

MAY 19, 2022 REGULAR MEETING OF MAYOR AND COUNCIL**READING OF PUBLIC MEETINGS LAW ARTICLE**

Mayor Signorello called the meeting to order at 7:02 p.m. and said it was being held in accordance with the Open Public Meetings Act and adequate notice of this meeting was provided as required by law.

He read a statement noting that all contracts awarded by Mayor and Council must comply with the affirmative action requirements of P.L. 1975, C.172. (NJAC 17:27); as required by the Fire Prevention Code, he indicated the fire exits and the procedure to be followed in case of fire.

A statement was read by the Mayor indicating that use of electronic devices by members of the Governing Body and Borough staff should be limited to Borough business. All communications are subject to the New Jersey Open Public Records Act.

ROLL CALL

The following is an accounting of the Mayor and Council's attendance upon roll call called by Borough Clerk/Administrator Casais:

Attendee Name	Organization	Title	Status	Arrived
Joseph Petrosky	Borough of Roselle Park	Councilman	P	7:02 PM
Michael Connelly	Borough of Roselle Park	Councilman	P	7:02 PM
Gregory Johnson	Borough of Roselle Park	Councilman	P	7:02 PM
Joseph Signorello, Jr.	Borough of Roselle Park	Councilman	P	7:02 PM
Jay Robaina	Borough of Roselle Park	Councilman	P	7:02 PM
Jodi Bellomo	Borough of Roselle Park	Councilwoman	P	7:02 PM
Joseph Signorello III	Borough of Roselle Park	Mayor	P	7:02 PM

MOMENT OF SILENCE/PRAAYER**PLEDGE OF ALLEGIANCE**

Borough Clerk/Administrator Casais read a short prayer, followed by the Pledge of Allegiance.

Mayor Signorello noted Mr. Pico Reinoso painted and donated the two pictures on the wall behind the dais to the Borough; Mayor Signorello noted that Mr. Reinoso would be recognized for his artwork.

APPROVAL OF MEETING MINUTES, PENDING ANY CORRECTIONS

Councilman Petrosky moved to approve the following minutes, pending any corrections; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted.

1. Regular Meeting of May 5, 2022

MOTION BILLS & PAYROLLS BE NOT READ AND PASSED FOR PAYMENT

Councilman Petrosky moved that bills and payrolls be not read and passed for payment; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted.

PUBLIC PORTION

Councilman Petrosky moved at 7:05 p.m. to open the public comment portion of the meeting on agenda items only; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted.

Cindi Mago, 433 Walnut Street

Asked questions about the increase in Resolution No. 143-22; noted it nearly doubled the contract.

Mayor Signorello noted the reasons for the increase, and said that Borough expanded the engineering work being done within the Borough in 2022 which required additional work to be done.

There being no one else wishing to speak, Councilman Petrosky moved at 7:08 p.m. to close the public comment portion of the meeting on agenda items only; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted.

REPORTS OF DEPARTMENTS

Administration/Borough Clerk: Andrew J. Casais, Business Administrator

Borough Clerk Casais noted the Municipal Complex would be closed Friday, with the exception of the Police Department for essential services, due to the construction project of the municipal parking lot. Milling would begin tomorrow and paving on Saturday, with possible striping on Saturday as well, with the hopes of a new parking lot by Monday afternoon.

Councilman Petrosky moved to approve the following written Reports of Departments; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted.

Written Reports Received:

1. Treasurer's Report for April 2022

ORDINANCES

SECOND READING AND PUBLIC HEARING

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2685

AN ORDINANCE AMENDING CHAPTER 7, SECTION 40, SUBSECTION 1,
PARAGRAPH C OF THE CODE OF THE BOROUGH OF ROSELLE PARK,
ENTITLED "MUNICIPAL PARKING LOT NUMBER 1"

Councilman Petrosky moved to open the public hearing on Ordinance No. 2685; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Petrosky moved to close the public hearing on Ordinance No. 2685; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted.

Councilman Petrosky moved that Ordinance No. 2685 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Connelly.

<input type="checkbox"/> Vote Record – Ordinance No. 2685					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Connelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bellomo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INTRODUCTION

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2686

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. Amendments to Non-Industrial Rates

§ 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. 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 period of twelve (12) months which can be most closely defined as the preceding year. The rate of charges shall be three (\$3.00) dollars for ~~2021~~ 2022. 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 fifty-seven (\$57.00) dollars.

SECTION 2. Amendments to Industrial Rates

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 ~~2021~~ 2022 shall be \$502.16 \$626.36.

SECTION 3. 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 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.

Councilman Petrosky moved that Ordinance No. 2686 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on June 2, 2022; seconded by Councilman Connelly.

<input type="checkbox"/> Vote Record – Ordinance No. 2686					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Connelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bellomo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS

Borough Clerk Casais read all Resolutions by title into the record.

The following Resolutions listed on Consent Agenda were offered by Councilman Petrosky; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted:

RESOLUTION NO. 137-22

APPOINTING KIMBERLY BROWN TO THE POSITION OF CONTROL PERSON AND ASSISTANT ZONING OFFICER

WHEREAS, a vacancy is anticipated in the position of Control Person and Assistant Zoning Officer within the Department of Code Enforcement beginning May 26, 2022; and,

WHEREAS, the position of Control Person and Assistant Zoning Officer within the Department of Code Enforcement functionally serves as a Technical Assistant to the Construction Official and a deputy Zoning Officer; and,

WHEREAS, it is the recommendation of the Chief Administrative Officer and Construction Official that the Mayor and Council (hereinafter, the "Governing Body") appoint and otherwise confirm Kimberly Brown to the position of Control Person and Assistant Zoning Officer in order to ensure continuity of operations, and the effective administration of the Uniform Construction Code and Zoning Code throughout the municipality; and,

WHEREAS, the Governing Body agrees with the recommendation of the Chief Administrative Officer and Construction Official and wishes to effectuate such appointment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Kimberly Brown of 323 Pine Avenue, Garwood, New Jersey 07027 be and is hereby appointed to the position of Control Person and Assistant Zoning Officer effective May 31, 2022 at a prorated salary of \$53,000.00 per annum; and,

BE IT FURTHER RESOLVED that an Employment Agreement be authorized and duly executed between the Borough and Kimberly Brown as set forth in Exhibit A attached hereto and made a part hereof.

EXHIBIT A
RESOLUTION NO. 137-22

EMPLOYMENT AGREEMENT
CONTROL PERSON & ASSISTANT ZONING OFFICER

This is an Agreement between the Borough of Roselle Park (hereinafter, the "Borough") with offices located at 110 East Westfield Avenue, Roselle Park, New Jersey 07204 and Kimberly Brown, who at the time of the execution of this agreement resides at 323 Pine Avenue, Garwood, New Jersey 07027.

WHEREAS, Kimberly Brown, possesses a Technical Assistant license, as issued by the New Jersey Department of Community Affairs, qualifying her to serve as a Borough Control Person (functionally known as a "Technical Assistant") and Assistant Zoning Officer; and,

WHEREAS, Kimberly Brown shall serve as the Control Person and Assistant Zoning Officer with all authority, duties, and protections as set forth in Borough municipal codes, Borough policy, and the statutes and administrative code of the State of New Jersey; and,

WHEREAS, on May 19, 2022, the Borough's Governing Body adopted Resolution No. 137-22 appointing Kimberly Brown as Control Person and Assistant Zoning Officer; and,

WHEREAS, the Borough and Kimberly Brown, desire to set forth all of the terms and conditions of Kimberly Brown's employment.

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, the Borough and Kimberly Brown agree as follows:

1. ***Incorporation of Recitals.*** *The recitals outlined above are considered agreed by the Borough and Kimberly Brown and incorporated fully into the foregoing agreement.*
2. ***Reporting Structure.*** *Kimberly Brown shall report directly to the Construction Official.*
3. ***Responsibilities.*** *Kimberly Brown will perform duties and responsibilities of a Control Person as set forth in Section 13-1.10 of the Borough Code and those prescribed for Technical Assistants within statute and administrative code of the State of New Jersey. She shall also*

- perform the duties and responsibilities of an Assistant Zoning Officer which, upon assignment by or in the absence of the Zoning Officer, shall include that which is set forth in Section 2-30.7 of the Borough Code and those prescribed for Zoning Officers/Officials within statute and administrative code of the State of New Jersey.*
4. ***Working Hours.*** *Kimberly Brown will work the hours needed to fulfill all of the duties and responsibilities of her position(s) in a timely and efficient manner. Under normal circumstances, Kimberly Brown shall maintain a work schedule consisting of thirty-five (35) hours per week, 8:00 a.m. to 4:00 p.m., Monday through Friday, with one (1) hour for lunch to be taken daily at 3:00 p.m. Kimberly Brown understands that the fulfillment of her responsibilities may require working outside of the Borough's regular work schedule. It is understood and agreed that the Borough will not provide Kimberly Brown with additional compensation for attendance at meetings or for routine work performed outside of the regular work schedule outlined herein.*
 5. ***Annual Salary.*** *The Borough agrees to pay an annual base salary of Fifty-Three Thousand Dollars and Zero Cents (\$53,000.00) to Kimberly Brown for all employment positions pursuant to this contract. Effective January 1, 2023, and thereafter, she shall receive adjustments in salary as approved by the Governing Body by Resolution.*
 6. ***No Eligibility for Overtime.*** *Kimberly Brown is not eligible for overtime compensation or compensatory time. However, with permission from the Construction Official, may be permitted to utilize excessive work hours as a means of time off.*
 7. ***Borough Policies.*** *Kimberly Brown understands and agrees that she will follow all Borough policies, procedures, rules and regulations concerning employee conduct in the workplace. These policies, procedures, rules and regulations are incorporated by reference into this Agreement.*
 8. ***Health Insurance & Pension.*** *The Borough shall provide Kimberly Brown with health insurance, hospitalization, dental, prescription, and life insurance consistent with the coverages offered to employees hired on or after January 1, 2020 covered by the Clerical Bargaining Unit Contract in effect at the time of the execution of the foregoing employment agreement. The Borough shall have the right to substitute a different hospitalization and/or major medical insurance carrier, providing that replacement coverage is substantially similar to that afforded by the current carrier. During active employment, Kimberly Brown will be responsible for contributing the same percentage as the members of the Clerical Bargaining Unit toward the cost of health insurance coverage. Kimberly will have pension coverage under the New Jersey Public Employee Retirement System ("PERS").*
 9. ***Notification of Absence.*** *Kimberly Brown will provide the Construction Official with as much advance notice as possible of all absences, but in no event less than three (3) working days, except in cases of emergency or where advance notice is not practicable; at which time she will provide notice of her absence as soon as practicable. In the absence of the Construction Official, Kimberly Brown will inform the Chief Administrative Officer of absences.*
 10. ***Benefits.*** *Kimberly Brown shall receive fifteen (15) days per year vacation time (9 days on a prorated basis for 2022), sixteen (16) holidays consistent with those received by members of the Clerical Bargaining Unit, three (3) personal days (2 days on a prorated basis for 2022), and fifteen (15) sick leave days (9 days on a prorated basis for 2022). Vacation days and personal days shall not accumulate year over year. The balance, if any shall exist, of any*

vacation days left at the end of a calendar year shall be forfeited without any monetary value. Upon mutual agreement of the parties, Kimberly Brown may receive additional benefits deemed appropriate for someone at her level, with her years of experience, and her proven dedication to the Borough.

11. **Accumulated Sick Time.** *Upon retirement Kimberly Brown shall be entitled to sell her accumulated sick leave at the rate of one (1) day for every three (3) accumulated sick days up to a maximum of fifteen-thousand dollars and zero cents (\$15,000.00). Kimberly Brown agrees that voluntary resignation from employment, or termination for just cause shall act as a forfeiture of any and all accumulated sick time.*

Annually, Kimberly Brown shall be permitted to sell back and/or accumulate sick leave pursuant to the "Employee Sell Back Sick Leave Program" outlined in Article 26 of Clerical Bargaining Unit Contract in effect at the time of the execution of the foregoing employment agreement. For the purposes of this provision, Kimberly Brown shall follow the schedule for employees hired before January 1, 2000.

12. **Retirement.** *Upon Kimberly Brown attaining fifteen (15) years of service with the Borough and having reached the age of sixty-five (65), she will be entitled to receive Borough-paid major medical insurance and prescription program insurance, unless Kimberly Brown is receiving similar benefits from another employer, a former employer or another source on a non-contribution basis. Kimberly Brown will be responsible to contribute pursuant to P.L. 2011, c. 78 toward the cost of her premium. Upon retirement, Kimberly Brown shall be entitled to sell back her balance of annual personal and vacation time at a day-for-day (1:1) rate.*

13. **Worker's Compensation.** *The Borough will provide Kimberly Brown with worker's compensation insurance in accordance with established state regulations.*

14. **Seminars, Conferences and Training.** *The Borough will permit Kimberly Brown to use a reasonable amount of time to attend seminars, conferences and training programs. Kimberly Brown may also participate in professional associations. The Borough agrees to pay for dues for membership in the various professional associations established within the State of New Jersey associated with her contractual duties. The Borough will also pay for Kimberly Brown to attend seminars and conferences which are necessary for her to maintain her various licenses.*

In the case of out-of-state seminars or conferences, the Borough will underwrite or reimburse the costs for registration expenses for such seminars, conferences, and training programs. The Borough will not pay for travel or housing in these instances; such costs shall be borne and paid for by Kimberly Brown.

Should Kimberly Brown enroll in a training program through the State of New Jersey Department of Community Affairs' Certification Unit and leave the Borough within three (3) years of her start date of class for any reason, she will be obligated to reimburse the Borough for the costs of such training program.

15. **Resignation.** *Kimberly Brown will provide a minimum of thirty (30) days advance written notice of her intent to resign. If mutually acceptable, the Borough and Kimberly Brown may agree to reduce the length of notice at the time it is given. Failure to provide a minimum of thirty (30) days advance notice will constitute a resignation not in good standing. In this case, all accumulated time shall be forfeited without any monetary value due to Kimberly Brown.*

16. **Termination.** *Except as otherwise provided in this Agreement, Kimberly Brown's employment shall terminate the earliest to occur of the dates specified below:*
- a. *The close of business on the date of Kimberly Brown's death.*
 - b. *The close of business on an early termination date mutually agreed to in writing by the Borough and Kimberly Brown.*
 - c. *The close of business on the day on which the Borough shall have delivered to Kimberly Brown a written notice of the Borough's election to terminate her employment for "Cause", which is defined as:*
 - i. *A documented inability to perform duties by Kimberly Brown with regard to the Borough where it results in material detriment to the Borough;*
 - ii. *Substantial and continuing refusal by Kimberly Brown to perform the duties required of her;*
 - iii. *Kimberly Brown being charged or convicted of a felony or pleading nolo contendere to a felony;*
 - iv. *Loss of one (1) or more of Kimberly Brown's license(s) to work.*

With regard to subparagraphs (i) and (ii) herein, Kimberly Brown shall be given thirty (30) days written notice prior to termination to cure any defect, wrongdoing, or item which the Borough has considered "Cause" to terminate her employment.
 - d. *The close of business on the thirtieth (30th) day following Kimberly Brown having provided written notification of her intent to voluntarily resign, unless the Borough and Kimberly Brown agree to an earlier termination date.*
17. **Residency.** *The Borough will not require Kimberly Brown to become a resident of the Borough at any time during her employment.*
18. **Defense.** *The Borough shall defend, hold harmless and indemnify Kimberly Brown against any tort, professional liability claim, demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of her duties, including any action which might commence or continue after her retirement, resignation or termination. The Borough shall not defend, hold harmless or indemnify Kimberly Brown where she was acting outside the scope of her responsibilities or engaged in willful or gross misconduct.*
19. **Entire Agreement.** *This Agreement sets forth the entire agreement between the parties, fully supersedes any and all prior agreements or understandings between the parties, and many not be modified orally. Either party may seek to terminate or amend this Agreement. All amendments to this Agreement must be in writing signed by the Borough, through its Governing Body, and Kimberly Brown.*
20. **Severability.** *Should any provision of this Agreement be declared or determined by the court to be illegal or invalid, the validity of the remaining parts, terms or provisions shall not be*

affected and the illegal or invalid part, term or provision shall be revised by the court in order that it should be considered legal.

21. **Arbitration of Disputes.** *The Borough and Kimberly Brown agree that any dispute that may develop under this Agreement shall be resolved through binding arbitration in accordance with the rules of the New Jersey Public Employment Relations Commission. Each party shall be responsible for its own attorney's fees and the costs of the arbitration will be evenly split between the parties. Judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction.*
22. **Outside Employment.** *Outside employment must be secondary to Borough work. However, Kimberly Brown is allowed to have outside employment as long as the schedule of such employment does not conflict with Borough business or create a conflict or appearance of impropriety for the Borough. Kimberly Brown must obtain written approval of the Construction Official, or Chief Administrative Officer, before accepting any outside employment.*
23. **Confidential Information.** *"Confidential Information" is technical or business information of the Borough discovered, invented, authored or acquired by Kimberly Brown during her employment with the Borough and not generally known to the public. Kimberly Brown recognizes and acknowledges that Confidential Information, which Kimberly Brown will become knowledgeable of as an employee of the Borough, are valuable, special and unique aspects of the Borough. Accordingly, during Kimberly Brown's employment and for an unlimited period following the termination of her employment with the Borough, whether termination is voluntary or involuntary, and regardless of the reason, Kimberly Brown shall not, without the express written consent of the Borough, directly or indirectly, by Kimberly Brown or through any other person, firm, partnership, corporation, entity or enterprise disclose or use in any manner, or allow to be disclosed or used in any manner the Borough's Confidential Information.*
24. **Borough Property.** *All originals and photocopies or any other form of reports, memoranda, manuals, agreements, books, computer records and printouts, customer lists, sales records, and any other material and/or equipment furnished to and/or maintained by Kimberly Brown in connection with her employment with the Borough shall remain the property of the Borough and shall be returned to the Borough: (1) upon demand; or, (2) immediately upon termination of employment. In the case of the latter, the Borough reserves the right to withhold Kimberly Brown's final paycheck until such a time as all Borough property is returned.*
25. **Governing Law.** *This Agreement shall be governed by and construed under the laws of the State of New Jersey applicable to agreements made to be performed therein. The courts of the State of New Jersey, Union County, shall have exclusive jurisdiction.*
26. **Incorporation by Reference.** *This Agreement incorporates by reference relevant Borough Codes. In the event of a conflict between this Agreement and Borough Codes, this Agreement will control.*
27. **Survival of Obligations.** *The obligations in this Agreement shall continue after termination of the Kimberly Brown's employment, regardless of the reason for termination.*

APPOINTING KIMBERLY BROWN TO THE POSITION OF
FIRE PREVENTION CLERK

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoints Kimberly Brown, Control Person and Assistant Zoning Officer, to the position of Fire Prevention Clerk effective May 31, 2022 at the salary of \$2,500.00 per annum.

RESOLUTION NO. 139-22

AUTHORIZING THE HANGING OF A TWO-SIDED BANNER IN MICHAEL J. MAURI PARK ADVERTISING THE 2022 FEAST OF SAINT ANTHONY AND THE PLACEMENT OF FIVE (5) LAWN SIGNS (SIZE 30" X 21") ADVERTISING THE 2022 FEAST OF SAINT ANTHONY ON ANY BOROUGH PROPERTY, WITHOUT RESTRICTION AS IT PERTAINS TO LOCATION; TO BE PLACED NO SOONER THAN TWO (2) WEEKS PRIOR TO THE EVENT, AND TO BE REMOVED THE DAY AFTER THE END OF THE EVENT

WHEREAS, a request has been made, dated April 25, 2022, by the Church of the Assumption Feast of Saint Anthony Committee to hang a banner and place signs on Borough of Roselle Park property for a temporary period of time advertising the 2022 Feast of Saint Anthony set to take place on June 9, 2022, June 10, 2022, June 11, 2022 and June 12, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorizes the hanging of a two-sided banner in Michael J. Mauri Park, adjacent to the intersection of Chestnut Street and Grant Avenue, advertising the 2022 Feast of Saint Anthony; and,

BE IT FURTHER RESOLVED further authorization shall be made for the placement of five (5) lawn signs, approximately sized 30" x 21", advertising the 2022 Feast of Saint Anthony on any Borough Property, without restriction as it pertains to location; to be placed no sooner than two (2) weeks prior to the event, and to be removed the day after the end of the event.

RESOLUTION NO. 140-22

AUTHORIZING THE TAX COLLECTOR TO CANCEL SECOND-QUARTER 2022 PROPERTY TAXES AND ISSUE A PRO-RATED REFUND OF FIRST-QUARTER 2022 PROPERTY TAXES IN CONNECTION WITH AN ELIGIBILITY CLARIFICATION OF A 100% DISABLED VETERAN PROPERTY TAX EXEMPTION ISSUED TO 810 WILLIS PLACE, BLOCK 406, LOT 12 OF THE MUNICIPAL TAX MAP

WHEREAS, Block 406, Lot 12 of the Municipal Tax Map (hereinafter, the "Property") of the Borough of Roselle Park (hereinafter, the "Borough"), commonly known as 810 Willis Place, Roselle Park, New Jersey 07204 (also hereinafter, the "Property"), and assessed in the name of Tracey Jones is eligible for tax exemption pursuant to the attestation of the Borough's Tax Assessor based upon one-hundred percent (100%) Disabled Veteran status; and,

WHEREAS, the Tax Assessor has attested to receiving a certification from the United States Department of Veterans' Affairs disclosing wartime service-connected disability status on February 16, 2022; and,

WHEREAS, pursuant to the aforementioned attestation by the Tax Assessor, and disclosure by the United States Department of Veterans' Affairs, the Property shall be entitled to a pro-rated refund of first-quarter 2022 property taxes and cancelation of second-quarter 2022 property taxes.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the Tax Collector to cancel second-quarter

2022 property taxes in the amount of two-thousand five-hundred ninety-eight dollars and zero cents (\$2,598.00); and,

BE IT FURTHER RESOLVED that the Tax Collector be and hereby is authorized to issue a pro-rated refund of first-quarter 2022 property taxes remitted for the Property in the total amount of one-thousand two-hundred forty-one dollars and forty-one cents (\$1,241.41).

RESOLUTION NO. 141-22

AUTHORIZING THE TAX COLLECTOR TO ISSUE A PRO-RATED REFUND OF SECOND-QUARTER 2022 PROPERTY TAXES IN CONNECTION WITH AN ELIGIBILITY CLARIFICATION OF A 100% DISABLED VETERAN PROPERTY TAX EXEMPTION ISSUED TO 11 EAST ROSELLE AVENUE, BLOCK 701, LOT 32 OF THE MUNICIPAL TAX MAP

WHEREAS, Block 701, Lot 32 of the Municipal Tax Map (hereinafter, the "Property") of the Borough of Roselle Park (hereinafter, the "Borough"), commonly known as 11 East Roselle Avenue, Roselle Park, New Jersey 07204 (also hereinafter, the "Property"), and assessed in the name of Mario Rodriguez is eligible for tax exemption pursuant to the attestation of the Borough's Tax Assessor based upon one-hundred percent (100%) Disabled Veteran status; and,

WHEREAS, the Tax Assessor has attested to receiving a certification from the United States Department of Veterans' Affairs disclosing wartime service-connected disability status on May 5, 2022; and,

WHEREAS, pursuant to the aforementioned attestation by the Tax Assessor, and disclosure by the United States Department of Veterans' Affairs, the Property shall be entitled to a pro-rated refund of second-quarter 2022 property taxes.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the Tax Collector to issue a pro-rated refund of second-quarter 2022 property taxes remitted for the Property in the total amount of two-thousand one-hundred ten dollars and sixty-four cents (\$2,110.64).

The following Resolution was offered by Councilman Petrosky; seconded by Councilman Connelly.

RESOLUTION NO. 142-22

AUTHORIZING CHANGE ORDER NO. 1 TO GRANADA CONSTRUCTION CORP. FOR THE PROJECT "2021 NJDOT ROAD PROGRAM - IMPROVEMENTS TO VALLEY ROAD" IN THE AMOUNT OF A \$60,595.35 INCREASE (+19.35%) TO REFLECT A TOTAL CONTRACT AMOUNT OF \$373,729.45

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union County, State of New Jersey that upon the recommendation of the Borough Engineer, Change Order for the Contract listed below be and is hereby approved:

TITLE OF JOB: 2021 NJDOT Road Program - Improvements to Valley Road
 CONTRACTOR: Granada Construction Corp.
147 Thomas Street, Newark, New Jersey 07114

CHANGE ORDER №: 1

AMOUNT OF CHANGE THIS RESOLUTION: \$60,595.35 Increase (+19.35%) for an updated contract amount of \$373,729.45; and,

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

Mayor Signorello noted the Borough received a grant for this project, and this Change Order makes sure the Borough get the most out of the grant. He thanked Mr. Casais and Councilman Robaina for their efforts to make the project area more walkable and bikeable.

<input type="checkbox"/> Vote Record -- Resolution No. 142-22					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Connelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bellomo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The following Resolution was offered by Councilman Petrosky; seconded by Councilman Connelly.

RESOLUTION NO. 143-22

AUTHORIZING A \$20,000.00 INCREASE TO THE PROFESSIONAL SERVICE CONTRACT WITH COLLIERS ENGINEERING & DESIGN, INC. AS BOROUGH ENGINEER FOR THE YEAR 2022 REFLECTING A REVISED CONTRACT AMOUNT NOT TO EXCEED \$41,000.00

WHEREAS, the firm Colliers Engineering & Design, Inc. was responsive to the Request for Proposals (RFP) due November 30, 2021 at 10:00 a.m. for the position of Borough Engineer; and,

WHEREAS, the firm Colliers Engineering & Design, Inc. was appointed as Borough Engineer of the Borough of Roselle Park for the years 2022, 2023, and 2024 through the adoption of Resolution No. 26-22; and,

WHEREAS, the firm Colliers Engineering & Design, Inc. continues to perform all services as Borough Engineer of the Borough of Roselle Park consistent with the response submitted by said firm; and,

WHEREAS, adjustments to the maximum contract amount authorized in Resolution No. 26-22 have been deemed necessary, as attested by the Chief Financial Officer, to ensure the continuation of services.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, in accordance with the provisions of *N.J.A.C. 5:30-11.6 et seq.*, hereby authorize a \$20,000.00 increase to the maximum contract amount awarded to the firm Colliers Engineering & Design, Inc. within their capacity as Borough Engineer of the Borough of Roselle Park, with a revised maximum contract amount not to exceed \$41,000.00 for year 2022; and,

BE IT FURTHER RESOLVED that charges incrementally incurred and paid associated with this contract shall be pursuant to the contract terms authorized in Resolution No. 26-22.

Councilwoman Bellomo asked for further explanation on this Resolution.

Borough Clerk Casais noted that the Brough anticipated going into this 2022 paying more for engineering, as it was expanding the services of engineering; noted that every week, Collier's is in Borough Hall, out on the job and on the scene following up with residents. He stated that because engineering services were expanded, costs also expanded. He noted the rate that Colliers Engineering charges is higher than the rate that Neglia Engineering charged – but, with that said, you the Borough is getting what it pays for based on its priorities.

Mr. Casais continued by stating that due to the ongoing in-person presence at Borough facilities, this was likely not the last increase the Borough would see in 2022 for engineering costs. Mr. Casais noted he is extremely happy with the services and quality of work that Colliers Engineering had done the first quarter of the year.

<input type="checkbox"/> Vote Record – Resolution No. 143-22		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Connelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Bellomo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Signorello	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REPORTS OF BOROUGH COUNCIL

Councilman Petrosky

Expressed condolences to those who passed away.

May 11th attended the Historical Society Meeting and noted its re-opening in the summer of 2022.

May 11th attended the Recreation Committee Meeting.

May 18th attended the Fire Department Memorial Service; very sad event due to remembering those who passed away.

May 19th attended the JMEUC Meeting; ordered parts and furniture; and had a discussion to evaluate the need for a July and August Meeting.

May 30th will be the Memorial Day Parade, Services and Picnic starting at 10:00 a.m.

June 4th will be the Pride Flag Raising Ceremony at 7:00 p.m. at the Library with Guest Speaker County Commissioner Chair Rebecca Williams.

Provided contact information.

Councilwoman Bellomo

May 14th attended the Bike Safety Clinic.

May 17th sat on Chris Ley’s Eagle Scout Council; congratulated him on becoming an Eagle Scout.

Noted the New Jersey Motor Vehicle Commission will be coming to Roselle Park at Michael Mauri Park during the months of May to November from 10:00 a.m. to 2:00 p.m.

Reminder the Roselle Park Veterans Memorial Library provides notary services for those in need; provided an overview of all ongoing initiatives and programs.

Noted the upcoming summer hours schedule at the Library.

June 16th there will be penguins at the Roselle Park Veterans Memorial Library; by appointment only.

May 15th attended the Environmental Commission Meeting, and the Grand Opening of the Community Garden on May 14th.

Spoke with Anthony Trezza, Municipal Alliance Coordinator, about ongoing funds and activities; noted he is applying for funds for continued programs.

Noted the Roselle Park Small Business Network meets on the 4th Tuesday of the month at 7:00 p.m.; this month's meeting will be held at Frenchy's Bar & Grill.

Provided contact information.

Councilman Signorello

Attended the 83rd Fire Department Memorial Service; was a very somber event.

Noted dealing with a small issue at the ballfields with a lack of power for the lights.

May 24th is the Small Business Network Meeting at Frenchy's Bar & Grill.

Thanked the DPW for painting the curbs in the downtown area; this work will continue.

Noted the need for compliance with high grass and grass cutting; fines do go up if you are a repeat offender.

Provided contact information.

Councilman Johnson

May 12th attended the Union County American Legion Meeting; congratulated Joseph Verdun on becoming the newly elected Commander.

May 14th attended the Bike Clinic with his family; thanked Councilman Robaina for making the event happen for the community and personally thanked Bob's Bicycle Service in Kenilworth for bringing his son's bicycle back to life.

Spoke of the upcoming improvements to Walnut Street and Filbert Street; noted Union Road would occur after the summer as well.

Noted the ongoing efforts of the DPW to address graffiti; asked residents to report any instances of graffiti to the Roselle Park Police Department.

Noted the ongoing efforts regarding the Dalton Street/Westfield Avenue Pedestrian Rapid Flashing Beacon. Stated he was advised by the New Jersey DOT that the orders are all in and they are waiting for the material to be delivered before the electrical work can begin, in the hopes of having this done before the next school calendar year.

Announced Carmen Tailor will be the first new Business of the Month; noted the ongoing restart of the program to include a virtual and social media component.

Noted the Sherman School PTA was having a fundraiser at the American Legion Post 60; welcomed them.

Congratulated Chris Ley on becoming an Eagle Scout, and thanked him for his efforts.

Noted noise complaints are increasing; encouraged all residents to be neighborly.

Provided contact information.

Councilman Robaina

May 6th conducted a street light audit in the 5th Ward.

May 9th attended a recent webinar on rain gardens and bioretention cells while researching solutions to reduce flooding and pollution in our Borough, and encouraged all residents to try and do their part.

May 14th held 2nd Annual Street Savvy Cycling Skills Clinic and Bike Helmet Giveaway with over 120 participants and we gave away 85 helmets; thanked all of those who attended and pitched in to help.

Attended the Union County Transportation Advisory Board Meeting; there was a presentation on the September 11th Memorial Trail and the Elizabeth Fast Ferry, which will be going live in August.

Noted there continues to be work being done in the 5th Ward with road restoration to commence this Spring into Fall on a number of streets.

Noted the ongoing responses to various constituent inquiries.

May 16th attended the Municipal Land Use Board Meeting; provided an update on the matters that were addressed.

May 17th attended the Board of Health Meeting; as Liaison to the Board of Health, provided an update on the ongoing COVID-19 cases, responses and advisories of the CDC.

Noted an upcoming COVID-19 Vaccine Clinic at the Westfield Town Hall on May 26th from 3:00 p.m. to 6:00 p.m.

Provided contact information.

Councilman Connelly

Noted the regulations about grass cutting; please prune your lawns.

Noted the May 30th Memorial Day Parade, Service and Picnic.

Provided contact information.

Mayor Signorello

Expressed condolences to the family of Mary Jo Daniel; she will surely be missed.

Congratulated Casa Del Rey on the soft opening of their restaurant.

Noted he is heartened to see work being done at the old Aldene Cleaners; there will be a florist/café there once all is said and done.

Noted the budget is facing head winds, including garbage; unfortunately, costs have gone up and we are looking for options outside of our current contractor, perhaps exploring shared services.

The Capital Budget is coming up, including doubling-down on infrastructure in the downtown area; making for a nicer and cleaner downtown.

Noted he is trying to find a soccer field for kids to practice and play soccer on.

Provided contact information.

PUBLIC PORTION

Councilman Petrosky moved at 7:58 p.m. to open the public comment portion of the meeting on any subject matter; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted.

Chris Shoemaker, B36 Woodside Gardens

Resolution No. 142-22; inquired about how it can be used.

Robert Nadasky, 446 Henry Street

Asked if the Gordon Street bridge would be replaced; and if we can do better at controlling the traffic at the Walnut Street intersection.

Noted he is having a problem with cats roaming around in his yard.

Michele Arnold, 612 Sheridan Avenue

Noted that vaccines pose risks and asked if the Borough would take financial responsibility if there is a problem, since they are encouraging vaccines.

Thanked Mayor and Council for the bags; noted she had done a lot of research on biodegradable products.

There being no one else wishing to speak, Councilman Petrosky moved at 8:12 p.m. to close the public comment portion of the meeting on any subject matter; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted.

ADJOURNMENT

There being no further business to come before the meeting, Councilman Petrosky moved at 8:12 p.m. to adjourn; seconded by Councilman Connelly, all members present voting Aye, said motion was adopted.

Attest:



Andrew J. Casais

Andrew J. Casais, RMC
Borough Clerk