by the Borough Treasurer that sufficient funds are available for stated purpose; and,

BE IT FURTHER RESOLVED that charges incrementally incurred and paid associated with this contract shall be pursuant to the contract terms authorized Resolution No. 21-25.

RESOLUTION NO. 104-25

AMENDING RESOLUTION NO. 45-25 ENTITLED, "REAPPOINTING JOHN V. ZIMMERMAN TO THE POSITION OF CLASS II SPECIAL LAW ENFORCEMENT OFFICER WITHIN THE ROSELLE PARK POLICE DEPARTMENT," TO CORRECT THE WEEKLY AUTHORIZED HOURS OF WORK

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Resolution No. 45-25 shall be amended such that John V. Zimmerman, current Class II Special Law Enforcement Officer of the Borough of Roselle Park, with a term expiring December 31, 2025, shall maintain an unchanged pay rate of \$37.00 per hour, however weekly authorized hours of work shall be memorialized as not to exceed forty (40) hours per week; and,

BE IT FURTHER RESOLVED that the foregoing amended authorization be applied retroactively to January 1, 2025 for payroll compliance purposes.