

MARCH 16, 2023 REGULAR MEETING OF MAYOR AND COUNCIL

READING OF PUBLIC MEETINGS LAW ARTICLE

Mayor Signorello read the following statement into the record:

“This meeting is called to order pursuant to the provisions of the New Jersey Open Public Meetings Act. Notice of this meeting was included in the Annual Notice of meetings published in the Union County Local Source and the Newark Star-Ledger on January 12, 2023. Said notice was posted on the bulletin board reserved for public notices in the Municipal Building and has remained continuously posted as required by Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

All contracts awarded by Mayor and Council must comply with the affirmative action requirements of P.L. 1975, C. 127.

Fire exits are located in the directions I am indicating. If you are alerted for a fire, please move in a calm, orderly manner to the nearest smoke-free exit.

Proper notice having been given; the Municipal Clerk is directed to include this statement in the minutes of this meeting.”

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	7:01 PM
Gregory Johnson	Borough of Roselle Park	Councilman	A	-
Joseph Signorello, Jr.	Borough of Roselle Park	Councilman	P	7:01 PM
Jay Robaina	Borough of Roselle Park	Councilman	P	7:01 PM
Rosanna Lyons	Borough of Roselle Park	Councilwoman	P	7:01 PM
Khanjan S. Patel	Borough of Roselle Park	Councilman	P	7:01 PM
Joseph Signorello III	Borough of Roselle Park	Mayor	P	7:01 PM

MOMENT OF SILENCE/PRAAYER

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS

NONE

PROCLAMATIONS & PRESENTATIONS

NONE

APPROVAL OF MINUTES, PENDING ANY CORRECTIONS

NONE

MOTION BILLS & PAYROLLS BE NOT READ AND PASSED FOR PAYMENT

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

PUBLIC PORTION

Councilman Signorello moved at 7:03 p.m. to open the public comment portion of the meeting on agenda items only; seconded by Councilman Petrosky, five members present voting Aye and one Absent, said motion was adopted.

There being no one wishing to speak, Councilman Signorello moved at 7:03 p.m. to close the public comment portion of the meeting on agenda items only; seconded by Councilman Petrosky, five members present voting Aye and one Absent, said motion was adopted.

REPORTS OF DEPARTMENTS

Scheduled Verbal Reports:

None (Scheduled for April 6, 2023)

Written Reports Received:

1. Community Center Director's Report for February 2023
2. Police Chief's Report for February 2023
3. Fire Chief's Report for February 2023
4. Construction Official's Report for February 2023

Councilman Signorello moved to approve the following written Reports of Departments; seconded by Councilman Petrosky, five members present voting Aye and one Absent, said motion was adopted.

ORDINANCES

SECOND READING AND PUBLIC HEARING

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2715

AN ORDINANCE AMENDING CHAPTER 6, ENTITLED "ALCOHOLIC BEVERAGE CONTROL,"
AND ESTABLISHING SECTION 9 TO BE ENTITLED, "CONSUMPTION IN UNLICENSED
ESTABLISHMENTS"

Councilman Signorello moved to open the public hearing on Ordinance No. 2715; seconded by Councilman Petrosky, five members present voting Aye and one Absent, said motion was adopted.

There being no one wishing to speak, Councilman Signorello moved to close the public hearing on Ordinance No. 2715; second by Councilman Petrosky, five members present voting Aye and one Absent, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2715 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Petrosky.

<input type="checkbox"/> Vote Record – Ordinance No. 2715		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	Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<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. 2716

AN ORDINANCE AMENDING CHAPTER 23, SECTION 1 ENTITLED, “EXCAVATION IN STREETS”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 23, Section 1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Amending Section Title

§ 23-1 ~~EXCAVATION IN STREETS. STREET OPENINGS AND EXCAVATIONS.~~

SECTION 2. Statement of Permit Requirements

§ 23-1.1 Permit Required.

It shall be unlawful to excavate, dig in, tunnel or open any public street in the Borough of Roselle Park for any purpose without a permit being first secured from the ~~Borough Public Works Superintendent~~ **Borough Clerk, or authorized agent and except and then** upon compliance with the provisions of this sSection. "Street," for the purpose of this sSection, shall mean any road, thoroughfare, highway, public way, public alley, easement or other right-of-way accepted or maintained by the Borough as a public street, as well as any other sState or eCounty road or highway over which the Borough has acquired jurisdiction by agreement.

SECTION 3. Enumeration of Application Procedures

§ 23-1.2 Permit Application Procedure

Any person, ~~firm, or corporation or entity~~ desiring a permit for the opening of a street or tunneling therein shall make application to the ~~Borough of Roselle Park Public Works Superintendent or authorized agent, care of the Office of the Borough Clerk,~~ **Borough Clerk** setting forth the following information:

- a. The name, mailing address, phone number, and email address of the applicant.
- b. The name, mailing address, phone number and emergency contact number for the ~~workmen crew~~ or construction contractor who is to perform work associated with roadway opening.
- c. A brief description of the character **and purpose** of the work to be conducted.

d. The plan showing the exact location and dimension of all openings.

~~d.e.~~ The name of the street where the opening is to be made and the street number, if any, of the nearest adjacent property.

~~e.f.~~ The total area planned for excavation calculated in square feet where roadway surface is subject to excavation work. **Such calculation shall match opening dimensions depicted on the plan provided pursuant to Paragraph "d" of this Subsection.**

~~f.g.~~ The date when work is to be commenced and completed.

~~g.h.~~ A statement that the applicant agrees to replace, at its own cost and expense, in accordance with Borough specifications and details, the openings to, ~~at a minimum,~~ the same state and condition **described in § 23-1.4** as they were at the time of the commencement of the work, and further agrees to comply with all other applicable ~~Ordinances,~~ regulations and laws relative to the work.

~~h.i.~~ A form agreement to indemnify and hold harmless the Borough from all loss, damage, claim or expense, including expenses incurred in the defense of any litigation arising out of injury to any person or property resulting from any work done by the applicant under the permit.

~~i.j.~~ The registration number from the underground utility location service "New Jersey One Call" (1-800-272-1000) indicating that they have been properly notified and will locate underground facilities in the area of the proposed opening or tunneling operation.

~~j.~~ ~~If the applicant is proposing a sanitary sewer connection to a Borough owned sanitary sewer, the applicant shall submit sanitary sewer connection details. The submittal shall include inverts elevations at the proposed connection and exiting the structure.~~

~~j.k.~~ Such other information as the ~~Borough Public Works Superintendent~~ **Borough Clerk in consultation with the Borough Engineer** or authorized agent may consider pertinent.

SECTION 4. Permit Issuance and Denial Protocol

§ 23-1.3 Authority to Grant or Deny Permit.

The Borough of ~~Roselle Park Public Works Superintendent or authorized agent~~ **Clerk** is hereby authorized to refuse the issuance of any permit if such refusal is in the interest of public safety, public convenience or public health. If a permit is refused by the Borough of ~~Roselle Park or authorized agent~~ **Clerk**, an appeal may be taken to the governing body of the Borough. The governing body, after hearing the applicant and the Borough ~~Public Works Superintendent or authorized agent~~ **Clerk** and such evidence as may be produced, may either direct the issuance of such permit or sustain the refusal of the ~~Public Works Superintendent or authorized agent~~ **Borough Clerk**.

SECTION 5. Amending and Clarifying Permit Requirements

§ 23-1.4 ~~Contingent Approvals.~~ **Permit Requirements.**

~~a.~~ ~~Permits for openings on roadways which have been revitalized, reconstructed or otherwise resurfaced by the Borough of Roselle Park within five years shall be granted with the understanding and contingent upon the applicant's agreement to repave the affected roadway~~

~~curb to curb within the project limits at the direction of the Borough of Roselle Park. This provision shall not apply in an emergency as outlined in this section.~~

~~b. Permits for openings on roadways which have been revitalized, reconstructed or otherwise resurfaced by the Borough of Roselle Park more than five years prior to the commencement of work shall be granted with the understanding and contingent upon the applicant's agreement to repave 1/2 of the affected roadway within the project limits at the direction of the Borough of Roselle Park. This provision shall not apply in an emergency as outlined in this section.~~

~~1. Patch and small longitudinal trench restoration, completed with strict adherence to all conditions and regulations of this section, included under this subsection may be approved at and within the sole discretion of the Borough Public Works Superintendent or authorized agent.~~

All permits issued under this Section shall require the applicant to comply with the following:

- a. All excavations shall be kept properly barricaded at all times and, during the hours of darkness, shall be provided with the proper warning lights. The applicant shall provide such signs, controls, barricades, warning lights, and personnel necessary for safe operation and compliance with applicable federal and state laws at its own cost and expense.**
- b. All excavations or tunneling shall be sheeted, shored, or braced in accordance with applicable safety codes and Occupational Safety and Health Administration ("OSHA") standards.**
- c. All work shall be done in such a manner as to cause a minimum of interference with travel on the street affected. No street shall be closed to traffic unless the closing is approved by the Roselle Park Police Department. The Police Department shall be notified of all street closings at least forty-eight (48) hours in advance, except where the work is of an emergent nature, when notice shall be given to the Police Departments at the time work commences.**
- d. All refuse and material shall be removed within twenty-four (24) hours and in accordance with applicable laws and regulations for disposal.**
- e. All excavations shall be completely backfilled with a controlled low-strength material (CLSM), more commonly referred to as "soil cement," to a level six (6) inches below the adjacent roadway surface. A temporary patch must immediately be installed until such time as the final topcoat can be applied. After installation of soil cement, the applicant shall create a final topcoat consisting of a four (4) inch compacted thickness of bituminous stabilized base course, and a two-inch compacted thickness of bituminous surface course, that, when filled, shall result in an opening that is flush with the existing contour of the road. If conditions exist that do not allow for the installation of bituminous material as required, a temporary patch must immediately be installed until such time as the final topcoat can be applied. Permanent patches must have all edges sealed. CLSM shall have a twenty-eight-day minimum compressive strength of 1,200 psi.**

- f. The street surface shall be restored to the satisfaction of the Borough Engineer. All street patch repairs and/or trench restoration must use the infrared paving method pursuant to the most recent standards promulgated by the Borough Engineer so as to blend uniformly with the adjacent existing roadway.**
- g. If blasting is required in the course of any excavation, it shall be done in strict compliance with all applicable federal and State laws and regulations.**
- h. Final restoration of any street foundation or surface shall not commence until the Borough Engineer or their designated representative has determined that settlement of the subsurface is complete and the area properly prepared for restoration.**
- i. All materials, equipment, and work shall be in accordance with Borough regulations, specifications, and details as may be required and directed by the Borough Engineer. Such materials, equipment and work shall likewise conform with the latest specifications promulgated by the New Jersey Department of Transportation for bridge and roadway construction.**
- j. Requirements for “moratorium” roads:**
 - 1. After the Borough has paved or repaved any street, no permit pursuant to this Section shall be issued for openings, cuts, or excavations in said street for a period of ten (10) years from the date of such paving, subject to the exceptions described herein.**
 - 2. The Borough Clerk shall keep a list of all such streets subject to this ten-year moratorium, which may be inspected in the Office of the Borough Clerk.**
 - 3. Prior to the start of any such paving or repaving work, the Borough shall host a Pre-Construction Meeting where utility companies shall be invited to attend and be advised of said work so any in-progress or contemplated excavations may be completed before paving is started.**
 - 4. During such ten (10) year period, an applicant must restore the street opening so as to include pavement restoration (milling and repaving) for the full width (curb-to-curb) of the roadway to a distance equal to the full length of the excavation to the nearest intersection. Notwithstanding these requirements, the Borough Engineer may, in his/her sole discretion, waive the requirements of this Paragraph under the following circumstances:**
 - (a) Where necessary or practical, as determined by the Borough Engineer. For example, if there is an excavation on a small dead-end street within the Borough the Town Engineer may use his/her discretion in determining the overall distance of the restoration.**
 - (b) If, in the judgment of the Borough Engineer, an emergency exists that makes it absolutely essential that the road be opened for purposes of a utility repair or replacement. This shall include emergency repairs residential lateral lines.**

(c) When the owner(s) of an owner-occupied single-family residential property who actually resides in that property applies for a construction permit to convert from oil heat to gas heat.

5. In any circumstance in which the Borough Engineer waives the curb-to-curb requirements of this Paragraph, the Borough Engineer shall require that the street opening be patched and restored via infrared pavement repair technology so as to blend uniformly with the adjacent existing roadway.

k. Requirements for “non-moratorium” roads:

1. For all streets that have not been paved within the last ten (10) years, the applicant must patch and restore the street opening via infrared pavement repair technology so as to blend uniformly with the adjacent existing roadway. If the street opening to be trenched is greater than or equal to a length of fifty (50) linear feet, upon completion of same, the applicant shall restore (milling and repaving) the entire street surface from edge to edge (curb-to-curb), for the full length of the excavation to the nearest intersection or as directed by the Borough Engineer.

l. All sidewalks, when being restored or replaced as part of the operations hereunder, must also be restored pursuant to the standards of this Chapter and as otherwise directed the Borough Engineer.

~~§ 23-1.5 — Compliance with Regulations.~~

~~a. All excavations shall be kept properly barricaded at all times and, during the hours of darkness, shall be provided with the proper warning lights. The applicant shall provide such signs, controls, barricades, warning lights and personnel necessary for safe operation and compliance with the current edition of the New Jersey Department of Transportation Construction Specifications for Bridge and Roadway Construction, the current edition of the Manual on Uniform Traffic Control Devices, and all applicable federal and state laws.~~

~~b. All excavations or tunneling shall be sheeted, shored or braced in accordance with applicable safety codes and Occupational Safety and Health Administration (OSHA) standards.~~

~~e. All work shall be done in such a manner as to cause a minimum of interference with travel on the street affected. No street shall be closed to traffic unless the closing is approved by the Roselle Park Police Department. The Borough Public Works Department and the Police Department shall be notified of all street closings at least 48 hours in advance, except where the work is of an emergency nature as defined by this section, when notice shall be given to the Public Works Superintendent or authorized agent and Police Department when work commences.~~

~~d. Longitudinal and transverse trenches must be saw cut in a neat straight line. The lines shall be parallel to the roadway center line with square edges. If during construction the pavement edge is broken, the pavement shall be saw cut to provide a neat straight line.~~

~~e. All refuse and material shall be removed as soon as possible, but within no more than 24 hours.~~

- ~~f. All excavations shall be completely backfilled with a ready mixed flowable fill with a twenty-eight day compressive strength of 1,200 psi to within six inches of the surface of the pavement for the hot mixed asphalt base course (four inches) and hot mix asphalt surface course (two inches).~~
- ~~g. If tunneling operations are required the tunnel shall be backfilled with rammed concrete composed of one part cement to 10 parts sand.~~
- ~~h. Wherever it is necessary to cross over, through or under existing bridges or culverts, plans must be submitted to the Borough of Roselle Park for reviewed by the Borough Engineer. Such plans shall outline, in detail, the proposed method of crossing such structures. Such plans are subject to final approval by the Borough Engineer.~~
- ~~i. If blasting is required in the course of any excavation, it shall be done in strict compliance with all applicable state laws and regulations.~~
- ~~j. Restoration of any street foundation or surface shall not commence until the Borough Public Works Superintendent or authorized agent or his designated representative has determined that the ready mixed flowable fill has cured sufficiently for placement of asphalt courses.~~
- ~~k. The finished pavement thickness shall match that of the existing roadway, but shall not be less than six inches thick. The typical pavement section shall consist of Hot Mix Asphalt Base Course, Mix I 2, four inches thick and Hot Mix Asphalt Surface Course, Mix I 5, two inches thick. For longitudinal trenches, the contractor shall, at a minimum, mill and resurface half of the roadway width from edge of pavement to center line of the road. Prior to placing the top course material, the base course and cold joints must be tack coated. Where openings have been made in a concrete roadway, the trench shall be excavated to the bottom of the concrete base course. The existing concrete base course shall be drilled and doweled and concrete base course with a minimum twenty eight day compressive strength of 4,500 psi shall be installed to match the existing concrete thickness.~~
- ~~l. The street surface shall be restored to the satisfaction of the Borough Public Works Superintendent or authorized agent. The surface pavement at the utility service connections shall be heated using infrared technology so that the mending of the old and new asphalt is achieved and joints are not visible.~~
- ~~m. All work, material, and equipment shall conform to the requirements of the current edition of the New Jersey Department of Transportation Construction Specifications for Bridge and Roadway Construction. The materials and work shall also be in accordance with applicable Township regulations, specifications, and details as deemed appropriate by the Borough Public Works Superintendent or authorized agent.~~

SECTION 6. Amending and Clarifying Permit Conditions

~~§ 23-1.6~~

§ 23-1.5 Conditions of All Permits

- a. A permit shall apply only to the person **or entity** to whom it is issued and shall not be transferable.

- b. A permit shall be granted on a per opening basis, where openings are contiguous in nature. Separate openings shall require separate permits regardless of their proximity to one another. **Each street within a project area shall require a separate permit.**
- c. Work under a permit shall commence **and conclude** within ~~30~~**ninety (90)** days from the date of issuance of the permit., ~~which shall be valid for 30 days therefrom.~~ If work is not commenced within that time, the permit shall automatically terminate, unless extended in writing by the Borough ~~Public Works Superintendent~~ **Engineer** or ~~authorized agent~~.
- d. A copy of the permit shall be kept in possession of the person actually performing the work and shall be exhibited on demand to any duly authorized representative or police officer of the Borough.
- e. The Borough ~~Public Works Superintendent or authorized agent~~ **Engineer or Borough Clerk** may revoke a permit for any of the following reasons:
 - 1. Violation of any provision of this section or any other applicable rules, regulations, law or ordinance.
 - 2. Violation of any condition of the permit issued.
 - 3. Carrying on work under the permit in a manner which endangers life or property, or which creates any condition which is unhealthy, unsanitary or a nuisance.
- f. In special cases, the governing body of the Borough may, by Resolution, impose special conditions to which the issuance of a permit may be subject, or may decide that any provision of this section shall not be applicable or may be modified.
- g. The Borough ~~Public Works Superintendent~~ **Clerk and Borough Engineer** or ~~authorized agent~~ may make any rules and regulations which ~~he considers~~ **they consider** necessary for the administration and enforcement of this section, but no regulation shall be inconsistent with, alter or amend the intent of any provision of this section or impose any requirement which is in addition to those expressly or by implication imposed by this section. Copies of all current regulations shall be furnished **to** each permittee at the time of the issuance of the permit.

SECTION 7. Amending Fees

~~§ 23-1.7~~

§ 23-1.6 Fees to Accompany Application

- a. Prior to issuance of any permit pursuant to this ~~s~~**Section**, the applicant shall file an application for said permit at least **forty-eight (48)** hours prior to the ~~expectation of the~~ **requested times of issuance of the same or the commencement of work** and shall pay for said permit in accordance with the following schedule:

Application Fee(s)	Normal	\$50
	Unreported	\$200

	Emergency	\$0
Permit Fee(s)	Less than or equal to 25 square feet	\$125
	Greater than 25 and less than 50 square feet	\$250
	Over 50 square feet	\$5 per square foot
Inspection Fee	All openings	\$125
Cash Bond	Opening less than or equal to 50 square feet	\$500
	Opening greater than 50 square feet	\$1,000

Application Fee(s)	Normal	\$50
	Unreported	\$250
	Emergency	\$0
Permit Fee(s)	Less than or equal to 25 square feet	\$175
	Greater than 25 and less than or equal to 50 square feet	\$350
	Over 50 square feet	\$7 per square foot
Non-Utility Escrow	Opening less than or equal to 50 square feet	\$1,000
	Opening greater than 50 square feet	\$2,500
Public Utility Escrow	Public utilities shall establish and indefinitely maintain an escrow account with the Borough of Roselle Park in an amount not to exceed \$25,000 unless a single project requires the posting of a larger amount as determined by the Borough Engineer.	

- b. All application, ~~and permit and inspection~~ fees are nonrefundable, and said application and permit, once issued, are valid for a period of ~~one year~~ **ninety (90) days**, assuming compliance with the provisions of this section.
- c. All fees **and escrow** shall be waived for work done by the **Roselle Park School District**, County of Union and State of New Jersey. ~~Both~~ **These** entities shall be required to file an application **and receive a permit** prior to any work being done. **Nothing in this Section shall be construed as requiring the issuance of a permit for the performance of any work done by the Borough or under a contract with the Borough.**
- d. ~~In lieu of case by case bonds, public utilities shall be allowed to establish an escrow account with the Borough of Roselle Park for the required cash bonds. A maximum of \$2,500 shall be deposited in this account, unless a single project requires the posting of a larger amount as determined by the Borough Public Works Superintendent or authorized agent, in their sole and professional discretion. The Borough of Roselle Park shall have the authority and right to use the escrow funds to restore or maintain the work covered by the permit if the applicant fails to do so within 24 hours of notification by the Borough in instances of public safety of the traveling public.~~
Escrow shall be used to support costs associated with spot inspections by the Borough Engineer of permitted street openings and excavations. These inspections shall be made by the Borough Engineer to verify site safety, work progress, and overall compliance with

the provisions of this Section. In the event a permittee fails to restore or maintain work covered by a permit within twenty-four (24) hours of notification by the Borough Engineer, escrow shall likewise be utilized by the Borough to restore and maintain the area compromised by street opening and excavation work.

Escrows shall be monitored and maintained to ensure a reasonable balance remains available to support inspections by the Borough Engineer. Escrows shall be replenished by permittees as may be determined from time to time as may be necessary.

- e. ~~The provisions of above Subsection d notwithstanding, one year after permanent restoration is completed, the Borough Public Works Superintendent or authorized agent shall reinspect the work area. If the restoration is satisfactory, the cash bond shall be refunded. If additional restoration is required, the Borough shall notify the applicant of the additional work to be performed and will reinspect the restoration area again. One month after the corrective action, a refund shall then be made if restoration is satisfactory.~~

One year after permanent restoration is completed, the Borough Engineer shall re-inspect the area. If the restoration is satisfactory, the escrow balance shall be refunded. However, if additional restoration is required, the Borough Engineer shall notify the applicant of the 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.

SECTION 8. Amending Definition of Emergency

~~§ 23-1.8~~

§ 23-1.7 Definition of Emergency.

For the purpose of this section, an emergency shall be defined as an event or occurrence in which a sewer main, conduit or utility in or under any road breaks, bursts, **becomes blocked**, or otherwise is in such condition as to immediately endanger the property, life, health or safety of any individual. The person, company or utility owning or controlling such sewer, main, conduit or utility, without first applying for and obtaining a permit herein described, shall immediately take proper emergency measures to secure or remedy the dangerous conditions for the protection of property, life, health and safety of individuals. However, such person owning or controlling such a facility shall apply for ~~an excavation~~ a permit not later than the end of the next succeeding day during which Borough offices are open for business, and shall not proceed with permanent repairs without first obtaining a permit.

SECTION 9. Care for Existing Structures

§ 23-1.8 Protecting Existing Structures.

It shall be the duty of a permittee under this Section to give notice of the proposed street opening to any companies or organizations whose pipes, conduits, wires, or other structures are laid in the portion of the street to be opened not less than twenty-four (24) hours before commencing such opening. The permittee shall, at his own expense, carefully support, maintain in operation and protect from injury such pipes, conduits, wires, or other structures. If any damage is caused to such structures the permittee shall restore same, at his own expense, to as good a condition as they were before the beginning of the work.

SECTION 10. Amendments to Enforcement Provisions

§ 23-1.9 Violations and Penalties.

Any person **or entity** who violates any provision of this section shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 or by imprisonment for a term not exceeding 90 days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

§ 23-1.10 Violations and Penalties.

Those empowered to enforce the provisions of this Section shall be any officer of the Roselle Park Police Department, ~~the Roselle Park Superintendent of Public Works or their authorized representative,~~ or any officer of the Roselle Park Department of Code Enforcement, **the Borough Clerk, or the Borough Engineer.**

SECTION 11. Inconsistent Ordinances Repealed.

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

SECTION 12. Captions 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 13. Effective Date.

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

Councilman Signorello moved that Ordinance No. 2716 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on April 6, 2023; seconded by Councilman Petrosky.

Clerk/Administrator Casais noted this is regarding Street Opening Permits. We are raising the fees. We are increasing the moratorium on street openings from five years to ten years; which means that if you open that street and the utility comes and opens the street within ten years of being paid by us, they have to pave the curb to curb in the streets that are older than ten years. There’s actually a provision in this, where excavation exceeds fifty square feet, they have to pave the curb to curb anyway. More than likely any street that’s excavated by any public utility in any sizable project will be paved curb to curb by the utility at their cost. Not ours.

<input type="checkbox"/> Vote Record – Ordinance No. 2716		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
	Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<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"/>

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2717

AN ORDINANCE AMENDING CHAPTER 19, ENTITLED "PROPERTY MAINTENANCE," AND ESTABLISHING SECTION 10 TO BE ENTITLED, "PUBLIC UTILITY POLES"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 19 of the Code of the Borough of Roselle Park be and hereby is amended so as to establish Section 10 of said Chapter as follows:

SECTION 1. Establishing Section Title

§ 19-10 PUBLIC UTILITY POLES.

SECTION 2. Section Definitions

§ 19-10.1 Definitions.

For the purposes of this Section, the following terms shall have the meanings indicated:

PUBLIC UTILITY

Major providers of electricity and telecommunications regulated by the New Jersey Board of Public Utilities; specifically Public Service Electric & Gas, Comcast, and Verizon.

UTILITY POLE

A vertical structure with one or more cables, wires, lines or other structures used for the supplying and distribution of electricity for light or power, or for the furnishing of telephone or other telecommunications service.

SECTION 3. Notifications Required

§ 19-10.2 Notification of Placement or Removal Required.

Before a Public Utility places, replaces or removes a Utility Pole located in the Borough of Roselle Park, the Public Utility shall notify the Borough's Construction Official in writing not less than twenty-four (24) hours before undertaking any excavation related to placement, replacement or removal. In January of each calendar year, the Borough of Roselle Park, through the Borough Clerk's Office, shall remind and otherwise notify Public Utilities defined herein of the provisions of this Section.

SECTION 4. Debris Removal

§ 19-10.3 Removal of Debris and Restoration.

- a. After completing any excavation involving a Utility Pole, the Public Utility shall remove from such right-of-way any remaining Utility Pole no longer in use as well as any other debris created from the excavation. The Public Utility shall likewise restore the right-of-way impacted by this placement, replacement or removal. Such restoration shall return the right-of-way to a state equal to or better than its previous condition to the greatest extent practicable.**

b. In the case of removal or replacement of a Utility Pole utilized by two or more Public Utilities, the Public Utility last removing its cables, wires, lines or other structures shall be liable for the required removal and restoration unless a written agreement between the public utilities provides otherwise.

1. In this case, the Public Utility first removing itself from a Utility Pole shall notify the Borough's Construction Official of the identities of the remaining entities with cables, wires, lines or other structures affixed to the Utility Pole. The Borough's Construction Official shall thereafter contact such remaining Public Utilities in writing to inform them that the transfer their structures to the newer Utility Pole, and the removal of the older Utility Pole is a requirement of the foregoing Section.

SECTION 5. Penalties

§ 19-10.4 Failure to Comply; Penalties.

a. In the event a Public Utility does not meet the requirements of § 19-10.3 within sixty (60) calendar days of the completion of any excavation involving a Utility Pole, or proper notifications made by the Construction Official in the case of § 19-10.3b, said Public Utility will be fined \$100.00 each day until the requirements of § 19-10.3 are met.

1. If the Public Utility is unable to complete restoration due to the unavailability of necessary restoration materials or other extenuating circumstances, such justification must be made in-writing to the Borough's Construction Official for consideration prior to the expiration of the sixty (60) day timeframe. The Construction Official shall utilize reasonable discretion and sound judgement when weighing such justification from a Public Utility against the need for enforcement.

SECTION 6. Emergencies

§ 19-10.5 Emergencies.

Under emergency conditions which significantly impact the placement of a Utility Pole resulting from natural forces or human activities beyond the control of the Public Utility, or which pose an imminent or existing threat of loss of electricity, power, telephone, or other telecommunication service, or which pose an imminent or existing threat to the safety and security of persons or property, or both, or which require immediate action by a Public Utility to prevent bodily harm or substantial property damage from occurring, the provisions of § 19-10.2 shall not apply when a Public Utility undertakes any construction or excavation related to the placement, replacement or removal of a Utility Pole in response to such an emergency. The Public Utility undertaking such construction or excavation must notify the Borough's Construction Code Official at the earliest reasonable opportunity and that all reasonable efforts are taken by the Public Utility to comply with the removal and restoration requirements of § 19-10.3 after responding to the emergency.

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.

Councilman Signorello moved that Ordinance No. 2717 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on April 6, 2023; seconded by Councilman Petrosky.

<input type="checkbox"/> Vote Record – Ordinance No. 2717		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	Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Defeated	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<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"/>

Councilman Johnson arrived at the meeting at 7:07pm.

RESOLUTIONS

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

The following Resolutions listed on Consent Agenda were offered by Councilman Signorello; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

RESOLUTION NO. 92-23

REMOVING MICHAEL POWERS FROM THE POSITION OF CIVILIAN COURT OFFICER

WHEREAS, Michael Powers was appointed to the position of Civilian Court Officer within the Roselle Park Municipal Court pursuant to Resolution No. 275-17 and has served honorably in the capacity of Civilian Court Officer since the time of his appointment; and,

WHEREAS, Michael Powers was first appointed as a Class II Special Law Enforcement Officer within the Roselle Park Police Department pursuant to Resolution No. 225-18 and has likewise served honorably in the capacity of Class II Law Enforcement Officer since the time of his appointment; and,

WHEREAS, in an effort to maintain, keep, and bolster security during sessions of the Roselle Park Municipal Court, Michael Powers has served as an armed Civilian Court Officer as permitted by law; and,

WHEREAS, the New Jersey Administrative Office of the Courts has notified the Borough of Roselle Park that municipalities are no longer permitted to pay a court officer armed with a firearm through the local operating budget of the municipal court; and,

WHEREAS, due to the notification from the Administrative Office of the Courts, and in an effort to further maintain, keep, and bolster security during sessions of the Roselle Park Municipal Court, it is the recommendation of the Chief Administrative Officer to utilize the service of Class II Special Law

Enforcement Officers as armed court security officers funded through the operating budget of the Police Department; and,

WHEREAS, it is the further recommendation of the Chief Administrative Officer to removed Michael Powers from the position of Civilian Court Officer for purposes of administrative accuracy and process; and,

WHEREAS, subject to the final assignment by the Chief of Police and the limitations of law, Class II Special Law Enforcement Officer Michael Powers may be assigned to duties within the Roselle Park Municipal Court; and,

WHEREAS, the governing body concurs with the recommendations of the Chief Administrative Officer and wishes to ratify the same.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Michael Powers be removed from the position of Civilian Court Officer and shall maintain a sole employment status with the Borough of Roselle Park as a Class II Special Law Enforcement effective March 27, 2023.

RESOLUTION NO. 93-23

ACCEPTING THE RESIGNATION OF JANET PAPCIAK
FROM THE ENVIRONMENTAL COMMISSION

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 Janet Papciak from the Environmental Commission effective immediately.

RESOLUTION NO. 94-23

ACCEPTING THE RESIGNATION OF JUSTIN LA SALA FROM
THE MAYOR'S HEALTH AND WELLNESS COMMITTEE

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 Justin La Sala from the Mayor's Health and Wellness Committee effective immediately.

RESOLUTION NO. 95-23

AUTHORIZING SUBMISSION OF THE 2023 UNION COUNTY
INFRASTRUCTURE AND MUNICIPAL AID GRANT

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorizes submission of the following 2023 Union County Infrastructure and Municipal Aid Grant application; and,

BE IT FURTHER RESOLVED that it is formally acknowledged that all funds awarded through this grant must be matched dollar for dollar by the Borough of Roselle Park:

Priority #1: 2023 Capital Road Program

Planned improvements include installation of stabilized base course, surface course, increased sidewalk connectivity, improved and modernized curbs, and traffic calming infrastructure along Beechwood Avenue from West Lincoln Avenue to West Colfax Avenue, and West Webster Avenue from Bridge Street eastbound and around the Aldene circle. These improvements will greatly improve the overall safety and accessibility of the underlying improvement areas, particularly for school children, families with children, and walking and biking enthusiasts.

Priority #1 Grant Request:	\$ 293,741.62
Priority #1 Local Match:	\$ 293,741.63
Total Anticipated Project Cost:	\$ 587,483.25

Grand Totals and Summary of Priorities:

Total 2023 Grant Request Amount:	\$ 293,741.62
Total 2023 Local Match Amount:	\$ 293,741.63
Total Anticipated Cost of Projects:	\$ 587,483.25

RESOLUTION NO. 96-23

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*:

CONTINUE TO NEXT PAGE

TRANSFERS TO:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
01-0140-00-01002-383	Mayor and Council OE - Pagers & Cell Phones	\$ 200.00
01-0140-00-01112-210	Legal OE - Miscellaneous	\$ 31,000.00
01-0140-00-01901-115	Compensated Absences S&W - Compensated Absences	\$ 250,000.00
01-0140-00-03802-210	Capital Improvement Fund OE - Miscellaneous	\$ 100,000.00
Total		<u>\$ 381,200.00</u>

TRANSFERS FROM:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
01-0140-00-01011-101	Clerk S&W - Regular	\$ 8,000.00
01-0140-00-01012-205	Clerk OE - Professional Fees & O/S Services	\$ 9,000.00
01-0140-00-01032-353	Financial Administration OE - Bank Service Charges	\$ 9,000.00
01-0140-00-01132-210	Legal Tax Appeals OE - Miscellaneous	\$ 5,000.00
01-0140-00-01192-204	Buildings & Grounds OE - Maintenance of Equipment	\$ 2,000.00
01-0140-00-01192-205	Buildings & Grounds OE - Professional Fees & O/S Serv	\$ 12,000.00
01-0140-00-01192-214	Buildings & Grounds OE - Other Materials & Supplies	\$ 6,000.00
01-0140-00-01192-215	Buildings & Grounds OE - Purchase of Equipment	\$ 6,000.00
01-0140-00-01192-221	Buildings & Grounds OE - Hardware, Cleaning & Supplies	\$ 3,000.00
01-0140-00-01192-222	Buildings & Grounds OE - Electric	\$ 1,000.00
01-0140-00-01192-223	Buildings & Grounds OE - Plumbing, Heating & A/C	\$ 4,000.00
01-0140-00-01192-224	Buildings & Grounds OE - Painting	\$ 6,000.00
01-0140-00-01192-226	Buildings & Grounds OE - Beautification Program	\$ 2,000.00
01-0140-00-01192-227	Buildings & Grounds OE - Security	\$ 5,000.00
01-0140-00-01252-210	Group Insurance Plans for Employees OE - Miscellaneous	\$ 11,000.00
01-0140-00-01258-210	Health Benefits Waiver OE - Miscellaneous	\$ 2,000.00
01-0140-00-01272-210	Liability Insurance OE - Miscellaneous	\$ 4,000.00
01-0140-00-01331-101	Fire S&W - Regular	\$ 7,200.00
01-0140-00-01371-101	Police Salaries and Wages - Regular	\$ 10,000.00
01-0140-00-01371-102	Police Salaries and Wages - Overtime	\$ 2,000.00
01-0140-00-01391-101	Traffic Control School Guards S&W - Regular	\$ 5,000.00
01-0140-00-01442-370	Maintenance of Vehicles OE - Fire	\$ 5,000.00
01-0140-00-01442-371	Maintenance of Vehicles OE - Police	\$ 5,000.00
01-0140-00-01442-372	Maintenance of Vehicles OE - Emergency Management	\$ 5,000.00
01-0140-00-01442-373	Maintenance of Vehicles OE - Public Works	\$ 5,000.00
01-0140-00-01442-390	Maintenance of Vehicles OE - Construction Code	\$ 5,000.00
01-0140-00-01451-101	Streets & Road Maintenance S&W - Regular	\$ 9,000.00
01-0140-00-01451-102	Streets & Road Maintenance S&W - Overtime	\$ 5,000.00
01-0140-00-01472-210	Solid Waste Disposal Cost OE - Miscellaneous	\$ 8,000.00
01-0140-00-01482-210	Solid Waste Collection Cost OE - Miscellaneous	\$ 6,000.00
01-0140-00-01492-210	Recycling OE - Miscellaneous	\$ 20,000.00
01-0140-00-01591-101	Recreation S&W - Regular	\$ 28,000.00
01-0140-00-01631-101	Community Center S&W	\$ 4,000.00
01-0140-00-01671-103	Code Enforcement S&W - Part Time	\$ 62,000.00
01-0140-00-01832-210	Telephone OE - Miscellaneous	\$ 8,000.00
01-0140-00-01842-210	Electricity OE - Miscellaneous	\$ 17,000.00
01-0140-00-01842-235	Electricity OE - Traffic Light Electric Service	\$ 6,000.00
01-0140-00-01852-210	Water OE - Miscellaneous	\$ 1,000.00
01-0140-00-01862-210	Gas OE - Miscellaneous	\$ 9,000.00
01-0140-00-01872-210	Gasoline OE - Miscellaneous	\$ 37,000.00
01-0140-00-02005-210	DCRP OE - Miscellaneous	\$ 6,000.00
01-0140-00-02012-210	Social Security OE - Miscellaneous	\$ 2,000.00
01-0140-00-03011-103	Court S&W - Part Time	\$ 9,000.00
Total		<u>\$ 381,200.00</u>

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

RESOLUTION NO. 97-23

AUTHORIZING A PURCHASE ORDER WITH COLLIERS ENGINEERING & DESIGN, INC.
AS BOROUGH ENGINEER FOR THE YEAR 2023 IN AN AMOUNT
NOT TO EXCEED \$60,000.00

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, as attested by the Chief Financial Officer, it is necessary and appropriate to generate a 2023 Purchase Order 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 the New Jersey Local Public Contracts Law hereby authorize a Purchase Order in an amount not to exceed \$60,000.00 with Colliers Engineering & Design, Inc. within their capacity as Borough Engineer of the Borough of Roselle Park for year 2023; 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.

RESOLUTION NO. 98-23

AWARDING A CONTRACT TO SUBURBAN DISPOSAL, INC. PURSUANT TO THE
BASE BID OF THE ADVERTISED BID SPECIFICATIONS FOR 2023 BULK
WASTE COLLECTION SERVICES IN AN AMOUNT NOT TO EXCEED \$45,000.00

WHEREAS, the Qualified Purchasing Agent received sealed bids at 9:00 a.m. on Wednesday, February 1, 2023 for 2023 Bulk Waste Collection Services pursuant to the advertised specifications.

NOW, THEREFORE, BE IT RESOLVED that upon the recommendation of the Qualified Purchasing Agent, the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to Suburban Disposal, Inc. of 54 Montesano Road, Fairfield, New Jersey 07004 pursuant to the Base Bid of the advertised specifications for "2023 Bulk Waste Collection Services," in an amount not to exceed forty-five thousand dollars and zero cents (\$45,000.00); and,

BE IT FURTHER RESOLVED that the term of said contract shall be understood as to commence on June 15, 2023 and expire on June 16, 2023; and,

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

RESOLUTION NO. 99-23

APPOINTING GABRIEL COSTA AS A MEMBER OF
THE ROSELLE PARK FIRE DEPARTMENT

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby appoint Gabriel Costa of 153 West Colfax Avenue, Roselle Park, New Jersey

07204 as a member of the Roselle Park Fire Department, effective immediately, to be assigned to the Faitoute Fire Co., Station No. 3.

RESOLUTION NO. 100-23

ESTABLISHING THE 2023 SUMMER HOURS SCHEDULE FOR BOROUGH HALL

WHEREAS, Article 20, Section D of the collective bargaining agreement between the Borough of Roselle Park and the Roselle Park Clerical Group Local 2326 states the following:

“Summer hours shall be in effect for Borough Hall employees only (excluding Police and DPW), and subject to annual agreement by the Borough Council (memorialized in a resolution) and annual majority consent of the union and non-union employees assigned to Borough Hall who would be eligible for summer hours. Weekly schedule and duration of the summer hours period is subject to annual negotiations and approval as described above;” and,

WHEREAS, a proposal has been made by the majority of the union and non-union employees assigned to Borough Hall who would be eligible for summer hours; and,

WHEREAS, after consideration of the aforesaid proposal dated March 13, 2023, the Governing Body wishes to approve the same and otherwise establish the 2023 Summer Hours schedule for Borough Hall.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby approve and otherwise establish 2023 Summer Hours for Borough Hall from Monday, July 3, 2023 through Friday, September 1, 2023 as follows:

Day of the Week	Hours of Operation
Monday	8:00 a.m. to 6:00 p.m.
Tuesday	8:00 a.m. to 6:00 p.m.
Wednesday	8:00 a.m. to 6:00 p.m.
Thursday	8:00 a.m. to 6:00 p.m.
Friday	Closed

RESOLUTION NO. 101-23

AUTHORIZING THE TREASURER TO ISSUE TWO (2) CHECKS TOTALING \$3,874.25 PAYABLE TO TWO (2) LIEN HOLDERS ON SIX (6) PROPERTIES AND TWO (2) CHECKS TOTALING \$12,000.00 FROM THE TAX COLLECTOR’S PREMIUM ACCOUNT

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey authorize the Tax Collector and Treasurer to issue two (2) checks totaling \$3,874.25 payable to two (2) lien holders on six (6) properties; and,

BE IT FURTHER RESOLVED that two (2) checks be issued in the total amount of \$12,000.00 from the Tax Collector’s Premium Account.

BOROUGH OF ROSELLE PARK TAX COLLECTOR ANALYSIS OF LIEN REDEMPTIONS 3/16/2023														
TSC #	BLOCK	LOT	QUAL.	PREMIUM	TOTAL AMOUNT REDEEMED	CERTIFICATE AMOUNT	REDEMPTION PENALTY PERCENTAGE	INTEREST ON CERTIFICATE DATE 3/16/2023	SEARCH FEE	RECORDING FEE	SUBSEQUENT TAXES PAID	INTEREST ON SUBSEQUENTS TO 3/16/2023	6% INTEREST PENALTY	LEGAL FEES
CHRISTIANA T OF CE1/FORSTRUST	22-002	305	12	\$ 2,500.00	\$ 464.23	\$ 209.84	\$ 4.20	\$ 12.00	\$ 55.00	\$ 173.23	\$ 9.96			
CHRISTIANA T OF CE1/FORSTRUST	22-003	410	13	\$ 2,300.00	\$ 1,267.52	\$ 577.26	\$ 11.55	\$ 12.00	\$ 55.00	\$ 578.45	\$ 33.26			
BALA PARTNERS LLC	22-004	514	6	\$ 1,800.00	\$ 342.30	\$ 141.67		\$ 12.00	\$ 55.00	\$ 127.21	\$ 6.42			
BALA PARTNERS LLC	22-006	802	21	\$ 1,800.00	\$ 677.06	\$ 329.68	\$ 6.59	\$ 12.00	\$ 55.00	\$ 260.62	\$ 13.17			
BALA PARTNERS LLC	22-007	810	11	\$ 1,800.00	\$ 601.09	\$ 146.22		\$ 12.00	\$ 55.00	\$ 369.22	\$ 18.65			
BALA PARTNERS LLC	22-008	902	6	\$ 1,800.00	\$ 522.05	\$ 274.71	\$ 5.49	\$ 12.00	\$ 55.00	\$ 166.44	\$ 8.41			
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL				\$ 12,000.00	\$ 3,874.25	\$ 1,679.38	\$ 27.83	\$ -	\$ 72.00	\$ 330.00	\$ 1,675.17	\$ 89.87	\$ -	\$ -

REPORTS OF BOROUGH COUNCIL

Councilman Robaina

On March 8th attended the Middle School PTA Meeting.

On March 9th met with Clerk/Administrator Casais, Chief McCaffery and Captain Frino regarding logistics of the Two-Mile Cycling Event. A tour of Roselle Park on May 20th departing 12:30 p.m. just before the Bike Clinic and helmet giveaway. He spoke about a new initiative for the special needs community. Please check his social media page for more details. A pre-registration form is on the website. Low pre-registration numbers may result in a cancellation.

On March 9th attended the Special Budget Meeting.

On March 10th attended the Green Infrastructure Planning Implementation Meeting for sustainable New Jersey.

Has been working with Clerk/Administrator Casais and Superintendent Baiamonte on some traffic and pedestrian safety projects around the parks and schools.

The Federal Railroad Administration was contacted on the status and update on the railroad, bridges and infrastructure. Inspection reports came in and four out of five rail bridges were inspected in 2022 and were safe.

Assisted with several constituents concerns in the last several weeks.

Noted and thanked the passing of Ordinance No. 2715 which he asked to be placed on the agenda.

Reminder, the Greater Union Chamber Network Training Event on Wednesday, March 22nd at House 157 from 5:00 p.m. to 7:00 p.m.

Spoke with Councilman Petrosky on mutual initiatives and would like to thank him for his guidance and recommendations.

Thanked the Mayor and the Councilmembers on the dais for their support, interest and collaborative on a number of projects benefiting the residents.

Provided an update on his wife and baby boy due to arrive soon.

Provided contact information.

Councilman Patel

On March 10th was the game night fundraiser at Ebenezer's Restaurant. It was a fun event. A big shout out to the students of Landz Music for their amazing performance that night. Thanked Ebenezer Restaurant for graciously letting them use the Restaurant. Thanked all the sponsors and people who donated.

Attended an informative seminar on budgeting for elected officials on March 11th at Mercer County College.

On March 13th attended the Finance Committee Meeting for the 2023 Budget.

A resident of Warren Avenue reached out to him about getting the retention basin cleaned up. The Department of Public Works addressed the concern the next morning.

A resident of Seaton Avenue reached out to him about the leftover branches after the crew trimmed down the trees by the railroad. Clerk/Administrator Casais placed an inquiry with Conrail about it. Conrail responded, that they will have a crew out on the next sight in the next few weeks.

A Bridge Street resident asked him about the permit parking. After looking at the code. We found the parking regulations on Bridge Street is chaotic. He's been going door to door on Bridge Street to speak with the residents about their opinion of the permit parking. He's still working on reaching out to the residents who weren't home. He will have an updated on this matter at the next meeting.

The Greater Union Township will be hosting a networking event at House 157 Restaurant on Wednesday, March 22nd from 5:00 p.m. to 7:00 p.m. The event is free to the members of Roselle Park community.

As the liaison to the Environmental Commission: There will be a deadline to request a shade tree plant. All requests need to be in by Monday, March 20th for the initial round of planting.

As the 2023 Community Garden season is quickly approaching. The garden bed rental application will be beginning next week.

Noted and highlighted future events.

Provided contact information.

Councilwoman Lyons

Attended Barbie's Birthday at the Library. It was a great time. Please check the website for great things happening at the Library.

On March 18th is the St. Patrick's Day Celebration at the Casano Community Center at 12:00 p.m.

Expressed and extended condolences to the Mirabella family.

Noted while walking around town, she encountered some of the crossing guards and got a chance to get to know them. It's great to celebrate and get to meet people in town.

Noted and mentioned the ten minutes parking zone was completed in front of the post office. It looks great.

A reminder that there's construction on East Webster Avenue going on.

Noted it's still Women's History Month. A shout out to all the women in Roselle Park and in the world. She will be hosting an event on Friday, March 31st at Costa's Restaurant at 7:00 p.m. for \$35.00 per person. If there's an issue with the fee, please reach out to her. Please come and support. We do have a great number that are coming. We are getting together as women and to bond.

Provided contact information.

Councilman Petrosky

Expressed condolences to the Vellucci, Mirabella, Trylong, Smith and Dunlop families.

On March 6th attended the Fire Department Meeting. We discussed items that need to be done at the Fire Houses.

On March 8th attended the Recreation Meeting. We finalized everything for the East Candy Event on March 1st from 11:00 a.m. to 1:00 p.m. at the Library. The rain date is on April 2nd from 11:00 a.m. to 1:00 p.m. at the Library.

Attended the Special Budget Meeting on March 9th.

On March 13th attended the Finance Committee Meeting.

On March 16th attended the Joint Sewer Meeting. Will give updates once things are finalized.

Happy St. Patrick's Day to those who celebrate.

Noted at the April 20th meeting we are going to bring the Recreation in. Also, bringing in some students to be acknowledged for: a high schooler/basketball player that scored 1,000 points in his career; the wrestler who qualified, Mason Harms who had a 100 career wins, and a bowler who came in number one in Union County.

Reminder Donato Florist is the Business of the Month.

Provided contact information.

Councilman Johnson

Expressed his condolences to the Vellucci family.

Meetings he attended and supported in the past few weeks: The Diversity & Inclusion, School Board and Budget Meeting.

He would like to recognize St. Patrick's Day. March being Irish/Heritage Month. Noted a couple of notable mentions pertaining to Irish Americans who help shape our country today: Henry Ford, who built the automobiles and helped introduce the moving assembly line, to acknowledge former Councilman Connelly who proudly served the United States Navy, and Presidents John F. Kennedy and Ronald Reagan.

Noted and thanked Clerk/Administrator Casais, Mayor Signorello and members of Council for supporting his parking relief and accommodations parking ordinance which was passed last November. Many residents expressed gratitude.

Reminder to the Union Road residents, please be mindful to get the survey back to us because your input matters.

That concludes his report.

Councilman Johnson noted and would like to amend Ordinance No. 2717. It's really an add on which he feels is necessary. It's great we are giving the Construction Official discretion and sound judgment. However, he would like to add additional wording, such as the Borough Construction Official shall notify the proper Council Representative in that respected Ward via email and letter if they give an extension. Because he has fought with the utility company for almost six months. He would like to be ahead of the game. He and his colleagues should be in the know. He's alright with the discretion because there are things that could be unforeseen that the utilities companies will need additional time however, he feels like depending on where the problem is that the Council Representative should be notified.

ORDINANCE NO. 2717

AN ORDINANCE AMENDING CHAPTER 19, ENTITLED "PROPERTY MAINTENANCE," AND ESTABLISHING SECTION 10 TO BE ENTITLED, "PUBLIC UTILITY POLES"

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 19 of the Code of the Borough of Roselle Park be and hereby is amended so as to establish Section 10 of said Chapter as follows:

SECTION 1. Establishing Section Title

§ 19-10 PUBLIC UTILITY POLES.

SECTION 2. Section Definitions

§ 19-10.1 Definitions.

For the purposes of this Section, the following terms shall have the meanings indicated:

PUBLIC UTILITY

Major providers of electricity and telecommunications regulated by the New Jersey Board of Public Utilities; specifically Public Service Electric & Gas, Comcast, and Verizon.

UTILITY POLE

A vertical structure with one or more cables, wires, lines or other structures used for the supplying and distribution of electricity for light or power, or for the furnishing of telephone or other telecommunications service.

SECTION 3. Notifications Required

§ 19-10.2 Notification of Placement or Removal Required.

Before a Public Utility places, replaces or removes a Utility Pole located in the Borough of Roselle Park, the Public Utility shall notify the Borough's Construction Official in writing not less than twenty-four (24) hours before undertaking any excavation related to placement, replacement or removal. In January of each calendar year, the Borough of Roselle Park, through the Borough Clerk's Office, shall remind and otherwise notify Public Utilities defined herein of the provisions of this Section.

SECTION 4. Debris Removal

§ 19-10.3 Removal of Debris and Restoration.

- c. After completing any excavation involving a Utility Pole, the Public Utility shall remove from such right-of-way any remaining Utility Pole no longer in use as well as any other debris created from the excavation. The Public Utility shall likewise restore the right-of-way impacted by this placement, replacement or removal. Such restoration shall return the right-of-way to a state equal to or better than its previous condition to the greatest extent practicable.
- d. In the case of removal or replacement of a Utility Pole utilized by two or more Public Utilities, the Public Utility last removing its cables, wires, lines or other structures shall be liable for the required removal and restoration unless a written agreement between the public utilities provides otherwise.
 2. In this case, the Public Utility first removing itself from a Utility Pole shall notify the Borough's Construction Official of the identities of the remaining entities with cables, wires, lines or other structures affixed to the Utility Pole. The Borough's Construction Official shall thereafter contact such remaining Public Utilities in writing to inform them that the transfer their structures to the newer Utility Pole, and the removal of the older Utility Pole is a requirement of the foregoing Section.

SECTION 5. Penalties

§ 19-10.4 Failure to Comply; Penalties.

- b. In the event a Public Utility does not meet the requirements of § 19-10.3 within sixty (60) calendar days of the completion of any excavation involving a Utility Pole, or proper notifications made by the Construction Official in the case of § 19-10.3b, said Public Utility will be fined \$100.00 each day until the requirements of § 19-10.3 are met.
 2. If the Public Utility is unable to complete restoration due to the unavailability of necessary restoration materials or other extenuating circumstances, such justification must be made in-writing to the Borough's Construction Official for consideration prior to the expiration of the sixty (60) day timeframe. The Construction Official shall utilize reasonable discretion and sound judgement when weighing such justification from a Public Utility against the need for enforcement.

SECTION 6. Emergencies

§ 19-10.5 Emergencies.

Under emergency conditions which significantly impact the placement of a Utility Pole resulting from natural forces or human activities beyond the control of the Public Utility, or which pose an imminent or existing threat of loss of electricity, power, telephone, or other telecommunication service, or which pose an imminent or existing threat to the safety and security of persons or property, or both, or which require immediate action by a Public Utility to prevent bodily harm or substantial property damage from occurring, the provisions of § 19-10.2 shall not apply when a Public Utility undertakes any construction or excavation related to the placement, replacement or removal of a Utility Pole in response to such an emergency. The Public Utility undertaking such construction or excavation must notify the Borough’s Construction Code Official at the earliest reasonable opportunity and that all reasonable efforts are taken by the Public Utility to comply with the removal and restoration requirements of § 19-10.3 after responding to the emergency.

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.

Councilman Signorello made a motion to reconsider the Introduction of Ordinance No. 2717; seconded by Councilman Robaina.

<input type="checkbox"/> Vote Record – Ordinance No. 2717		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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
	Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<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"/>

Councilman Johnson noted he would like to add in Section 5 the Construction Official shall notify the proper elected Council Representative within that district.

Clerk/Administrator Casais noting the wording of the amendment: Notification must be made by the Borough Construction Official to the Mayor, Ward Council Person and Councilman-at-Large of such discretion so exercising by email or written letter.

Councilman Johnson moved that Ordinance No. 2717 be amended; seconded by Councilman Signorello.

<input type="checkbox"/> Vote Record – Amend Ordinance No. 2717					
		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	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<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"/>

Councilman Signorello moved that Ordinance No. 2717 be adopted on first reading as amended and advertised as prescribed by law for second reading and public hearing on April 6, 2023; seconded by Councilman Robaina.

<input type="checkbox"/> Vote Record – Ordinance No. 2717 as Amended					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted	Petrosky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Adopted as Amended	Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Signorello, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<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"/>

Councilman Signorello

Expressed joy and how wonderful it was to read to the kids at Sherman School for Read Across America.

He mentioned there's a lot of construction going on and have received a couple of complaints. Spoke and thanked Chief McCaffery and Captain Frino for making some adjustments with the times around the schools.

Commended Councilman Johnson on the Utility Poll situation. In the past he tried. They have to do better. It's duly noted and it's documented. We will light a fire under them to get it done.

Wishing everyone a Happy St. Patrick's Day and to be safe.

On Sunday, it's St. Joseph's Day. He has all the ingredients to make his St. Joseph's Day Pasta.

Provided contact information.

MAYORAL APPOINTMENTS (No Council Confirmation Required; Effective Immediately)

Borough Clerk Casais read the following Mayoral Appointments into record:

1. Appointing Scarlett Gaudin of 220 West Sumner Avenue, Apt. 94, Roselle Park, New Jersey 07204 to the Environmental Commission to fill the unexpired term of Janet Papiak set to expire December 31, 2024.
2. Appointing Poonam Chabra of 515 Spruce Street, Roselle Park, New Jersey 07204 to the Mayor's Health and Wellness Committee to fill the unexpired term of Justin La Sala set to expire December 31, 2023.

Mayor Signorello

Wanted to let everyone know what is St. Joseph's Day Pasta. It's a very bland pasta with breadcrumbs on it and then sugar in it. He believes it also has cauliflower in it. It's not good.

Provided contact information.

PUBLIC PORTION

Councilman Signorello moved at 7:40 p.m. to open the public comment portion of the meeting on any subject matter; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Constance Quintela, 432 Walnut Street

Ms. Quintela is coming in honor of Phil Vellucci who passed away alone. He was such a character and such a good guy and she's sorry, but Mayor Signorello, please brush your hair.

Mayor Signorello noted as he was leaving, he had a comb here and he was going to attempt it. It has a mind of its own. But in his honor and at your request, he will be changing his hair product. Let's see if it works.

There being no one else wishing to speak, Councilman Signorello moved at 7:42 p.m. to close the public comment portion of the meeting on any subject matter; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

ADJOURNMENT

There being no further business to come before the meeting, Councilman Signorello moved at 7:42 p.m. to adjourn; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Attest:

Andrew J. Casais, RMC
Borough Clerk