

NOVEMBER 2, 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	7:03 PM
Gregory Johnson	Borough of Roselle Park	Councilman	P	7:03 PM
Joseph Signorello, Jr.	Borough of Roselle Park	Councilman	P	7:03 PM
Jay Robaina	Borough of Roselle Park	Councilman	P	7:03 PM
Rosanna Lyons	Borough of Roselle Park	Councilwoman	P	7:03 PM
Khanjan S. Patel	Borough of Roselle Park	Councilman	P	7:05 PM
Joseph Signorello III	Borough of Roselle Park	Mayor	P	7:03 PM

MOMENT OF SILENCE/PRAYER

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS

None

PROCLAMATIONS & PRESENTATIONS

None

PUBLIC HEARING ON YEAR 50 C.D.B.G. PROGRAM

Mayor Signorello stated the following: “We are now at the portion of the meeting reserved for the Public Hearing on Year 50 CDBG program funds, activities and priorities of the Borough of Roselle Park. This public hearing is required to get input from residents. Mr. Clerk, please read the proposed projects for Year 50.”

Borough Clerk Casais stated that the proposed projects were:

BOROUGH OF ROSELLE PARK
PRIORITY LIST
CDBG YEAR 50 PROJECTS

Priority	Project Name	Amount Requested	Category
1	Roadway Rehabilitation Program ➔ Street Name: Grant Avenue Limits: Locust Street to Union Road	\$ 522,010.00	Public Improvements
2	Senior Citizen Social Service Program	\$ 40,995.00	Social Services

Mayor Signorello asked for a motion to interrupt the regular order of business for said public hearing.

Councilman Signorello moved at 7:05 p.m. to interrupt the regular order of business to conduct a public hearing on Year 50 Community Development Funds for anyone wishing to speak; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Mayor Signorello asked for a motion to open said public hearing.

Councilman Signorello moved at 7:05 p.m. to open the public hearing on Year 50 Community Development Funds for anyone wishing to speak; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Signorello moved at 7:06 p.m. to close the public hearing on Year 50 Community Development Funds; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Mayor Signorello stated that the public hearing on Year 50 Community Development Funds is now closed.

APPROVAL OF MINUTES, PENDING ANY CORRECTIONS

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

1. Regular Meeting of October 19, 2023

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 Johnson, all members present voting Aye, said motion was adopted.

PUBLIC PORTION

Councilman Signorello moved at 7:06 p.m. to open the public comment portion of the meeting on agenda items only; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Signorello moved at 7:07 p.m. to close the public comment portion of the meeting on agenda items only; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

REPORTS OF DEPARTMENTS

Engineering: Kevin Boyer, Colliers Engineering

Congratulated Councilman Signorello on his first granddaughter and Mayor Signorello on his first niece.

Noted East Grant and Hemlock work has been started by the Gas Company; so hopefully by the end of next week everything will be done.

Made note that Union County paving on Locust Street still does not have a start date, so that is on hold at the moment.

Borough Hall Improvements: Looked at some curbing improvements and some drainage improvements; the work was awarded and the contractor is scheduled to start prior to Thanksgiving.

Noted the “All Stops” study on Walnut and Elm has been completed and submitted.

Gordon Street Bridge: Most of the work is completed and waiting on the electrical connection from PSE&G, and the overhead lights.

Mayor Signorello spoke about some freshly paved road on Webster and that last Saturday he saw the road was ripped into for hydrant work; which could have been done before the road was paved. He suggested we reach out to the water company prior to paving, perhaps at the pre-construction meetings.

Borough Clerk Casais said this was a sub-standard service line to the hydrant and it was a very old service line. When they pulled it out, the crew didn't pause when they saw the new pavement, but did get a road opening permit. The permit did say it was a newly paved road and they are subject to full width resurfacing; but it was an unfortunate and unusual situation. They typically do not happen like this.

Public Works Department: Paul Baiamonte, Superintendent of Public Works

Noted the DPW is currently running with a nine person, full time staff consisting of one Superintendent, one Clerical, one Mechanic, two Operators, two Class II Laborers and two Class I Laborers.

Storm Water and Sanitary Sewer: Only had two sanitary sewer calls for the month of October; they were both on Williams Street and at the same location.

Noted the street sweeper has been out almost every day; but did miss two days this week to try to catch up with the amount of leaves on the ground.

Trees and Property Maintenance: From October 1st to October 31st there were 30 tree work requests; 27 have been completed; 15 were tree trimming and 12 were actual removals.

Sidewalk Repairs: The contractor was slated to start, but has pushed it back to November 20th due to the rainy weather. There are about 32 locations to do as part of the sidewalk program, and we may have a few more locations to add.

Noted 50, 2-2½ inch caliber Zelkova trees are being planted, with 37 along Westfield Avenue and 13 have residential locations.

Mayor Signorello said as we are doing the sidewalk work, can we possibly do the one strip of sidewalk at Boy Scout Park as well.

Borough Clerk Casais said there is an abandoned property at the end of West Lincoln near the High School that needs the DPW to clean up the leaves/vegetative waste.

Councilman Patel asked if the DPW could please check out the lateral in front of Sun Tavern, which they said is backing up.

Mr. Baiamonte said the lateral from the building to the street is Sun Tavern's responsibility; but he can check the main line in the street.

Councilman Robaina asked if we have a maintenance schedule for the catch basins.

Mr. Baiamonte said he has a couple of other priorities, but will soon be vacuuming/jetting out the catch basins.

Councilman Signorello said the trees do look great, and it is nice to see a local vendor doing the work. He also agreed Boy Scout Park near Ashwood Avenue could use new sidewalks.

Code Enforcement Department: Richard Belluscio, Construction Official

Noted that 10 West has begun their DOT work and everything should be completed by the end of November.

Fernmore: The curb work near the Gordon Street Bridge will start tomorrow and they plan on completing everything in the right-of-way by the end of November, including the curbing and sidewalks.

Reported that as of October 2023, a total of 215 permits were issued. He indicated that the total revenue related to the Uniform Construction Code (UCC) through the end of October was \$887,967; there were \$4,005 in sewer connection fees and \$436,053 COAH Development Fees. He reported that the number of UCC violations was 10 for the month of October. With respect to property maintenance enforcement, there were 20 Court dispositions and fines year to date were \$26,667; 78 violations were issued and 9 Court summons were issued during October 2023.

He said the project at 10 West, Building A is anticipating occupancy by the end of January. They are trying for a January occupancy with two floors only. The courtyard will not be completed at this time, as the owner is looking at doing a slight redesign to the courtyard.

Zoning Review: Two zoning completeness reviews have been completed and are scheduled to be heard by the Development Review Committee on November 8, 2023.

Community Center: Rupen Shah, Community Center Director

Happy to announce that attendance at the Casano Center has increased since re-opening; everyone appreciated the updates and renovations.

On October 18th celebrated our annual Festival of India; thanked all those who participated and attended.

On October 12th was the College and Career Fair at the Casano Center; thanked all those who participated and attended.

On October 13th was the Fiesta Hispana y Latina at Michael Mauri Park; we had a great turnout, and thanked all those who attended.

Noted during the year the MVC Mobile Unit made seven visits and served around 350 residents. Their final visit of the year took place on October 17th and we plan to have them again next year.

Noted 15 seniors registered for the Westfield Regional and Bloomfield Health Department's "Take Control of Your Health" program that took place on October 18th.

On October 18th and yesterday, 100 residents received their free flu vaccines thanks to the Union County Office of Health Management.

Noted our Mischief Night Event was a huge success; thanked all those who attended and participated.

Reminder our annual Veteran's Day Remembrance Ceremony is on Saturday, November 11th at 11:00 a.m. at the Library, and our annual Christmas Tree Lighting and Winter Market is on the first weekend in December, December 1st, 2nd and 3rd, and it is a three-day event.

Councilman Signorello thanked Mr. Shah for the MVC Mobile Unit; he used it twice. He also commended all those involved with the Mischief Night Event.

Councilwoman Lyons thanked Mr. Shah for all he does and said it is a pleasure working with him.

Finance Department: Kenneth P. Blum, Jr., Chief Financial Officer

Friendly reminder that 4th quarter taxes are due. The grace period has been extended because we are closed on Friday, November 10th in honor of Veteran's Day; so the grace period is extended to Monday, November 13th. The Tax Sale will be on Monday, November 20th at 10:00 a.m.; so please pay your prior tax and sewer payments so that you do not get a lien on your house.

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

Noted that unfortunately the Police Chief could not be here tonight due to a prior conflict, but he wanted all residents to know what happened this morning over by the Fernmore project by the Gordon Street Bridge. Railroad construction was starting the repaving process on Westfield Avenue in that area. Unfortunately they were supposed to start at 9:00 a.m. after the rush hour subsided, but they started at 7:20 a.m. Once they were in flight, there really wasn't a whole lot stopping them. He said he strongly communicated with them that this cannot happen tomorrow and going forward until the project is over. He just wanted to note that in case anyone was stuck in traffic this morning like he was.

Acker Park: Noted he had a meeting about the way forward and we are updating the property survey for Acker Park, and will be getting a proposal from the Borough Engineer to do that preliminary work.

Received some good news that we were awarded a \$312,000 grant from the New Jersey DOT to do Avon and Berwyn Streets in 2024.

Reminder that Election Day is Tuesday, November 7th. Early voting is going on and will be going on until Sunday; Sunday early polls close at 6:00 p.m. If you don't vote early, he encouraged residents to either return their vote by mail ballot to the drop box, which will be closed by 8:00 p.m. on Election night, Tuesday, November 7th or please just vote on Election Day. He said it's very important and every position on the ballot matters.

Also reminded Roselle Park voters that if you live in the 1st Ward, your polling place is now here at Borough Hall in Council Chambers and no longer at the Firehouse; 2nd Ward votes at the Library; 3rd Ward votes at the Casano Center; 4th Ward votes at the Middle School and 5th Ward votes at Aldene School. If you have any questions, please call the Clerk's Office at 908-245-6222, extension 78 and someone will be happy to help you.

Scheduled Verbal Reports:

1. Administration and Borough Clerk; Andrew J. Casais, Business Administrator
2. Code Enforcement Department; Richard Belluscio, Construction Official
3. Community Center; Rupen Shah, Community Center Director
4. Engineering; Kevin Boyer, Colliers Engineering
5. Finance Department; Kenneth P. Blum, Jr., Chief Financial Officer
6. Fire Department; Steven A. Thompson, Fire Chief
7. Police Department; Dominick Frino, Police Chief
8. Public Works Department; Paul Baiamonte, Superintendent of Public Works
9. ~~Recreation Department; John Ranieri, Recreation Director~~ *Excused*

Written Reports Received:

None

ORDINANCES

SECOND READING AND PUBLIC HEARING

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2754

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE IV OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "BOARDS, COMMITTEES, AND COMMISSIONS," REPEALING SECTION 37 ENTITLED, "TECHNOLOGY COMMISSION"

Councilman Signorello moved to open the public hearing on Ordinance No. 2754; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Resident, 420 Filbert Street

Would like to hear the rationale behind eliminating the Technology Commission and whether there was justification behind that.

Mayor Signorello said broadly it was an exploratory committee well before we used technology in our day-to-day.

Borough Clerk Casais said the Technology Commission hasn't actually been an effectively active committee. There have been no members on the committee for at least six years. There have been no appointments to the committee and there has been no active business being operated out of the committee; thus there is no purpose for the committee at this point.

There being no one else wishing to speak, Councilman Signorello moved to close the public hearing on Ordinance No. 2754; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2754 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2754					
		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"/>
	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"/>
	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. 2755

AN ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF THE BOROUGH OF ROSELLE PARK SO AS TO ESTABLISH AN ALL-WAY STOP AT THE INTERSECTION OF WALNUT STREET AND EAST CLAY AVENUE

Councilman Signorello moved to open the public hearing on Ordinance No. 2755; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Signorello moved to close the public hearing on Ordinance No. 2755; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2755 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2755					
		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"/>
	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"/>
	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. 2756

AN ORDINANCE AMENDING CHAPTER 4, SECTION 17 OF THE CODE OF
THE BOROUGH OF ROSELLE PARK ENTITLED, "BILLBOARDS"

Councilman Signorello moved to open the public hearing on Ordinance No. 2756; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Lou D'Arminio of Price, Meese, Shulman & D'Arminio for Outfront Media

Noted they just heard about this earlier this week and previously submitted a memorandum on November 1, 2023, which sets forth their position but would like to speak a little more about that at this time.

He said Outfront Media is located in Fairfield, New Jersey and all over the United States. He believes this affects them more than anyone else. A provision that basically licenses billboards with fees is going to directly impact them. He said the argument is pretty straight forward regarding concerns with the ordinance. There are basically three major arguments/legal concerns. The first is pre-emption; the town undoubtedly has brought these powers, but that is unless it is pre-empted or impacted by common law or the constitution. New Jersey Statute 40:52-1 specifically limits the powers that the municipality can license. Outdoor Media is heavily regulated by the State of New Jersey.

The other issue is under the State Common Law or Other Statutory Law. It is unlawful to have a license that essentially acts as a way of raising revenue.

Mayor Signorello said inflation has been a thing since the last fee change.

Mr. D'Arminio said the other issues are various constitutional elements. Since 2015 there were three cases on billboards; two U.S. Supreme Court cases and one Jersey Supreme Court case which dealt with billboards. They did not have to deal with licensing, but did deal with the idea that billboards are protected speech.

Borough Attorney Berlen said she did look over the case law that Mr. D'Arminio provided in his memorandum and thanked him for that in advance, but she most respectfully disagrees with him in that she does not think that this ordinance is pre-empted by any State Statute. This municipality, as well as any other municipality, has the ability to create ordinances that are necessary and proper for the good and welfare of its residents. Secondly, she disagrees with Mr. D'Arminio's interpretation of 40:52-1H, which explicitly gives municipalities the power to regulate street signs and other objects projecting beyond the building into the street or highway. Ms. Berlen said she believes this Council is well within its rights to amend this ordinance, and amend it the way they see fit and appropriate. She doesn't see any reason for them to table it.

Mr. D'Arminio said under 40:52-1H, it indicates that the catch all is unless it is; there are a whole bunch of things it could do, unless it is otherwise controlled by a State regulatory authority.

Mayor Signorello said if we were trying to get rid of the billboards, we would remove the zoning for that; that is not the intent for this.

Councilman Johnson said Mr. D’Arminio provided case law and asked if that was binding or non-binding case law.

Borough Attorney Berlen said it is certainly binding.

Borough Clerk Casais said the Governing Body received the letter from Outfront Media and the response from our Borough Attorney this afternoon.

There being no one else wishing to speak, Councilman Signorello moved to close the public hearing on Ordinance No. 2756; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2756 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2756		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"/>

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2757

AN ORDINANCE AMENDING CHAPTER 5 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, “LICENSING AND REGULATION OF AMUSEMENTS AND ENTERTAINMENTS”

Councilman Signorello moved to open the public hearing on Ordinance No. 2757; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Signorello moved to close the public hearing on Ordinance No. 2757; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2757 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2757		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"/>

INTRODUCTION

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2758

AN ORDINANCE AMENDING CHAPTER 7, SECTION 39, SUBSECTION 2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “HANDICAPPED PARKING ON STREETS FOR PRIVATE RESIDENCES”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 7, Section 39, Subsection 2 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Amendment to On-Street Handicapped Parking Spaces

7-39.2 Handicapped Parking on Streets for Private Residences

- a. Pursuant to the provisions of N.J.S.A. 39:4-197.6, the governing body may, by Ordinance, designate restrictive parking zones for persons who have a mobility disability as defined in paragraph b. of this subsection and who meet the other criteria set forth herein. These zones shall be established in front or near to the residence occupied by the handicapped person provided that such parking is not otherwise prohibited and does not interfere with the normal flow of traffic. A restrictive parking zone so designated shall be reserved for the exclusive use of the person and vehicle for whom such zone is established pursuant to this subsection. No other person shall be permitted to park in these zones.

The following on-street locations have been found to meet the procedural and review requirements of the forgoing subsection and are designated as handicapped parking spaces within the Borough of Roselle Park pursuant to N.J.S.A. 39:4-197.6:

License Plate / Placard Number	Name	Street Address	Location
1874188	Arizona Heskeyahu Acevedo	462 Colonial Road	462 Colonial Road
2242785	Carmine Granato	116 Hawthorne Street	116 Hawthorne Street
2207449	Maryann Mansueto	305 West Clay Avenue	305 West Clay Avenue
2575054	Melanie Canter	A43 Woodside Gardens	A43 Woodside Gardens
2731190	Margaret Silecchia	26C Colfax Manor	26C West Roselle Avenue

- b. *Requirements, Generally.* The General requirements for local consideration and approval of a restricted parking zone for handicapped parking pursuant to this subsection shall be as follows:
 - i. The applicant shall be in possession of a valid windshield placard or wheelchair symbol license plates issued by the New Jersey Motor Vehicle Commission for a vehicle owned by the handicapped person, or by another occupant of the residence who is a member of the immediate family of the handicapped person.

- ii. A "mobility disability" is defined as a condition wherein a person has lost the use of one (1) or more lower limbs as a consequence of paralysis, amputation, or other permanent disability or who is permanently disabled so as to be unable to ambulate without the aid of an assisting device or whose ambulating is otherwise severely limited.
 - iii. Absent rare and truly extenuating circumstances as determined by the Governing Body, at the recommendation of the Chief of Police, or their designee, no restrictive parking zone will be established for a person who does not transport his or herself as permitted under this subsection unless documentation is provided showing that the nondisabled driver resides in the same household as the disabled person. Documentation must be provided to the Chief of Police, or their designee, detailing the extent of the disability. No restrictive parking zone under this section will be established unless the applicant's disability is such that it would preclude the disabled person from waiting on the sidewalk until a nondisabled driver arrives with the car. A person whose disability otherwise qualifies under this section and who is under the age of sixteen (16) years will be presumed to be unable to wait alone on the sidewalk.
 - iv. No restrictive parking zone may be established for any individual who has a functional driveway, garage, carport, or any other type of off-street parking within one hundred (100) feet of the perimeter of his or her residence.
 - v. In multi-family residences containing a driveway, carport or garage not owned by the disabled driver, but owned by a family member, it shall be presumed the disabled driver has access to such driveway, carport or garage and said status shall preclude the disabled driver from being granted a restrictive parking zone.
 - vi. Applicants must occupy their residence on a full-time basis.
 - vii. Only one (1) restrictive parking zone will be granted per household. Related parties living in separate units in a multi-family residence are to be considered as being part of one household for the purpose of this Ordinance.
 - viii. All restrictive parking zones shall be subject to annual reviews, and shall remain in effect until an improvement in an individual's physical condition rendering the restricted parking zone unnecessary, the death of the individual, or the revocation of a restricted parking zone for just cause as recommended to the Governing Body by the Chief of Police, or their designee.
- c. *Application Procedure.* The application procedure for a restricted parking zone for handicapped parking pursuant to this subsection shall be as follows:
- i. All applicants shall file a completed application on a form furnished by the Police Department and submitted to the Chief of Police, or the Chief's designee, for review.
 - ii. The application shall be accompanied by a medical evaluation form completed by a physician with a plenary license to practice medicine and surgery and shall include a

certification by the physician that the applicant has a mobility disability as described in this subsection.

- iii. The Police Chief, or the Chief's designee, shall verify the extent of the disability of the applicant or resident of the applicant's household by reviewing the physician's certification submitted with the application and may request an independent evaluation that shall be conducted by the Borough's physician at the Borough's cost.
- iv. The Police Chief, or the Chief's designee, shall ascertain whether all the credentials of the applicant and the location of the proposed parking zone are consistent with applicable State statutes and Borough Codes.
- v. The Police Chief, or the Chief's designee, shall ascertain whether or not the applicant or any member of the applicant's household, has a functional driveway, garage, carport, or any other type of off-street parking within one hundred (100) feet of the residence. If the applicant or member of the applicant's household has such parking available, the application shall be denied.
- vi. Upon determining that the applicant meets all of the qualifications set forth in this subsection, the Chief of Police shall recommend to the Governing Body that the applicant be granted a restricted parking zone. The Governing Body may, by Ordinance, designate the location of the restricted parking zone.
- vii. By July 1st of each year, application must be made for renewal of each restricted parking zone granted in accordance with this subsection. Renewal shall be made via written application on a form to be mailed to all individuals approved for a restricted parking zone by the Police Department no later than May 1st of each year. The application for renewal must be accompanied by a certification completed by the applicant's personal physician that the mobility disability of the applicant, or the qualifying household member, as previously outlined, still exists to the extent that such a restricted parking zone continues to be required. In addition, the applicant or qualifying household member may be required to be evaluated by Borough's physician. The Borough reserves the right to revoke, remove or rescind a restrictive parking zone if it is determined that an applicant's condition has improved to the extent that it renders the restricted parking zone unnecessary, or upon death of the applicant or for other just cause as recommended by the Chief of Police or their designee.
- viii. Upon receipt of the application and physician certification for renewal in every second year, a personal visit to the applicant's household and parking site shall be made by the Chief of Police, or the Chief's designee, to verify that the findings required by this subsection still exist.
- ix. The Chief of Police, or the Chief's designee, shall notify a new applicant of the decision to recommend the approval of a restricted parking zone pursuant to this subsection for action by the Governing Body, or of a decision to deny the applicant, within sixty (60) days of the initial receipt of the completed application by the Department. Notification of the

renewal or denial of an existing zone shall be made by September 1st of each year. Any and all denials shall set forth the reasons for the negative decision(s).

- d. *Notifications Requirements.* All individuals approved for a restricted parking zone shall notify the Police Department within thirty (30) days of any change in the individual's name, address, telephone number, vehicle ownership, or of an improvement in the applicant's physical condition. Failure to do so will be deemed a violation of this subsection and may result in revocation of the zone. Members of the household or the executor/executrix for individuals who have an approved zone who have died shall be required to likewise notify Police Department within thirty (30) days after the date of death. Failure to do so shall be considered a violation of this subsection.
- e. *Violations and Penalties.* In addition to the violations outlined in paragraph d. of this subsection, any deviations from this subsection or misuse of restricted parking zones shall be subject to enforcement actions and penalties whereas violators shall be liable for a penalty of not less than one-hundred dollars (\$100.00) nor more than five-hundred dollars (\$500.00) for a first offense and not less than five-hundred dollars (\$500.00) nor more than one-thousand (\$1,000.00) or imprisonment for a term not exceeding fifteen (15) days, or both, for each subsequent offense.

SECTION 2. Invalidation

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

SECTION 3. Inconsistent Ordinances Repealed.

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

SECTION 4. Captions and Editing Indications.

Any captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, editing indications are structured such that all strikethrough text, ~~thusly~~, should be considered a deletion from existing Borough Code, and all bolded text, **thusly**, should be considered an addition to existing Borough Code.

SECTION 5. Effective Date.

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

Councilman Signorello moved that Ordinance No. 2758 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on November 16, 2023; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2758					
		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"/>
	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"/>
	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"/>

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. 300-23

**AUTHORIZING SUBMISSION OF YEAR 50
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS**

BE IT RESOLVED that Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorize the submission of Year 50 Community Development Block Grant Application(s); and,

BE IT FURTHER RESOLVED that the Borough of Roselle Park’s application(s) shall include the following priority list:

**BOROUGH OF ROSELLE PARK
PRIORITY LIST
CDBG YEAR 50 PROJECTS**

Priority	Project Name	Amount Requested	Category
1	Roadway Rehabilitation Program ➔ Street Name: Grant Avenue Limits: Locust Street to Union Road	\$ 522,010.00	Public Improvements
2	Senior Citizen Social Service Program	\$ 40,995.00	Social Services

RESOLUTION NO. 301-23

EXPRESSING SUPPORT FOR REVOLUTIONNJ

WHEREAS, Governor Philip D. Murphy and the New Jersey State Legislature created RevolutionNJ in 2018 to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the founding of the United States, New Jersey’s pivotal role in the American Revolution, and the contributions of its diverse peoples to the nation’s past, present, and future; and,

WHEREAS, the New Jersey Historical Commission, under the leadership of Secretary of State Tahesha Way, with its non-profit partner Crossroads of the American Revolution established RevolutionNJ to advance the role that history plays in public discourse, community engagement, education, tourism, and scholarship in New Jersey; and,

WHEREAS, RevolutionNJ will engage New Jerseyans in all 21 counties and 564 municipalities through its officially recognized programs, initiatives, and events over the next ten years; and,

WHEREAS, it is fitting and desirable to commemorate the beginning of the Nation and the role New Jersey played over the past 250 years as well as its present and future role as part of the United States, with particular focus on the individuals, ideas, and events that shaped the United States of America, the State of New Jersey, and the Borough of Roselle Park; and,

WHEREAS, RevolutionNJ will consider the role New Jersey played during the American Revolution when it saw more battles and skirmishes than any other state and was truly the Crossroads of the American Revolution; and,

WHEREAS, RevolutionNJ will highlight the role New Jerseyans played beyond the battlefield during the American Revolution when people of diverse backgrounds contributed to the development of the State and the Nation in various ways and fought for the right to life, liberty, and the pursuit of happiness; and,

WHEREAS, preserving, studying, and enjoying state history strengthens communities and builds bonds between New Jersey residents as they work together toward the goals of justice and equality embedded in the United States Constitution;

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby expresses its collective support of RevolutionNJ and its mission to advance the role that history plays in public discourse, community engagement, education, tourism and scholarship in New Jersey; and,

BE IT FURTHER RESOLVED that:

1. The Mayor and Council intends to commemorate the 250th anniversary of the establishment of the United States as an independent Nation.
2. The Mayor and Council authorizes the appointment of an ad-hoc committee to develop a plan for this commemoration that will promote the maximum involvement of residents, neighborhoods, businesses, schools, civic organizations, and institutions in the commemorations.
3. The Mayor and Council urge all Borough residents to reflect upon the significance of this event and the role that New Jersey and its diverse people have played in the history and development of the United State of America.
4. The Mayor and Council likewise urge all Borough residents to participate in this important commemoration, endeavoring to include the stories of all those whose lives are part of the history of what is now known as New Jersey, and understanding that the revolution continues today through the revolutionary ideals articulated in the nation's founding documents

RESOLUTION NO. 302-23

ACCEPTING THE RESIGNATION OF JOHN P. RODRIGUEZ FROM THE POSITION OF CLASS I LABORER

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby accept the resignation of John P. Rodriguez from the position of Class I Laborer effective October 20, 2023.

RESOLUTION NO. 303-23

PROMOTING HIGH SCHOOL COUNSELOR BRYCE MCDONALD TO THE POSITION OF COLLEGE COUNSELOR WITHIN THE ROSELLE PARK RECREATION DEPARTMENT

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that High School Counselor Bryce McDonald be and hereby is promoted to the position of College Counselor within the Roselle Park Recreation Department effective September 1, 2023 at the rate of \$16.00 per hour not to exceed twenty (20) hours per week.

RESOLUTION NO. 304-23

AUTHORIZING THE TAX COLLECTOR TO ISSUE REDUCTIONS AND/OR REFUNDS IN THE TOTAL AMOUNT OF \$2,156.00 ON ONE (1) PROPERTY AS ORDERED BY THE TAX COURT OF THE STATE OF NEW JERSEY

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Tax Collector is hereby authorized, pursuant to the order of the Tax Court of the State of New Jersey, to issue a reduction and/or refund totaling \$2,156.00 for an appeal granted on Block 606, Lot 27 of the municipal tax map, commonly known as 105 West Westfield Avenue, Roselle Park, New Jersey 07204, and assessed in the name of “Westfield Property Management, LLC.”

Block	Lot	Year	Original Assessment	New Assessment	Reduction x Rate	=	Refund
606	27	2023	\$1,191,300.00	\$1,141,300.00	\$50,000.00 x 4.312/100		\$2,156.00

Total: \$2,156.00

BE IT FURTHER RESOLVED that the provisions of the “Freeze Act” shall not apply for 2024.

RESOLUTION NO. 305-23

AUTHORIZING THE TREASURER TO ISSUE ONE (1) CHECK TOTALING \$24,962.16 PAYABLE TO ONE (1) LIEN HOLDER ON ONE (1) PROPERTY AND ONE (1) CHECK TOTALING \$49,000.00 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 one (1) check totaling \$24,962.16 payable to one (1) lien holder on one (1) property; and,

BE IT FURTHER RESOLVED that one (1) check be issued in the total amount of \$49,000.00 from the Tax Collector’s Premium Account.

BOROUGH OF ROSELLE PARK TAX COLLECTOR ANALYSIS OF LIEN REDEMPTIONS 11/2/2023														
TSC #	BLOCK	LOT	QUAL	PREMIUM	TOTAL AMOUNT REDEEMED	CERTIFICATE AMOUNT	REDEMPTION PENALTY PERCENTAGE	INTEREST ON CERTIFICATE DATE 11/2/2023	SEARCH FEE	RECORDING FEE	SUBSEQUENT TAXES PAID	INTEREST ON SUBSEQUENTS TO 11/2/2023	6% INTEREST PENALTY	LEGAL FEES
WHPDIII LLC	22-001	125	10	\$ 49,000.00	\$ 24,962.16	\$ 4,891.51	\$ 97.83		\$ 12.00	\$ 55.00	\$ 16,534.20	\$ 1,976.01		\$ 1,395.61
				\$ -	\$ -	\$ -								
				\$ -	\$ -	\$ -								
				\$ -	\$ -	\$ -								
				\$ -	\$ -	\$ -								
				\$ -	\$ -	\$ -								
TOTAL				\$ 49,000.00	\$ 24,962.16	\$ 4,891.51	\$ 97.83	\$ -	\$ 12.00	\$ 55.00	\$ 16,534.20	\$ 1,976.01	\$ -	\$ 1,395.61

RESOLUTION NO. 306-23

AUTHORIZING THE OPEN-ENDED PURCHASE OF RED DYED NO. 2 DIESEL FUEL FROM NATIONAL FUEL OIL, INC. PURSUANT TO SOMERSET COUNTY COOPERATIVE PRICING SYSTEM CONTRACT NO. CC-0036-23 IN THE AMOUNT OF A \$0.0869 PER GALLON UPCHARGE

WHEREAS, the Borough of Roselle Park desires and requires to purchase goods and/or services necessary for the acquisition of Red Dyed No. 2 Diesel Fuel; and,

WHEREAS, in furtherance of such purchase, the Purchasing Agent has researched and recommended the procurement of such goods and/or services from an authorized vendor under Somerset County Cooperative Pricing System; and,

WHEREAS, National Fuel Oil, Inc. 2175 Orange Street, Newark, New Jersey 07103 has been awarded Somerset County Cooperative Pricing System Contract No. CC-0036-23 for the provision of certain goods and services inclusive of Red Dyed No. 2 Diesel Fuel.

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 open-ended purchase of Red Dyed No. 2 Diesel Fuel be and is hereby authorized from National Fuel Oil, Inc. 2175 Orange Street, Newark, New Jersey 07103 pursuant to Somerset County Cooperative Pricing System Contract No. CC-0036-21, expiring October 23, 2025, in the amount of a \$0.0869 per gallon upcharge; and,

BE IT FURTHER RESOLVED that the foregoing Resolution be explicitly adopted on the basis that the Borough of Roselle Park may utilize the goods and/or services of this open-ended contract with an aggregate cost in exceedance of the bid threshold; and,

BE IT FURTHER RESOLVED that the Chief Financial Officer shall certify as to the availability of funds before all purchases are made pursuant to the prevailing provisions of the Local Public Contracts Law and any regulations promulgated by the State of New Jersey related thereto.

RESOLUTION NO. 307-23

AUTHORIZING THE OPEN-ENDED PURCHASE OF DEER CARCASS REMOVAL AND SANITARY DISPOSAL FROM DEER CARCASS REMOVAL SERVICE, LLC PURSUANT TO SOMERSET COUNTY COOPERATIVE PRICING SYSTEM CONTRACT NO. CC-0058-22 IN THE AMOUNT OF A \$35.00 PER DEER CARCASS

WHEREAS, the Borough of Roselle Park desires and requires to purchase goods and/or services necessary for deer carcass removal and sanitary disposal; and,

WHEREAS, in furtherance of such purchase, the Purchasing Agent has researched and recommended the procurement of such goods and/or services from an authorized vendor under Somerset County Cooperative Pricing System; and,

WHEREAS, Deer Carcass Removal Service, LLC of 140 Meirs Road, Cream Ridge, New Jersey 08514 has been awarded Somerset County Cooperative Pricing System Contract No. CC-0058-22 for the provision of certain goods and services inclusive of deer carcass removal and sanitary disposal.

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 open-ended purchase of deer carcass removal and sanitary disposal services be and is hereby authorized from Deer Carcass Removal Service, LLC of 140 Meirs Road, Cream Ridge, New Jersey 08514 pursuant to Somerset County Cooperative Pricing System Contract No. CC-0058-22, expiring October 23, 2024, in the amount of \$35.00 per deer carcass; and,

BE IT FURTHER RESOLVED that the foregoing Resolution be explicitly adopted on the basis that the Borough of Roselle Park may utilize the goods and/or services of this open-ended contract with an aggregate cost in exceedance of the bid threshold; and,

BE IT FURTHER RESOLVED that the Chief Financial Officer shall certify as to the availability of funds before all purchases are made pursuant to the prevailing provisions of the Local Public Contracts Law and any regulations promulgated by the State of New Jersey related thereto.

The following Resolution was offered by Councilman Signorello; seconded by Councilman Johnson.

RESOLUTION NO. 308-23

AUTHORIZING AMENDMENT NO. 1 TO THE MUNICIPAL SOLID WASTE
COLLECTION SERVICES CONTRACT WITH SUBURBAN DISPOSAL, INC.
INCORPORATING CERTAIN BULK WASTE COLLECTION SERVICES INTO
THE CONTRACT FOR AN AMOUNT NOT TO EXCEED \$339,000.00

WHEREAS, at a meeting held June 2, 2022, the governing body of the Borough of Roselle Park adopted Resolution No. 145-22 entitled, "Awarding a Contract to Suburban Disposal, Inc. Pursuant to Bid Option No. 2 of the Advertised Bid Specifications for Municipal Solid Waste Collection Services in an Amount Not to Exceed \$3,596,000.00;" and,

WHEREAS, the contract so authorized by Resolution No. 145-22 went into effect on August 1, 2022 and is set to expire December 31, 2026; and,

WHEREAS, since the time of the adoption of Resolution No. 145-22, the Borough of Roselle Park has engaged in planning, research and deliberation about its operations relative to the collection of Type 13 "Bulk Waste;" and,

WHEREAS, while the collection of Type 10 "Municipal Solid Waste," and the collection of Type 13 "Bulk Waste," are distinct functions, with separate regulations and requirements, the Borough of Roselle Park believes that the local implementation of these collection operations can be streamlined so as to optimize the use of public funds and achieve a more efficient delivery 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 hereby authorize Amendment No. 1 to the "Municipal Solid Waste Collection Services" contract authorized by Resolution No. 145-22 with Suburban Disposal, Inc. of 54 Montesano Road, Fairfield, New Jersey 07004 in an amount not to exceed three-hundred thirty-nine thousand dollars and zero cents (\$339,000.00) for certain bulk waste collection services; and,

BE IT FURTHER RESOLVED that the additional services encompassing Amendment No. 1 shall substantially consist of the monthly collection of Type 13 "Bulk Waste," more narrowly defined by the Borough of Roselle Park as applicable, such that all homes, large multiple dwelling complex excluded, may dispose of no more than two (2) items on the last Thursday or Friday (depending on collection zone) of each month; and,

BE IT FURTHER RESOLVED that the provisions of Amendment No. 1 shall go into effect on January 1, 2024 and shall otherwise run continuously and concurrently with the underlying contract set to expire December 31, 2026; and,

BE IT FURTHER RESOLVED that the total costs associated with Amendment No. 1 shall be three-hundred thirty-nine thousand dollars and zero cents (\$339,000.00) for the term, and annually one-hundred ten-thousand dollars and zero cents (\$110,000.00) effective January 1, 2024, one-hundred thirteen-thousand dollars and zero cents (\$113,000.00) effective January 1, 2025, and one-hundred sixteen-thousand dollars and zero cents (\$116,000.00) effective January 1, 2026; and,

BE IT FURTHER RESOLVED that the underlying contract, including Amendment No. 1, shall reflect the revised total amount of three-million nine-hundred thirty-five thousand dollars and zero cents (\$3,935,000.00); and,

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and certification on this Resolution by the Borough Treasurer that sufficient funds are available, or is subject a determination of availability in future years' budget(s).

Mayor Signorello said we had a terrible tax year this year, which was out of our control. In order to keep things as reasonable as they could be from a tax perspective, we tried to limit some of the pain by only doing one bulk pick up. He said we are responsible to do municipal waste pick up; bulk is not some constitutional requirement. He said bulk waste costs have gone up 3-fold, and every year we only get one bidder. He noted we don't do much less, if any less, than any of the County. He said next year we can look at doing two bulk waste items per month, which would add up to 24 a year, and start doing that in January versus waiting until the spring. The other option is two bulk waste pick-ups next year. He is, however,

asking Council to table this tonight, in the chance that we have more than one bidder in December for bulk waste.

Councilman Signorello said the people he polled said they like the idea of two items per month, and he agrees. He said you can always call the DPW to have items picked up for a small fee.

Councilman Robaina moved to table Resolution No. 308-23 until the December 7, 2023 Meeting; seconded by Councilman Signorello.

<input type="checkbox"/> Vote Record – Table Resolution No. 308-23 until the December 7, 2023 Meeting					
		Yes/Aye	No/Nay	Abstain	Absent
<input 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 checked="" 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 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"/>
	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"/>

The following Resolution was offered by Councilman Signorello; seconded by Councilman Johnson

RESOLUTION NO. 309-23

AUTHORIZING MUNICIPAL SUPPORT FOR VIRIDIS MFG, LLC TO RECEIVE A CLASS 2 CANNABIS MANUFACTURER LICENSE FROM THE NEW JERSEY CANNABIS REGULATORY COMMISSION TO OPERATE WITHIN THE BOROUGH OF ROSELLE PARK

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c.16 known as the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act (hereinafter referred to as “CREAMMA”); and,

WHEREAS, CREAMMA establishes six (6) marketplace classes of licensed cannabis businesses, specifically including a Class 5 Cannabis Retailer License for locations at which cannabis items and related supplies are sold to consumers; and,

WHEREAS, Section 31a of CREAMMA authorizes municipalities to adopt by ordinance the number of each class of cannabis licenses that will be available in a municipality; and,

WHEREAS, on June 15, 2023 the Borough of Roselle Park’s (hereinafter referred to as “Borough”) Municipal Council adopted Ordinance No. 2729-2023 which established that Class 2 Manufacturer Licenses would be permitted as a conditional use within the B-3 Arterial Business Zone District; and,

WHEREAS, Ordinance No. 2729 established that there is no license limit imposed by the Borough on Class 2 Cannabis Manufacturer licenses that are permitted to be issued; and,

WHEREAS, as part of Viridis MFG LLC’s conversion application from a Conditional License to an Annual License with the New Jersey Cannabis Regulatory Commission (hereinafter referred to as “CRC”) a proof of local support must be enclosed, pursuant to N.J.A.C. 17:30-7.10(b)(9); and,

WHEREAS, the Borough recognizes that the ultimate decision to approve any new cannabis licensees is guided by the standards identified within the New Jersey Cannabis Laws and vested to the discretion of the CRC; and,

WHEREAS, the issuance of a license to the licensee would not exceed any limit on the number of Class 2 licensed cannabis businesses in the Borough at this current time.

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

1. The above recitals are hereby incorporated as if restated herein in full.
2. The issuance of a Class 2 Manufacturer License to Viridis MFG, LLC would not exceed any limit on the number of Class 2 Manufacturer Licenses granted by the Borough at this current time.
3. Viridis MFG, LLC has identified that it intends to locate its proposed Class 2 Manufacturer License at 180 West Westfield Avenue which is located in a zone where such uses are a conditional use under the Ordinance.
4. The Mayor and Borough Council find and determine that Viridis MFG, LLC has presented the Borough with sufficient evidence that if it is granted a Class 2 Manufacturer License, it will have control of a lawful site within the Borough's approved zone pursuant to the October 17, 2023 Letter of Intent to Lease.
5. This Resolution of Support pursuant to *N.J.A.C. 17:30-7.10(b)(9)* is specifically subject to and conditioned upon the applicant filing an application with the Borough in accordance with applicable ordinances, including payment of the non-refundable application fee.
6. Nothing in this Resolution shall preclude the Mayor and Borough Council from issuing additional resolutions of municipal support to other applicants, to the extent that may be permissible under the regulations promulgated by the Cannabis Regulatory Commission.
7. The Mayor and Borough Council believe that the Borough will benefit from the location of a cannabis manufacturer facility within the Borough's boundaries, subject to compliance with all applicable ordinances, permits, and approvals.
8. In the event that the Cannabis Regulatory Commission issues Viridis MFG, LLC a license to operate as a manufacturer facility pursuant to CREAMMA this Resolution should be viewed by the State as support of Viridis MFG, LLC's application, and an indication that the intended location is appropriately located or otherwise suitable for the activities related to the manufacturing of cannabis, cannabis products, and related supplies as will be conducted at the proposed facility.
9. A certified copy of this Resolution shall be provided to the appropriate representatives of Viridis MFG, LLC.

Mayor Signorello said this is not giving a license, but allowing these people to go to the State for a license. They would be a manufacturer and create marijuana and cannabis products; but they would not actually sell them in Roselle Park. He said they would still have to go through our licensing process.

Councilman Robaina asked who are these people; are they local.

Mayor Signorello said they are Jersey based.

Councilman Patel said they are looking at 180 West Westfield. Does that trigger anything with Breakwater being next door.

Mayor Signorello said they may need to have a variance due to the location. He said we have no caps on these Class 2 licenses. The only licenses we have caps on are Class 5; which is a hard cap of three.

Councilman Patel said there is a typo in the resolution in paragraph two; it says Class 5 instead of Class 2.

Councilwoman Lyons said so they are manufacturing and not selling. So if people find out and knock on the door, what is going to happen. She said it's a hard no for her.

Mayor Signorello said they can get their license revoked if that happens.

Councilman Patel asked what is the next step now.

Mayor Signorello said now they go to the State and if they get an okay from the State, they can come back and ask for a license from the Borough, and they also need to go to the Land Use Board.

Councilman Johnson moved to amend Resolution No. 309-23 to correct Class 5 in Paragraph 2 to read Class 2; seconded by Councilman Signorello.

<input type="checkbox"/> Vote Record – Amend Resolution No. 309-23 to Correct Class 5 to Class 2					
		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"/>
	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"/>
	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 to adopt Resolution No. 309-23 as amended; seconded by Councilman Johnson.

RESOLUTION NO. 309-23

AUTHORIZING MUNICIPAL SUPPORT FOR VIRIDIS MFG, LLC TO RECEIVE A CLASS 2 CANNABIS MANUFACTURER LICENSE FROM THE NEW JERSEY CANNABIS REGULATORY COMMISSION TO OPERATE WITHIN THE BOROUGH OF ROSELLE PARK

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c.16 known as the New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act (hereinafter referred to as “CREAMMA”); and,

WHEREAS, CREAMMA establishes six (6) marketplace classes of licensed cannabis businesses, specifically including a Class 2 Cannabis Retailer License for locations at which cannabis items and related supplies are sold to consumers; and,

WHEREAS, Section 31a of CREAMMA authorizes municipalities to adopt by ordinance the number of each class of cannabis licenses that will be available in a municipality; and,

WHEREAS, on June 15, 2023 the Borough of Roselle Park’s (hereinafter referred to as “Borough”) Municipal Council adopted Ordinance No. 2729-2023 which established that Class 2 Manufacturer Licenses would be permitted as a conditional use within the B-3 Arterial Business Zone District; and,

WHEREAS, Ordinance No. 2729 established that there is no license limit imposed by the Borough on Class 2 Cannabis Manufacturer licenses that are permitted to be issued; and,

WHEREAS, as part of Viridis MFG LLC’s conversion application from a Conditional License to an Annual License with the New Jersey Cannabis Regulatory Commission (hereinafter referred to as “CRC”) a proof of local support must be enclosed, pursuant to N.J.A.C. 17:30-7.10(b)(9); and,

WHEREAS, the Borough recognizes that the ultimate decision to approve any new cannabis licensees is guided by the standards identified within the New Jersey Cannabis Laws and vested to the discretion of the CRC; and,

WHEREAS, the issuance of a license to the licensee would not exceed any limit on the number of Class 2 licensed cannabis businesses in the Borough at this current time.

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

1. The above recitals are hereby incorporated as if restated herein in full.
2. The issuance of a Class 2 Manufacturer License to Viridis MFG, LLC would not exceed any limit on the number of Class 2 Manufacturer Licenses granted by the Borough at this current time.
3. Viridis MFG, LLC has identified that it intends to locate its proposed Class 2 Manufacturer License at 180 West Westfield Avenue which is located in a zone where such uses are a conditional use under the Ordinance.
4. The Mayor and Borough Council find and determine that Viridis MFG, LLC has presented the Borough with sufficient evidence that if it is granted a Class 2 Manufacturer License, it will have control of a lawful site within the Borough's approved zone pursuant to the October 17, 2023 Letter of Intent to Lease.
5. This Resolution of Support pursuant to *N.J.A.C. 17:30-7.10(b)(9)* is specifically subject to and conditioned upon the applicant filing an application with the Borough in accordance with applicable ordinances, including payment of the non-refundable application fee.
6. Nothing in this Resolution shall preclude the Mayor and Borough Council from issuing additional resolutions of municipal support to other applicants, to the extent that may be permissible under the regulations promulgated by the Cannabis Regulatory Commission.
7. The Mayor and Borough Council believe that the Borough will benefit from the location of a cannabis manufacturer facility within the Borough's boundaries, subject to compliance with all applicable ordinances, permits, and approvals.
8. In the event that the Cannabis Regulatory Commission issues Viridis MFG, LLC a license to operate as a manufacturer facility pursuant to CREAMMA this Resolution should be viewed by the State as support of Viridis MFG, LLC's application, and an indication that the intended location is appropriately located or otherwise suitable for the activities related to the manufacturing of cannabis, cannabis products, and related supplies as will be conducted at the proposed facility.
9. A certified copy of this Resolution shall be provided to the appropriate representatives of Viridis MFG, LLC.

<input type="checkbox"/> Vote Record – Resolution No. 309-23 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patel	<input type="checkbox"/>	<input checked="" 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 Signorello

Noted he had a great time at the Mischief Night Event.

Congratulated Roselle Park High School on a win last week, a 28 to 27 game. Congratulated his nephew, Tyler Signorello, for being named Union County's Athlete of the Week.

Happy to announce at 5:22 a.m. this morning his first grandchild, Francesca Marie Signorello, was born.

Provided contact information.

Councilman Johnson

Mentioned the events he supported and attended since the last Council Meeting: the Diversity & Inclusion Committee Brawlween Wrestling Event; the Greg Johnson Civic Association Adopt a Highway Clean Communities Event; the Diversity & Inclusion Committee's 3rd Anti-Bullying Assembly; Roselle Park Mischief Night Event; and he thanked the American Legion Post 60 for continuing the Trunk or Treat Event.

Happy to announce a significant milestone for our community; a grant in the amount of \$312,000 to revitalize Avon and Berwyn, and thanked Borough Clerk Casais for his exceptional role in managing the grant.

Please remember your voice matters, and as 1st Ward Councilman, he will always place the concerns of residents within the Borough first because local concerns matter.

Provided contact information.

Councilman Petrosky

Expressed condolences to the Feller family.

On October 21st and 22nd attended the Four Centuries in a Weekend at the Roselle Park Museum.

On October 24th attended the Meridia Event; it was a good event.

On October 30th attended the Mischief Night Event at Michael Mauri Park; it was a great event.

October 31st was Halloween, and he gave out 2,200 pieces of candy that day. Thanked Mayor Signorello for helping him give out the candy.

Noted the 8U's Softball Team won the championship last week and would like to bring them in for the next meeting, as well as the 10U's, who took second place.

Noted he would also like to bring in two former Roselle Park wrestlers: Joe Derillo and Frank Croce, who both got inducted into the Hall of Fame.

Wished good luck to all the candidates; it takes a lot to run for a position.

Reminded everyone to please vote on Tuesday, November 7th.

Provided contact information.

Councilwoman Lyons

Noted it has been a couple of weeks of community and connecting, such as the Meridia Event.

Attended the Mischief Night Event and thanked all those who participated.

Noted Halloween on Bender was awesome.

Noted Election Day is Tuesday, November 7th; please be sure to go out and vote.

Made note the Roselle Park Walking Club took off a couple of weeks because it was so dark in the morning.

Reminded everyone of the annual Veterans Day Remembrance on November 11th at 11:00 a.m. at the Library.

Made mention she started "Thankful Thinking" for the month of November on the Roselle Park Forum.

Councilman Patel

On October 29th attended the Boy Scouts Pinewood Derby Fundraiser, and congratulated all the winners.

On October 30th attended the Mischief Night Event and had a great time. Thanked all those who participated.

Reminder, the Fall Borough-Wide Clean Up is Saturday, November 4th at the Casano Center at 10:00 a.m.

Noted November 11th is the Veterans Day Service at the Library at 11:00 a.m.

Reminded everyone to come out and vote on Election Day, November 7th or go for early voting.

Provided contact information.

Councilman Robaina

Congratulated the Signorello Family on the birth of Francesca.

Noted he has been in touch with many ward residents on concerns including trees, roads, sidewalks, and curbs.

As the Borough's Rails to Trails Advisory Committee Liaison, on November 1st attended the 2023 NJ Complete Streets Summit at Rutgers. The NJDOT Commissioner and Assistant Commissioner gave genuine and empathetic remarks on how transportation planning and mobility needs to, and will, evolve. Now, Complete Streets is an approach to planning, designing, building, operating and maintaining streets that enable safe access for all people who need to use them, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities.

Asked the Governing Body to consider a Complete & Green Streets policy for 2024. He said there's funding and technical assistance available for it. Also asked the Governing Body to consider adding a green development checklist, and eventually, a complete streets checklist to our Land Use Application, so applicants have a better understanding that our Borough holds the safety of our residents high, along with the preservation and restoration of our green spaces.

Noted as Clean Communities Liaison, the Fall Clean Up is on Saturday, November 4th at the Casano Center at 10:00 a.m.

Reminded all residents to please vote on Election Day, November 7th; local elections matter.

Provided contact information.

Mayor Signorello

Noted the State DOT is doing a study of Route 28 as an area in need. He said pedestrians also need to adhere to crosswalks and blinking lights, especially on Westfield Avenue.

Encouraged everyone to go out and vote, whether by early voting, mail-in ballot or vote in person. Please exercise your right to vote.

Congratulated his brother Marc and his sister in law Melissa for baby Francesca.

Provided contact information.

MAYORAL APPOINTMENTS (No Council Confirmation Required; Effective Immediately)

Borough Clerk Casais read the following Mayoral Appointment into the record:

1. Appointing Ellen Margarita of 111 East Clay Avenue, Roselle Park, New Jersey 07204 as a member of the Roselle Park Environmental Commission to fill the unexpired term of Michelle Dunn set to expire December 31, 2023.

PUBLIC PORTION

Councilman Signorello moved at 8:40 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.

There being no one wishing to speak, Councilman Signorello moved at 8:40 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 8:41 p.m. to adjourn; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Attest:

Andrew J. Casais, RMC
Borough Clerk