

OCTOBER 19, 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 being held in accordance the New Jersey Open Public Meetings Act. Notice of this meeting was provided in the amended Annual Notice of meetings published in the Union County Local Source and the Newark Star-Ledger on August 3, 2023. Said notice was posted in the Municipal Building as required by law, and a copy of this notice has been made available through the Office of the Borough 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	7:00 PM
Gregory Johnson	Borough of Roselle Park	Councilman	P	7:00 PM
Joseph Signorello, Jr.	Borough of Roselle Park	Councilman	P	7:00 PM
Jay Robaina	Borough of Roselle Park	Councilman	P	7:00 PM
Rosanna Lyons	Borough of Roselle Park	Councilwoman	P	7:00 PM
Khanjan S. Patel	Borough of Roselle Park	Councilman	P	7:00 PM
Joseph Signorello III	Borough of Roselle Park	Mayor	P	7:00 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

1. Proclamation: Italian Heritage Month

Councilwoman Lyons said October is Italian Heritage Month, and wanted to acknowledge and honor all the Italian families that came to Roselle Park; including her family that came from Calabria, Italy. She invited the Elizabeth Chapter of UNICO, which is the largest Italian

American service organization in the USA and noted UNICO stands for Unity, Neighborliness, Integrity, Charity and Opportunity. Councilwoman Lyons presented the Italian Heritage Month proclamation to Nino Quaglia, President and Fred Rinaldi, Vice President of the Elizabeth Chapter of UNICO.

Mayor Signorello thanked both gentlemen for coming in and hopes to make this a yearly presentation, and continue to recognize the contributions that the Italian American community brings to Roselle Park.

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 5, 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 7:07 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.

Bill Crossett, 412 Galloping Hill Road

Spoke about the 4-way stop at the intersection of Walnut and East Clay, and said one of the issues he can see coming up is people that have lived in town for any length of time are going to go up Walnut and not realize that a stop sign has been put in. He said not everything that goes on at that intersection is the fault of whoever is driving a car. He further said he has seen pedestrians at this particular intersection just walk right down the middle of the street and/or cross without looking either way. He noted that some of the responsibility has to be put on the pedestrians as well.

Borough Clerk Casais said the Borough Engineer did a traffic study of the intersection and over the course of the last year, there have been 10 incidents at that intersection. He believes eight of the 10 incidents have been car on car; all of which have failed to yield to the stop sign traveling in either direction. He further said oddly enough, the 10 accidents that have occurred there are not necessarily enough to trigger a 4-way stop, but the proximity to the downtown and the pre-school in the area is. Mr. Casais noted one of Mr. Crossett's concerns was discussed with the Police Department, and one of the recommendations in the traffic study report was we need to install advanced warning signage prior to the stop sign.

Councilman Johnson said public safety is everyone's responsibility; not just the pedestrians and the motorists.

There being no one else wishing to speak, Councilman Signorello moved at 7:12 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

Scheduled Verbal Reports:

None (Scheduled for November 2, 2023)

Written Reports Received:

1. Fire Chief’s Report for September 2023
2. Animal Control Officer’s Report for September 2023
3. Construction Official’s Report for September 2023
4. Treasurer’s Report for September 2023

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

ORDINANCES

SECOND READING AND PUBLIC HEARING

Borough Clerk Casais read the following Ordinance by title:

ORDINANCE NO. 2752

AN ORDINANCE AMENDING CHAPTER 2, SECTION 34 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, “ENVIRONMENTAL COMMISSION,” WITH SPECIFIC AMENDMENTS TO SUBSECTION 2 ENTITLED, “MEMBERS; TERMS; VACANCIES”

Councilman Signorello moved to open the public hearing on Ordinance No. 2752; 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. 2752; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2752 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2752		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. 2753

AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF THE BOROUGH OF ROSELLE PARK SO AS TO ADOPT DESIGN STANDARDS WITHIN THE B-2, CENTRAL BUSINESS, ZONE DISTRICT

Councilman Signorello moved to open the public hearing on Ordinance No. 2753; 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. 2753; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Councilman Signorello moved that Ordinance No. 2753 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Johnson.

<input type="checkbox"/> Vote Record – Ordinance No. 2753		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"/>

INTRODUCTION

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”

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

SECTION 1. Abolition of Technology Commission

§ 2-37 ~~TECHNOLOGY COMMISSION.~~ (RESERVED)

§ 2-37.1 ~~———— Purpose of Commission; Duties.~~

~~The Technology Commission shall be comprised of nine (9) members whose mission shall be to make recommendations to improve computer technology and services in the Borough. The Commission will review all current activities in relation to technology and recommend additions, deletions and modifications to the Governing Body. One of the major foci of the Commission shall be the collaboration of groups and their programs to improve cooperation and maximize the delivery of services. Furthermore, the Commission may suggest methods to improve dissemination of information to the residents of the Borough as to increase awareness and participation of services in the Borough. The Commission shall review programs such as, but not limited to, those sponsored by the municipality, Board of Education and volunteer organizations in the Borough as well as those sponsored by the private sector. In addition, the Commission shall review other programs sponsored by County, State and Federal governments.~~

§ 2-37.2 ~~———— Composition.~~

The nine (9) member Commission shall include at least one (1) member representing the school system, one (1) from the Governing Body, one (1) from the Library staff, one (1) student from the high school computer club and one (1) from the business community. The balance of members will be selected from the community at large.

~~§ 2-37.3 Deputy Commission Members.~~

~~Should the Commission find itself necessary to increase membership, there shall be an unlimited number of Deputy Commission members that shall have no voting privileges but be allowed to partake in discussions of improving computer technology in the Borough.~~

~~§ 2-37.4 Appointment; Term; Removal of Members.~~

- ~~a. All positions mentioned above shall be the appointment of the Mayor under the State regulation form of commission.~~
- ~~b. Each position shall be for a term of one (1) year and expire on January 1 of the following year.~~
- ~~e. At any time, the Mayor may remove any member of the Commission~~

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.

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. 2754 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on November 2, 2023; 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

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 19 and Section 21 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Amendments to Through Street Designations

§ 7-19 THROUGH STREETS.

Pursuant to the provisions of N.J.S.A. 39:4-140, the streets or parts of streets described are hereby designated as Through Streets. Stop signs shall be installed on the near-right side of each street intersecting the Through Street except where Yield signs are provided for in the designation.

Name of Street	Limits
[...]	[...]
Walnut Street – East Colfax Avenue	a. Between Westfield Avenue (Route NJ 28) and East Grant Avenue
	b. Between East Grant Clay Avenue and East Lincoln Avenue (CR 618)
	c. Between East Lincoln Avenue (CR 618) and Galloping Hill Road (CR 616)
[...]	[...]

SECTION 2. Amendments to Multi-Way Stop Intersections

§ 7-21 MULTI-WAY STOP INTERSECTIONS.

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections herein described are designated as Multi-Way stop intersections. Stop signs shall be installed as provided herein.

Intersection	Stop Sign(s) On
East Clay Avenue and Walnut Street	The right side of each approach
West Webster Avenue and Myrtle Avenue	The right side of each approach

SECTION 3. Invalidity

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

SECTION 4. Inconsistent Ordinances Repealed.

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

SECTION 5. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, all strike through text, ~~thusly~~, should be considered a deletion from Borough Code, and all bolded text, **thusly**, should be considered an addition to Borough Code.

SECTION 6. Effective Date.

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

Councilman Signorello moved that Ordinance No. 2755 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on November 2, 2023; seconded by Councilman Johnson.

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

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

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 4, Section 17 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. General Amendments and Corrections

§ 7-17 BILLBOARDS.

§ 7-17.1 Definitions.

As used in this section:

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

§ 7-17.2 Location of Billboards; Dimensions.

A billboard may be erected and maintained on any lot in the Industrial (“I”) Zone District as defined in Chapter ~~35~~ **40**, Land Use, of the Code of the Borough of Roselle Park. Only one (1) billboard shall be permitted on any such lot, extending not more than thirty (30) feet in height and

having a display area no greater than eight (8) feet high and thirty (30) feet long. The bottom of the billboard shall be not less than ten (10) feet above the ground and shall not be permitted within a required front yard. No billboard shall be located any closer than one thousand (1,000) feet to any other billboard.

§ 7-17.3 License and Inspection Required; Fee.

- a. No person or commercial entity shall erect or maintain or cause to be erected or maintained a billboard without first having obtained from the Borough a license for that purpose. A license may be granted by the Borough ~~Engineer~~ **Clerk** upon application therefor in writing for that purpose. Such application shall contain the following information and shall be signed by the applicant:
 1. Name and address of applicant.
 2. Proof of inspection of billboard by licensed engineer and electrical inspector and certification by each inspector that the billboard meets the requirements of this section and applicable electrical codes.
- b. The fee for such license shall be ~~one hundred (\$100.00)~~ **five-hundred (\$500.00)** dollars. Such license shall continue in force and effect only for the calendar year in which it is issued. Upon expiration of the initial license, the license shall be renewed upon the following conditions:
 1. Proof of inspection of billboard by licensed engineer and electrical inspector and certification by each inspector that the billboard meets the requirements of this section and applicable electrical codes.
 2. Payment of the license renewal fee of ~~one hundred (\$100.00)~~ **five-hundred (\$500.00)** dollars.

§ 7-17.4 Violations and Penalties.

Any violation or refusal to comply with any part of this section shall constitute a violation, and, upon conviction, shall be liable for the penalty stated in Chapter 1, Section 1-5. Each violation of any of the provisions of this section each day the same is violated shall be deemed and taken to be a separate and distinct offense.

§ 7-17.5 Lawful Preexisting Nonconforming ~~Signs~~ **Billboards**.

The following provisions shall apply to any billboard which was lawful prior to ~~the~~ amendment of this section, but which fails to conform to the requirements of this section, by reason of ~~such~~ amendment:

- a. Routine Maintenance. Routine maintenance for any nonconforming billboard shall be permitted, provided that such maintenance shall comply with the provisions of paragraphs b, c and d below. The term "routine maintenance" is intended to include such activities as cleaning, replacement of light bulbs, removal of rust and corrosion, and repainting.

- b. Restoration or Repair of Partial Destruction. Any nonconforming billboard existing at the time of the passage of this section or any amendment thereto¹ may be continued upon the lot so occupied, and any such sign may be restored or repaired in the event of partial destruction thereof.
- c. Effect of Removal. Nothing contained herein shall be construed to prohibit the removal and subsequent reinstallation of a nonconforming billboard for purposes of maintenance, restoration, repair or permitted alteration.
- d. Alterations. The following provisions shall regulate alterations of nonconforming billboards:
 - 1. Alteration of nonconforming billboard use. Any billboard which does not conform to the requirements herein shall not be enlarged, extended or relocated.
 - 2. Alteration of nonconforming billboard structure. A nonconforming billboard structure may be altered only if such alteration reduces the extent of nonconformity or changes the structure to a conforming structure, as applicable.
- e. Reversion to Nonconforming Billboard Prohibited. A billboard which is a nonconforming use and which is changed to a conforming use may not thereafter be changed back to a nonconforming use.
- f. Abandonment of Nonconforming Billboard. Any nonconforming billboard which is abandoned by way of lack of maintenance, restoration or repair due to the restrictions required herein shall be removed in its entirety prior to the issuance of any other license.

SECTION 3. Invalidity

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

SECTION 4. Inconsistent Ordinances Repealed.

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

SECTION 5. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, all strike through text, ~~thusly~~, should be considered a deletion from Borough Code, and all bolded text, **thusly**, should be considered an addition to Borough Code.

SECTION 6. Effective Date.

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

Councilman Signorello moved that Ordinance No. 2756 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on November 2, 2023; 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”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 5 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Amendment to Chapter Title

§ 5 Licensing and Regulation of ~~Amusements and Entertainments.~~ **Amusement Devices, Bingo Games, and Raffles.**

SECTION 2. Abolition of Licenses for Circuses, Shows, Exhibitions and Miniature Golf

§ 5-3 ~~CIRCUSES, SHOWS, EXHIBITIONS AND MINIATURE GOLF.~~ **(RESERVED)**

§ 5-3.1. ~~License Required; Penalty.~~

~~No person shall publicly exhibit, present or perform, or cause to be publicly exhibited, presented or performed, any traveling or other street show, street exhibition or circus, or conduct any public place of amusement in any place whatever, for any price, gain or reward, other than charitable, social and religious entertainments and festivals, without first obtaining a license therefor as hereinafter provided. Any person who shall publicly exhibit, present or perform, or cause to be publicly exhibited, presented or performed any traveling or street show, street exhibition or circus, or conduct any such public place of amusement without first procuring a license as required by this section, shall be deemed guilty of a violation of this section, and, upon conviction thereof, shall be liable for the penalty established in Chapter 1, Section 1-5.~~

§ 5-3.2. ~~Issuance of Licenses.~~

~~The Mayor and Council may, in its discretion, grant licenses for any such traveling or other street show, street exhibition, circus or public place of amusement. Every license so granted shall be signed by the Mayor, attested by the Municipal Clerk, and shall set forth the place where the shows and exhibitions are to be given or where such public place of amusement is to be located, the time during which it is to continue and the price of admission.~~

§ 5-3.3. ~~License Fees.~~

a. ~~Every person, on receiving such license, shall pay therefor to the Municipal Clerk a license fee of five hundred (\$500.00) dollars for every day such license may continue. Any theater or other public place of amusement in which motion picture shows or other shows or any theatrical or other entertainment shall be given for any price, gain or reward shall be required to obtain a license for each calendar year at the rate of two hundred (\$200.00) dollars per year.~~

b. ~~Every person who shall conduct, for any price, gain or reward, any public place of amusement commonly known as a "miniature golf course" or "links," in which the game of golf or games similar thereto may be played, for which a license is granted for a period of not less than one (1) year, shall pay a license fee of fifty (\$50.00) dollars annually, payable in advance at the time the license may be granted, together with an application fee of ten (\$10.00) dollars payable when the license is applied for.~~

~~§ 5-3.4. Disorderly Places; Penalty.~~

~~Any person who shall permit his place of exhibition or public place of amusement to become disorderly shall be liable for the penalty stated in subsection 5-3.1.~~

SECTION 3. Abolition of Licenses for Pool and Billiard Parlors

§ 5-4 ~~POOL AND BILLIARD PARLORS. (RESERVED)~~

~~§ 5-4.1. License Required; Exceptions~~

~~No person shall conduct or carry on a pool or billiard room or pool or billiard parlor or place where this business is conducted for gain, reward or profit unless the person shall have first obtained a license for that purpose from the Mayor and Council. This subsection shall not apply to pool or billiard rooms in residences of private persons to which the public is not admitted, or to any duly incorporated club or society, or society formed for charitable purposes.~~

~~§ 5-4.2. License Fee; Duration of License.~~

~~A license fee of fifteen (\$15.00) dollars shall be charged for the first pool or billiard table and five (\$5.00) dollars for each additional pool or billiard table in any pool or billiard room or pool or billiard parlor or place where this business is conducted. The license fee shall be paid at the time when such license is issued and shall be for the purpose of revenue. The term of the license shall be for one (1) year from the date of issuance.~~

~~§ 5-4.3. Requisites for License.~~

~~No license shall be issued to any applicant unless he is a resident of the Borough or unless the application, which shall be in writing, shall be presented at a meeting of the Mayor and Council. No license shall be granted to any applicant unless he either is a citizen of the United States of America or shall have declared his intention to become a citizen of the United States of America and has received a certificate to such effect, such facts to be clearly stated in the application. The application shall also clearly designate the location of the proposed place of business and the number of tables to be operated therein. All licenses shall be issued and signed by the Municipal Clerk, be impressed with the seal of the Borough, and shall be countersigned by the Mayor.~~

~~§ 5-4.4. Transfer of License.~~

~~Transfers of licenses authorized by this section shall be granted by the Mayor and Council, in its discretion, on application, and a transfer fee of twenty five (\$25.00) dollars shall be charged.~~

~~§ 5-4.5. Ownership of Business.~~

~~The applicant is required to be the actual owner of the business for which he or she seeks a license.~~

~~§ 5-4.6. Gambling Prohibited.~~

~~Any person who installs or permits to be installed any gambling device, or who permits gambling to be conducted in any pool or billiard room or pool or billiard parlor for which a license has been granted, shall, in addition to the penalties prescribed in subsection 5-4.9 of this section, be subject to a revocation of the license granted under this section.~~

~~§ 5-4.7. Hours of Operation; Sunday Prohibited.~~

~~No pool or billiards shall be played in any place licensed under this section on the Sabbath or first day of the week, commonly called Sunday, nor any other day between the hours of 12:00 midnight and 7:00 a.m.~~

~~§ 5-4.8. Supervision of Licensed Premises.~~

~~The Chief of Police shall have supervision over all licensed places and shall report violations of this section.~~

~~§ 5-4.9. Violations and Penalties.~~

~~Any person violating any of the provisions of this section shall, upon conviction thereof, be liable for the penalty stated in Chapter 1, Section 1-5.~~

SECTION 4. Abolition of Licenses for Jukeboxes

§ 5-5 COIN OPERATED MUSIC DEVICES. (RESERVED)

~~§ 5-5.1. Definitions.~~

~~As used in this section:~~

~~COIN CONTROLLED AUTOMATIC MUSIC DEVICE OR COIN CONTROLLED RECORD PLAYING MACHINE~~ Shall mean a machine, device or instrument, the principal purpose of which is to play music from a recorder or other sound or music making device upon the insertion of a coin, slug, disk or other consideration.

~~§ 5-5.2. License Required.~~

~~No person shall place or maintain or permit to be placed, operated, used or maintained in any public or quasi public place or in any building, store or other place wherein the public is invited or may enter, including premises used as a clubhouse or clubrooms within the limits of the Borough, any coin controlled automatic music device or record playing machine without first having obtained a license for each device or machine. The license shall be affixed to the machine in a conspicuous place so that it may be easily identified. Any device or machine which shall not have a license as~~

~~required affixed thereto shall be deemed to have been placed, operated, used and maintained in violation of the provisions of this section.~~

~~§ 5-5.3. Issuance of License.~~

~~The license for the placing, operation, maintenance or use of coin-controlled automatic music devices or record-playing machines shall be issued by the Municipal Clerk to and in the name of the owner of such device or machine. All licenses shall expire on December 31, annually. The license fee shall be twenty five (\$25.00) dollars for each coin-controlled automatic music device and each coin-controlled record-playing machine. A separate license shall be obtained for each device or machine and shall be affixed thereto.~~

~~§ 5-5.4. Nonprofit Exemptions.~~

~~The license fee provided for in this section shall not apply to nonprofit religious, charitable, educational, civic or veterans organizations, societies, corporations and companies if such organization, society, corporation or company is the owner of such device. Licenses issued to any of such organizations shall bear the legend "no fee."~~

~~§ 5-5.5. Application Procedure.~~

~~Applications for licenses shall be made to the Municipal Clerk upon a form furnished by the Borough and shall contain the following information:~~

- ~~a. Name of applicant;~~
- ~~b. Residence of applicant;~~
- ~~c. Place of business of applicant;~~
- ~~d. Address or addresses where each machine or device is to be located.~~

~~§ 5-5.6. Contents of License.~~

~~Every license issued hereunder shall be numbered and shall disclose on its face the name and post office address of the licensee to whom it is issued and the address of the establishment wherein the licensed device or machine shall be located.~~

~~§ 5-5.7. Transfer of License.~~

~~The holder of a license issued hereunder shall be permitted to transfer such license from any machine to any other like machine operated in the same premises for which the license is issued by removing the license from such machine and affixing it to such other machine. The holder of any license shall be permitted to transfer any license issued from a machine in any establishment to a like machine in another establishment by surrendering the license to the Municipal Clerk and obtaining a new license for that machine for the location to which the license is transferred upon payment to the Municipal Clerk of a transfer fee of twenty five (\$25.00) dollars. Nothing herein shall be construed or interpreted as to permit a transfer by any fee-exempt licensee as provided for in subsection 5-5.4 above to a person not entitled to an exemption. The transfer fee provided for in this subsection shall be waived with respect to organizations qualifying for license fee exemptions.~~

~~§ 5-5.8. Violations and Penalties.~~

~~Any person violating any of the provisions of this section shall be liable, upon conviction, to the penalty stated in Chapter 1, Section 1-5.~~

SECTION 5. Abolition of Licenses for Cabarets

§ 5-6 CABARETS-(RESERVED)

~~§ 5-6.1. Purpose.~~

~~The purpose of this section is to provide for the economic and social welfare, health, peace and morals of the people of the Borough of Roselle Park, and all of its provisions shall be liberally construed for the accomplishment of that purpose.~~

~~§ 5-6.2. Definitions and Usage.~~

~~a.—Definitions. As used in this section:~~

~~CABARET— Shall mean any room, place or space in the Borough where an admission fee, minimum service charge or cover charge is made and where refreshments of any kind are served for gain or profit, and/or dancing, entertainment or exhibitions are given or permitted in connection therewith, or any room, place or space in the Borough where exhibitions or other forms of entertainment or amusement are given or conducted for gain or profit and dancing and serving of refreshments of any kind are permitted.~~

~~EMPLOYEE— Shall mean a person employed in any capacity or title in connection with a cabaret, including the licensee and any and all persons responsible for the control or management thereof. It shall include a concessionaire and each person employed by a concessionaire.~~

~~PERSON— Shall mean natural persons of either sex, firms, corporations, partnerships, associations, joint stock companies, societies and any other legal entities of any kind capable of being sued, whether acting by themselves or by servant, agent or employee.~~

~~b.—Usage. The singular masculine pronoun shall include the feminine, and the singular number shall include the plural.~~

~~§ 5-6.3. License Required.~~

~~It shall be unlawful for any person to conduct, maintain or operate a cabaret unless the room, place or space wherein the same is conducted, maintained or operated is licensed in the manner prescribed herein.~~

~~§ 5-6.4. Application Procedure.~~

~~a.—Any person desiring to procure a cabaret license shall make application therefor to the Borough Council on a form provided by the Municipal Clerk's office. This form shall contain the following information:~~

~~1.— Name, residence and age of applicant;~~

~~2.— Whether applicant is individual, partnership, corporation or other association;~~

- ~~3. If a partnership, the name of all persons having an interest in the partnership, their addresses and ages;~~
 - ~~4. If a corporation, the names, addresses and ages of the principal officers, directors and managers;~~
 - ~~5. If a corporation, the name of each stockholder, together with the number of shares held by each and the percentage of total outstanding shares;~~
 - ~~6. Whether any of the persons named in paragraph a1, 3, 4 and 5 are citizens of a country other than the United States and the names and country of citizenship of those who are;~~
 - ~~7. How long each applicant, member of partnership or officer of corporation has been a resident of the Borough and the places of previous employment;~~
 - ~~8. Whether any person mentioned in paragraph a1, 3, 4 and 5 has been convicted of a felony or misdemeanor, and if so, the full particulars thereof;~~
 - ~~9. Whether any person mentioned in paragraph a1, 3, 4 and 5 has engaged individually as an operator or manager of a cabaret or similar business within the last five (5) years, and if so, the name of such business, its address and the length of time such person operated such business;~~
 - ~~10. Whether any person mentioned in paragraph a1, 3, 4 and 5 has ever had a previous cabaret or similar license revoked or suspended, and whether such person has been convicted of operating or managing such a business without a license, and if so, the full particulars thereof;~~
 - ~~11. The name of the cabaret under which the applicant will operate;~~
 - ~~12. The nature of the entertainment or exhibitions to be produced;~~
 - ~~13. The area of the floor space to be used, the number of rooms to be occupied and the number of entrances and exits;~~
 - ~~14. Whether any part of the premises to be used will be used for a hotel, rooming house or lodging house, and if so, the full particulars thereof;~~
 - ~~15. Whether any of these persons has ever been convicted of violating an ordinance or law relating to public morals or decency;~~
 - ~~16. Names and addresses of all employees; and~~
 - ~~17. Proposed location of cabaret.~~
- ~~b. The application shall be signed and verified by the applicant before an officer authorized to administer oaths.~~

- ~~e. The application shall be referred to the Chief of Police, the Fire Inspector, Health Inspector and Construction Official for proper investigation of the applicant and the premises. This application shall not be approved by the Borough Council unless a favorable report in writing from each of the named officials shall have been received and such applicant and premises conform to the requirements of this section and all laws and regulations of the State of New Jersey and the Borough of Roselle Park. No license shall be granted unless the applicant (or if a corporation, the holders of a majority of its capital stock) and all persons having an interest in such business are of good moral character and have not been convicted of violating laws or ordinances relating to public morality or decency or to the sale of intoxicating liquor within one (1) year preceding the date of such application.~~
- ~~d. If any report of the above named officials is not favorable, notice shall be given to the applicant within three (3) days, whereupon the applicant may appeal to the Borough Council within sixty (60) days and by competent evidence prove that the applicant (or, if a corporation, the holders of a majority of its capital stock) and all persons having an interest in the proposed cabaret are of good moral character, that none of them has ever been convicted of any of the above-mentioned offenses as herein provided and that the premises described in the application comply with the requirements of this section and all laws and regulations of the State of New Jersey and the Borough of Roselle Park. If after such appeal the Borough Council shall find from a preponderance of the evidence that the foregoing facts have been established, it may, in its discretion, issue such license.~~

~~§ 5-6.5. License Fee.~~

- ~~a. The fee for each cabaret license shall be one hundred (\$100.00) dollars, payable upon submission of the application. In the event that an application is denied, fifty (\$50.00) dollars shall be refunded to the applicant.~~
- ~~b. All licenses issued between the first day of January and the 30th day of June, inclusive, of any year, shall expire on the 31st day of December of the same year, and all licenses issued between the first day of July and the 31st day of December, inclusive, of any year, shall expire on the 30th day of June of the succeeding year.~~
- ~~c. All licenses granted pursuant to this section shall be renewed annually upon submission of an application, which shall be subject to investigation by any official at his discretion as designated in subsection 5-6.4c.~~
- ~~d. The renewal fee for such license shall be seventy five (\$75.00) dollars payable upon application for renewal. If such renewal is denied, the applicant may appeal as described in subsection 5-6.4d, and if after such appeal renewal is denied, fifty (\$50.00) dollars of the renewal fee shall be refunded to the applicant.~~
- ~~e. Such license shall not be transferable and shall not authorize the person to whom it is granted to conduct a cabaret at any other location than that specified in the application and the license if granted as herein provided.~~

~~§ 5-6.6. Suspension or Revocation of License~~

- ~~a. A license may be suspended or revoked by the Borough Council for violation of this section or upon the grounds that disorderly, obscene or immoral conduct is permitted on the licensed~~

~~premises or is occasioned in the vicinity of such premises as a result of its existence, or where the same was procured by fraud or false representation of fact. During such period of suspension or revocation, it shall be unlawful to use or occupy any portion of such premises as a cabaret.~~

- ~~b. Notice of its intention to suspend or revoke such license shall be served upon the licensee of such premises by registered mail. There shall be included in or attached to such notice a statement of the facts upon which the violation is charged. The licensee shall then be entitled to a hearing before the Borough Council within sixty (60) days. Whenever any license shall be suspended or revoked, no refund of any unearned portion of the fee shall be made and at least six (6) months from the time of such suspension or revocation shall elapse before another license shall be issued for the same premises. If the license of any premises shall be twice suspended or revoked within a period of one (1) year, a new license shall not be issued for such place for a period of at least one (1) year from the date of the second suspension or revocation.~~

~~§ 5-6.7. Posting of License.~~

~~Every person licensed in accordance with the provisions of this section shall immediately post such license and keep the same posted while in force in a conspicuous place on the premises mentioned in the application for license.~~

~~§ 5-6.8. Replacement of License.~~

~~Whenever a license shall be lost or destroyed without fault on the part of the holder or his agent or employee, a duplicate license in lieu thereof may be issued upon the payment of a fee of ten (\$10.00) dollars.~~

~~§ 5-6.9. Hours of Operation.~~

- ~~a. Premises licensed hereunder shall not exercise cabaret privileges between the hours of 1:00 a.m. and 7:00 a.m. However, the Borough Council, in its discretion, may permit any premises licensed hereunder to exercise cabaret privileges after 1:00 a.m. on special occasions.~~
- ~~b. If, for good and sufficient reason, it appears to the Borough Council that the licensed premises creates a private or public nuisance (alternatively, unreasonably affects the welfare, health, peace and morals of the people of the Borough of Roselle Park), it may require such cabaret privileges to close at 12:00 midnight so as to reasonably prevent such nuisance.~~

~~§ 5-6.10. Rental of Premises for Cabaret Activities~~

- ~~a. No premises in the Borough shall be leased or hired out for the purpose of conducting cabaret activities thereon for a specific limited period unless the person intending to lease or hire such premises shall have applied for and received from the Borough Council a permit to do so. Such permit shall be issued after the Borough Council is satisfied that no fraudulent solicitation of moneys, no disorderly or immoral behavior nor any behavior calculated to disturb the public peace or safety will be conducted on such premises if the permit is granted.~~

- b. ~~Application for such a permit shall be made on a form to be provided by the Municipal Clerk's office. Such permit shall be good for one (1) day, including those hours of the following day as hereinafter set forth, and the fee for such permit shall be ten (\$10.00) dollars.~~
- e. ~~A permit issued pursuant to the provisions of this subsection may, at the discretion of the Borough Council, provide that such cabaret activities may be continued between the hours of 7:00 a.m. and 1:00 a.m. However, if the cabaret activities are to be carried on beyond the time of 1:00 a.m., a new permit shall be required for such activities.~~

~~§ 5-6.11. Prohibited Activities.~~

- a. ~~No person owning, managing, operating or conducting a cabaret shall allow or permit any person employed by him in the capacity of an entertainer or servant or otherwise to approach or accost any guest to dance with or have refreshments with such employee during the hours of such person's employment, nor shall any person in the premises of a cabaret approach any person who is an employee of the owner or manager or operator in the capacity of an entertainer or servant or otherwise during the hours of such person's employment for the purpose of inducing any such person so employed to dance with or have refreshments with such guest.~~
- b. ~~It shall be unlawful for any cabaret to have, permit or maintain any boxes or booths closed by any door, screen, curtain or other device. It shall also be unlawful for any cabaret to have, permit or maintain any box or booth with an entrance thereto in any side other than the side which faces the center of the main room.~~
- c. ~~It shall be unlawful for the owner, proprietor, manager or person in charge of any place licensed under the provisions of this section to employ as an entertainer in such place any person who is not at least eighteen (18) years of age and of good moral character.~~
- d. ~~It shall be unlawful for the owner, proprietor, manager or person in charge of any place licensed under the provisions of this section, or for any employee of the place, to harbor, admit, receive or permit to be or remain in and about any such place any lewd or dissolute person, any common prostitute, any drunken or boisterous person, any person under the influence of intoxicating liquor or any person whose conduct tends in any way to corrupt the public morals.~~
- e. ~~It shall be unlawful for any lewd or dissolute person, any common prostitute, any drunken or boisterous person, any person under the influence of intoxicating liquor or any person whose conduct while present in this place in any way tends to corrupt the public morals, to be or remain in or about any place licensed under the provisions of this section after being notified by the management or a Peace Officer to leave the premises.~~
- f. ~~It shall be unlawful for any lewd or dissolute person, any common prostitute, any drunken or boisterous person, any person under the influence of intoxicating liquor or any person whose conduct while present in this place in any way tends to corrupt the public morals, to be or remain in or about any place licensed under the provisions of this section after being notified by the management or a Peace Officer to leave the premises.~~

- ~~g. It shall be unlawful for any person while dancing in any place licensed under the provisions of this section to assume or maintain any immodest, lewd or suggestive posture or position which in any way tends to corrupt the public morals.~~
- ~~h. After sunset every place licensed under the provisions of this section shall be lighted or illuminated by either gas or electricity or other means, provided that the intensity of such illumination shall at no time be less than three (3) footcandles at a plane three (3) feet above the floor at all parts of the place, and it shall be unlawful for the owner, proprietor, manager or person in charge of such place to admit any patron thereto after sunset until the place is illuminated, as provided herein. Such lighting or illumination shall be maintained throughout the entire time during which the cabaret shall be open or entertaining patrons and until such cabaret shall be cleared and closed.~~
- ~~i. It shall be unlawful to give or permit the giving of, in any cabaret, any entertainment or exhibition of a lewd, suggestive, vulgar or immoral type, or to use therein any indecent or obscene language or to sing any song of any lewd or vulgar character or to behave in any manner tending to corrupt the public morals.~~
- ~~j. It shall be unlawful for any person to bring into or have in his or her possession or partake of any intoxicating liquors in any place designated in this section as a cabaret. This subsection shall not apply to cabarets where intoxicating liquors may be lawfully sold under the provisions of the Alcoholic Beverage Control Law.~~
- ~~k. It shall be unlawful for any person conducting, maintaining or operating a cabaret within the Borough to suffer or permit any waitress, barmaid, entertainer or employee who comes in contact with or appears before patrons of the establishment, or for any other person, to appear in the presence of such patrons with breasts uncovered in such a manner that the portion of the breasts below the top of the areola is not covered with a fully opaque covering, or with the genital or buttock area uncovered or so thinly covered or draped as to permit one to see through the same, or to appear or suffer or permit any person to appear in any scene, sketch, act or entertainment with breasts or the lower part of the torso uncovered or so thinly draped as to permit one to see through the same.~~
- ~~l. It shall be unlawful for any person licensed under the provisions of this section to permit on the premises any entertainment, amplified by a mechanical device, of such an intensity, character and duration as to disturb the peace, tranquility and good order of the people of the Borough of Roselle Park.~~
- ~~m. It shall be unlawful for any person licensed under the provisions of this section to permit any disorderly, noisy, riotous or tumultuous conduct or loitering about the licensed premises.~~
- ~~n. It shall be unlawful for the owner, proprietor, manager or person in charge of any place licensed under the provisions of this section to refuse admission to any Peace Officer charged with the duty of enforcing this section. The Officers shall have free access at all times to any cabaret licensed under the provisions of this section.~~

~~§ 5-6.12. Maximum Occupancy.~~

- a. ~~The maximum number of patrons permitted in any cabaret shall be determined on the basis of one (1) person for each fifteen (15) square feet of floor area utilized for cabaret activities.~~
- b. ~~The Construction Official shall determine the maximum number of square feet in each place which is subject to this section and shall cause signs to be posted in such place in conspicuous locations designated by him, stating the maximum number of persons permitted to occupy such place at any one time. The owner or occupant of such place shall cause these signs to be posted at the locations designated by the Construction Official at all times.~~

~~§ 5-6.13. Exit Requirements.~~

~~All entrances and exits to the licensed premises shall open out and remain unlocked while there are patrons on the premises, and all such exits shall be clearly marked.~~

~~§ 5-6.14. Exemptions.~~

~~The provisions of this section shall not apply to the activities conducted in a building or buildings owned by any church, public school, firehouse or clubhouse which is not conducted for gain or profit and which is located on a plot of ten thousand (10,000) square feet or more, or a clubhouse which is not conducted for gain or profit and which is located on a lot of less than ten thousand (10,000) square feet if exemption therefor is granted by the Borough Council.~~

~~§ 5-6.15. Violations and Penalties.~~

- a. ~~Any person who conducts a cabaret without a license or permit required by this section, or who makes fraudulent statements on an application therefor, or who, having had his license or permit suspended or revoked, continues to conduct cabaret activities on the licensed premises, shall be guilty, upon conviction, and shall be subject to the penalty stated in Chapter 1, Section 1-5. Each day's continued violation shall constitute a separate violation.~~
- b. ~~The infraction of any other provision of this section shall constitute a violation and subject the offender to a fine not to exceed five hundred (\$500.00) dollars or thirty (30) days' imprisonment, or both. Each day's continued violation shall constitute a separate violation.~~

SECTION 6. Invalidation

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

SECTION 7. Inconsistent Ordinances Repealed.

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

SECTION 8. Captions.

Captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, all strike through text, ~~thusly~~, should be considered a deletion from Borough Code, and all bolded text, **thusly**, should be considered an addition to 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. 2757 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on November 2, 2023; seconded by Councilman Johnson.

Borough Casais said we are no longer going to license certain things that we quite frankly haven't been licensing for a long time, such as traveling circuses. We are no longer going to be licensing jukeboxes, which we currently license four and totals a revenue of \$100 for the town. We are no longer going to be licensing cabarets, which the last time we licensed a cabaret was in 2011. He said none of the things that we are eliminating licenses for will be outlawed; we are just no longer going to charge people and issue permits for them. He further said unlike the billboard ordinance, which we will keep because there is a safety component to that. However, for all these licenses, we have other mechanisms for enforcement or there really is no reason to have a permit or license for them.

<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"/>

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. 289-23

APPROVING THE TIME-DUE CALCULATION AND TERMS OF FINAL PAYMENT FOR KEITH MULLER

WHEREAS, Keith Muller was laid-off from employment with the Borough of Roselle Park with his final date of employment being October 9, 2023; and,

WHEREAS, it has been agreed by the Mayor and Council of the Borough of Roselle Park and Keith Muller that the break-down of time-due compensation will be paid as follows:

<u>Description</u>	<u>Amount of Days/Hours</u>	<u>Daily/Hourly Rate</u>	<u>Amount Due</u>
2023 Vacation Hours	0 Hours	\$37.1885	\$0.00
2023 Personal Hours	0 Hours	\$37.1885	\$0.00
2023 Sick Hours (100% Due to Layoff)	2 Hours	\$37.1885	\$74.38

2024 Vacation Hours (80 hours prorated for 9.29 months)	61.93 Hours	\$37.1885	\$2,303.208
Total Due			<u>\$2,377.46</u>

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 Chief Financial Officer is hereby directed to pay Keith Muller the entitled compensation at the above schedule.

RESOLUTION NO. 290-23

APPROVING THE TIME-DUE CALCULATION AND TERMS OF
FINAL PAYMENT FOR BRIAN FLYNN

WHEREAS, Brian Flynn was laid-off from employment with the Borough of Roselle Park with his final date of employment being October 9, 2023; and,

WHEREAS, it has been agreed by the Mayor and Council of the Borough of Roselle Park and Brian Flynn that the break-down of time-due compensation will be paid as follows:

<u>Description</u>	<u>Amount of Days/Hours</u>	<u>Daily/Hourly Rate</u>	<u>Amount Due</u>
2023 Vacation Hours (Prorated for 11 Months; Entitled to 73, but used 32)	41 Hours	\$37.1885	\$1,524.73
2023 Personal Hours	8 Hours	\$37.1885	\$297.51
2023 Sick Hours (100% Due to Layoff)	80 Hours	\$37.1885	\$2,975.08
2024 Vacation Hours (80 hours prorated for 9.29 months; Did Not Work Full Year)	0 Hours	\$37.1885	\$0.00
Total Due			<u>\$4,797.32</u>

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 Chief Financial Officer is hereby directed to pay Brian Flynn the entitled compensation at the above schedule.

RESOLUTION NO. 292-23

ACCEPTING THE RESIGNATION OF PAUL BAIAMONTE
FROM THE RECREATION 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 Paul Baiamonte from the Recreation Committee effective October 10, 2023.

RESOLUTION NO. 293-23

ACKNOWLEDGING THAT THE GOVERNING BODY
DISCUSSED THE 2023 BEST PRACTICES INVENTORY

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey acknowledge that they discussed the 2023 Best Practice Inventory as prepared by the Chief Financial Officer at their Regular Meeting of October 19, 2023.

RESOLUTION NO. 295-23

AWARDING A PROFESSIONAL SERVICES CONTRACT TO MCMANIMON, SCOTLAND & BAUMANN, LLC FOR REDEVELOPMENT COUNSEL SERVICES ASSOCIATED WITH BLOCK 606, LOTS 25, 26, 27, 28, 29, 30, 31, 32, 36.01 AND 38 OF THE MUNICIPAL TAX MAP COMMONLY KNOWN AS 112 LOCUST STREET, 101 WEST WESTFIELD AVENUE, 105 WEST WESTFIELD AVENUE, 111 WEST WESTFIELD AVENUE, 115 WEST WESTFIELD AVENUE, 121 WEST WESTFIELD AVENUE, 129 WEST WESTFIELD AVENUE, 133 WEST WESTFIELD AVENUE, 147 WEST WESTFIELD AVENUE, AND 159 WEST WESTFIELD AVENUE, ALONG WITH ALL STREETS AND RIGHTS OF WAY APPURTENANT THERETO IN AN AMOUNT NOT TO EXCEED \$25,000.00

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for redevelopment counsel services associated with Block 606, Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01 and 38 be awarded to McManimon, Scotland & Baumann, LLC of 75 Livingston Avenue, Second Floor, Roseland, New Jersey 07068 for the sum not to twenty-five thousand dollars and zero cents (\$25,000.00); and,

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately; and,

BE IT FURTHER RESOLVED that all invoices issued and received pursuant to this Resolution shall be charged to a Developers escrow when and if established; 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. 28-23.

RESOLUTION NO. 296-23

AMENDING RESOLUTION NO. 136-23 CORRECTING A TYPOGRAPHICAL ERROR AND OTHERWISE RESTATING AUTHORIZATION OF THE SUBMISSION OF FORM 1B, A STRATEGIC PLAN FOR THE BOROUGH OF ROSELLE PARK MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024

WHEREAS, Resolution No. 136-23 was adopted by the Mayor and Council of the Borough of Roselle Park at a Regular Meeting held May 4, 2023; and,

WHEREAS, the Chief Administrative Officer of the Borough of Roselle Park was informed of a typographical error within Resolution No. 136-23 which referenced an incorrect fiscal year; and,

WHEREAS, the foregoing Resolution, and the actions so referenced, shall amend and otherwise restate and replace that which was stipulated by Resolution No. 136-23; and,

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non-profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and,

WHEREAS, the Borough Council of the Borough of Roselle Park, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages, and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough of Roselle Park Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough of Roselle Park Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Union.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Roselle Park, County of Union, State of New Jersey hereby recognizes the following:

1. The Borough of Roselle Park Council does hereby authorize submission of a strategic plan for the Borough of Roselle Park Municipal Alliance Grant for fiscal year 2024 in the amount of:

<u>DEDR</u>	\$5,443.00
Cash Match	\$1,361.00
In-Kind	\$4,082.00

2. The Borough of Roselle Park Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

RESOLUTION NO. 297-23

AWARDING A CONTRACT TO JACMEL CONSTRUCTION, LLC FOR THE PROJECT,
"ROSELLE PARK HOUSING REHABILITATION PROGRAM CASE NO. RP-51" IN
AN AMOUNT NOT TO EXCEED \$19,900.00

WHEREAS, Community Grants, Planning & Housing (CGP&H) provides Administrative Agent Services to the Borough of Roselle Park (hereinafter, the "Borough") and serves as the Administrator of the Borough's Housing Rehabilitation Program; and,

WHEREAS, CGP&H has conducted the procurement process on behalf of the Borough, pursuant to the duties and responsibilities outlined in their Professional Services Contract, for certain improvements in connection with Roselle Park Housing Rehabilitation Program Case No. RP-51 located at 462 Colonial Road, Roselle Park, New Jersey 07204, Block 1113, Lot 6 of the tax map of the Borough of Roselle Park,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to Jacmel Construction, LLC of 170 Avenue F, #434, Bayonne, New Jersey 07002 in the amount not to exceed \$19,900.00 for the project Roselle Park Housing Rehabilitation Program Case No. RP-51 located at 462 Colonial Road, Roselle Park, New Jersey 07204, Block 1113, Lot 6 of the tax map.

RESOLUTION NO. 299-23

PROMOTING ALTERNATE CROSSING GUARD DONNA RODRIGUEZ
TO THE POSITION OF CROSSING GUARD

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby promotes Alternate Crossing Guard Donna Rodriguez to the position of Crossing Guard to be paid \$74.27 per day effective immediately.

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

RESOLUTION NO. 291-23

AUTHORIZING EXTENSION OF THE 2023 FARMERS' MARKET
THROUGH NOVEMBER 22, 2023

WHEREAS, it is the recommendation of the Roselle Park Farmers' Market Manager to extend the 2023 Farmers' Market through November 22, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, in the County of Union, in the State of New Jersey hereby authorize the extension of the 2023 Roselle Park Farmers' Market through Wednesday, November 22, 2023.

<input type="checkbox"/> Vote Record – Resolution No. 291-23					
		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"/>

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

RESOLUTION NO. 294-23

AWARDING A PROFESSIONAL SERVICES CONTRACT TO CONSULTING & MUNICIPAL ENGINEERS (CME ASSOCIATES) FOR THE PREPARATION OF A REDEVELOPMENT PLAN FOR BLOCK 606, LOTS 25, 26, 27, 28, 29, 30, 31, 32, 36.01 AND 38 OF THE MUNICIPAL TAX MAP COMMONLY KNOWN AS 112 LOCUST STREET, 101 WEST WESTFIELD AVENUE, 105 WEST WESTFIELD AVENUE, 111 WEST WESTFIELD AVENUE, 115 WEST WESTFIELD AVENUE, 121 WEST WESTFIELD AVENUE, 129 WEST WESTFIELD AVENUE, 133 WEST WESTFIELD AVENUE, 147 WEST WESTFIELD AVENUE, AND 159 WEST WESTFIELD AVENUE, ALONG WITH ALL STREETS AND RIGHTS OF WAY APPURTENANT THERETO IN AN AMOUNT NOT TO EXCEED \$18,951.50

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for the preparation of a redevelopment plan for Block 606, Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01 and 38 be awarded to Consulting & Municipal Engineers (CME Associates) of 3141 Bordentown Avenue, Parlin, New Jersey 08859 for the sum not to exceed eighteen thousand nine-hundred fifty-one dollars and fifty cents (\$18,951.50); and,

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately; and,

BE IT FURTHER RESOLVED that all invoices issued and received pursuant to this Resolution shall be charged to a Developers escrow when and if established; and,

BE IT FURTHER RESOLVED that charges incrementally incurred and paid associated with this contract shall be pursuant to the contract terms authorized in Roselle Park Municipal Land Use Board Resolution No. 2023-002 and the underlying proposal.

Councilman Patel asked for an overview of the lots on Resolution No. 294-23.

Mayor Signorello said the lots are from the corner of the gas station on the corner of Locust Street and Westfield Avenue over to Melo Contractors on Westfield Avenue. He said the only reason it stops there is because there is a multi-family housing unit right after that which is usually hard to acquire because no one is selling them. He further said there is no immediate development plans there; however, the owners of Los Altos are interested in putting a hotel there because they do a lot of weddings, and there is another group interested in putting office space.

Councilman Patel asked if the property owners were notified.

Borough Clerk Casais said when the area was designated a redevelopment area, they were notified both while the study was happening and once it was designated, they were communicated that it was designated.

Councilman Patel asked what was the response like.

Borough Clerk Casais said he thought there may have been some confusion with the people thinking they were having their houses condemned. They were assured that was not the case, and that their properties would potentially be more valuable to someone if they chose to sell it. He noted this action would not force the sale of their property and they would retain full ownership rights of their property, and they are under no obligation to sell their property to anybody.

Mayor Signorello said once you get a plan in place, you may see more people come in to talk about it; but you probably won't see any reactions until the Borough puts something together with a potential developer and what it might look like.

Councilman Patel asked if the business gets notified because there is an apartment building next to one property. He asked can we notify the residents and also the actual business.

Mayor Signorello said just the property owners get notified. He said ultimately there is nothing there conceptually yet, and potentially nothing can come of this.

Borough Clerk Casais said the owner of the multi-dwelling building next to the gas station is under no obligation to sell. He said even if there is a beautiful plan, the owner of the building could choose to never sell their building and be a part of it.

Mayor Signorello said as this is your ward Councilman, you would be getting an early draft of what this plan look likes.

<input type="checkbox"/> Vote Record – Resolution No. 294-23		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"/>

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

RESOLUTION NO. 298-23

ACCEPTING THE RESIGNATION OF JAMES ROTTMANN

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey does hereby accept the resignation of James Rottmann from the Borough of Roselle Park (the, “Borough”), current Crossing Guard, effective immediately.

Councilman Signorello asked what is Mr. Rottmann resigning from; can you please fill that in.

Borough Clerk Casais said the position is in the resolution.

<input type="checkbox"/> Vote Record – Resolution No. 298-23					
		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"/>

REPORTS OF BOROUGH COUNCIL

Councilman Petrosky

Expressed condolences to the Tumblety family.

On October 7th attended the Festival of India, and commended Rupen Shah on the great job he did.

On October 11th attended the Recreation Committee Meeting and discussed the Mischief Night Concert on October 30th at Michael Mari Park on Chestnut Street. He noted the American Legion Post 60 will also be involved with the Trunk or Treat.

On October 12th attended the College & Career Fair at the Casano Center; thanked Councilwoman Lyons.

Also on October 12th attended the Lead Screening and Training Event at the Youth Center.

On October 13th attended the Fiesta Hispana y Latina; thanked Rupen Shah for a job well done.

On October 16th attended the Historical Society Meeting; extended get well wishes to Lynn Augustine.

On October 19th attended the Joint Sewer Meeting, and discussed extending contracts for renewal.

Provided contact information.

Councilwoman Lyons

On October 7th attended the Festival of India, and had a great time dancing.

On October 13th attended the Fiesta Hispana y Latina, and had a great time and enjoyed the music.

On October 16th went to the Library, and encouraged all to come to the Book and Craft Night. Noted the Roselle Parking Walking Club is still going strong and walking at 6:30 a.m.

On October 21st, Brawlween, featuring live pro-wrestlers, will be coming to Roselle Park at the Gazebo at 6:00 p.m., with a rain date of October 22nd.

October 30th is the Mischief Night Concert and events at the Gazebo from 6:00 p.m. to 9:00 p.m.

November 4th is the Clean Communities Fall Clean Up Event.

Noted Veterans Day will be held at the Library with a beautiful service.

Acknowledged October is Domestic Violence Awareness Month, as well as Breast Cancer Awareness Month.

Councilman Patel

On October 7th attended the Festival of India as the first Indian Councilman; it was an awesome event.

On October 13th attended the Fiesta Hispana y Latina and was glad to see so many people attend.

On October 18th attended the build workshop for the Pinewood Derby fundraiser. The Boy Scouts are still accepting new participants for \$25, and the race will be on Sunday, October 29th at 11:00 a.m.

As Liaison to the Environmental Commission, attended the Commission Meeting on October 11th, and discussed a survey that will be posted on the Commission's Facebook page for volunteers and other potential projects.

Reminder the Fall Borough-Wide Clean Up will be on November 4th at 10:00 a.m.

Noted on October 30th is the Mischief Night Concert at the Gazebo from 6:00 p.m. to 9:00 p.m.

Noted residents can report street light outages directly on the PSE&G portal and search PSE&G street light outage.

Provided contact information.

Councilman Robaina

As the Rails to Trails Advisory Committee Liaison, on October 8th participated in a 10-mile Community Bike Ride hosted by Union County Connects and navigated through local roads and greenways in Roselle Park, Kenilworth and Nomahegan Park in Cranford.

On October 7th attended the annual Festival of India held at the High School.

On October 12th attended the Italian Heritage Flag Raising at the County Courthouse with Commissioners Mirabella and Palmieri-Mouded, and Mayor Signorello.

As the Chamber of Commerce Liaison, on October 12th attended the College and Career Fair at the Casano Center.

Noted as the Board of Health Liaison, supported the Lead Screening and Training Event at the Youth Center and thanked Ursima Calenicoff for coordinating the event.

On October 13th attended the Fiesta Hispana y Latina, which had a fantastic turnout.

Reminder Election Day is on Tuesday, November 7th; don't forget to vote. Vote with your heart and your mind.

As the Council Liaison to the Municipal Land Use Board, attended the October 16th Municipal Land Use Board Meeting and noted no resolutions were memorialized. Noted under new business, the Board was supportive of Ordinance No. 2753 with a recommendation made to the Governing Body for consideration to expand it to include the ROB Zone.

As the Borough's Clean Communities Liaison, announced the fall clean up scheduled for October 21st has been postponed to November 4th due to rain.

Noted on October 21st and 22nd is Four Centuries in a Weekend with over 30 historic sites throughout the County offering tours, special events, exhibits and demonstrations. The Roselle Park Museum will also be open from 10:00 a.m. to 5:00 p.m. on both days and will be featuring exhibits on education and Borough businesses throughout the years; along with a preview of 2026, which is the Nation's 250th and the Borough's 125th anniversary of its founding.

Noted has been in touch with a number of neighbors in the 5th Ward on a variety of concerns including parking, trees, sidewalks, parks and ADA issues.

Provided contact information.

Councilman Johnson

Requested a moment of silence recognizing October as Breast Cancer Awareness Month and to all the families affected by this terrible illness.

Noted he supported and attended the following Borough events: the Festival of India on October 7th, the Lead Screening and Training on October 12th, and the Fiesta Hispana y Latina on October 13th; all were great events.

On October 21st the Diversity & Inclusion Committee will be hosting Brawlween, featuring live pro-wrestlers, at Michael Mauri Park at 6:00 p.m.

On October 28th the Greg Johnson Civic Association (GJCA) will be organizing an Adopt a Highway Clean Communities Affair at the corner of Galloping Hill Road and East Westfield Avenue at 10:00 a.m.

Noted the American Legion Post 60 will be accepting donations for candy.

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 Signorello

On October 17th attended the Festival of India and enjoyed it very much.

Provided contact information.

Mayor Signorello

Made mention with all the developments happening in Israel and abroad, that for the record Roselle Park is a place where hatred is not, and will not be tolerated. He said to feel free to reach out to him if you ever feel threatened and if you see something, to please say something. Anti-Semitism has no place in Roselle Park and will not be tolerated. His heart breaks for those of us suffering abroad. It's one thing when there are military combatants; sadly that is the role of a soldier, but it's another thing when we see some of the atrocities that have happened in the Middle East. Encouraged every to please keep our Israel friends and Middle Eastern friends in our thoughts and prayers. He further said we, as the United States of America, should have a united front.

MAYORAL APPOINTMENTS (No Council Confirmation Required; Effective Immediately)

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

1. Appointing Zalak Patel of 633 Faitoute Avenue, Roselle Park, New Jersey 07204 as a member of the Roselle Park Board of Health to fill the unexpired term of Parth Shah set to expire December 31, 2025.

PUBLIC PORTION

Councilman Signorello moved at 7:53 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.

Linda McCrady, 26 East Colfax Avenue

As Vice President of the Historical Society, thanked everyone for the shout out for the Four Centuries in a Weekend Event on October 21st and 22nd from 10:00 a.m. to 5:00 p.m. Reminded residents that the museum is located at 7 West Grant Avenue and is open every Saturday from 10:00 a.m. to 2:00 p.m. She said if you would like to visit at a different time, to please call and leave a message, and they will accommodate your request.

Bill Crossett, 412 Galloping Hill Road

Spoke about Halloween in the past on Bender Avenue, which he is all for and said he applauds the residents for what they do. However, last year the pedestrian and vehicle traffic on Galloping Hill Road had people parking on both sides of Galloping Hill Road from the 400 block all the way down to Grant and had people crossing Galloping Hill Road no matter what the traffic. He asked that the Borough look at a few different things; perhaps instead of barricades on Clay being at Woodland, maybe moving them to Galloping Hill Road because so many cars try turning down Clay and can't go anywhere.

He said as far as pedestrian traffic, he doesn't know what anyone can do. He even spoke briefly about the yellow flashing lights on Westfield Avenue and said that pedestrians still cross the street without looking to see if traffic would stop. He added that pedestrians should be held more accountable.

Noted there was a recent conversation link on Facebook about taxes that the new apartments are paying. He said he is not sure whether this person is trying to get people riled up, and is now telling everyone that the apartments do not pay school taxes.

Keith Caraballo, 152 Warren Avenue

Noted that in January of this year, the town sent a crew over to his house to remove a couple of trees and they accidentally dropped a trunk on his electrical wire. He said he got his insurance involved,

paid a deductible and filed a Tort Claim, which got denied for his reimbursement. He further said he was looking for some help to recover the expense that he paid out.

Mayor Signorello said he believes the issue is that the Tort Claim was filed too late.

Mr. Caraballo said he thought his insurance company was going to follow through for them and they said that was denied, which came after the 90 day period. He said he wasn't aware of the 90 day limit.

Borough Clerk Casais said the issue is the 90 day with the Tort Claim Act. The JIF is our insurance company basically and we are self-insured, and it is for municipalities that insure each other. The Tort Claim Act is a 90 day rule and a 90 day law, so they were obligated to deny it. He said the Borough can, quite candidly, give a one-time exception; and he would have to talk internally about how to do that. He asked what the deductible was, and Mr. Caraballo said it was \$1,000. Mr. Casais said he will have some internal discussions for a potential fix and is not sure if we are in a position to do that, and will get back to him.

There being no one else wishing to speak, Councilman Signorello moved at 8:03 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 8:03 p.m. to adjourn; seconded by Councilman Johnson, all members present voting Aye, said motion was adopted.

Attest:

Andrew J. Casais, RMC
Borough Clerk