

JUNE 6, 2024 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 with the New Jersey Open Public Meetings Act. Notice of this meeting was published in the Union County Local Source and the Newark Star-Ledger. Said notice was posted in the Municipal Building, and a copy is on file with the Office of the Borough Clerk.

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	7:03 PM
Joseph Signorello III	Borough of Roselle Park	Mayor	P	7:03 PM

MOMENT OF SILENCE/PRAYER

PLEDGE OF ALLEGIANCE

Borough Clerk/Administrator Casais asked for a moment of silence in memory of D-Day; then read a short prayer, followed by the Pledge of Allegiance.

COMMUNICATIONS

None

PROCLAMATIONS & PRESENTATIONS

1. Certificate: Adam Lakomy – 2024 Men’s Pan American Intl. All-Around Gymnastic Champion

Mayor Signorello invited Councilman Petrosky, Councilman Signorello and Coach Ranieri to the dais and presented a Certificate of Recognition to Adam Lakomy, the 2024 Men’s Pan American International All-Around Gymnastic Champion. He said he was very proud of Adam and he represented the Borough of Roselle Park.

APPROVAL OF MINUTES, PENDING ANY CORRECTIONS

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

1. Regular Meeting of May 16, 2024

MOTION BILLS & PAYROLLS BE NOT READ AND PASSED FOR PAYMENT

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

PUBLIC PORTION

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

Chris Ley, 450 Henry Street

He said he has been a resident and homeowner for almost 10 years and will be addressing Resolution No. 135-24, the cannabis transfer tax to the sewer. He is here as a concerned and frustrated member of the community to address the recent shocking 200% increase in our sewer rate necessitating the transfer of the cannabis tax.

This unprecedented hike which came without any prior notice or justification has left many of us reeling and searching for answers. The core of this issue lies with the storm sewer system not the sanitary sewer, yet the financial burden has been unfairly placed on the sanitary sewer utility; the utility that is billed based on our water consumption. He said this billing method is fundamentally unjust, as it includes water use for purposes such as lawn irrigation; water that never enters the sewer system. Seeing as water usage has zero impact on the storm drains, using that metric punishes residents with lawn requirements unfairly. Moreover, his efforts to seek oversight or intervention from the NJ Board of Public Utilities have proven futile, in that they have indicated they hold no jurisdiction over this matter. This leaves us without State level recourse and places even greater emphasis on local accountability and transparency.

The most troubling aspect of this situation, however, is the Mayor's assertion that he was advised not to inform residents about the ongoing problem prior to the decision to raise rates. He was quoted as saying he was ordered by the Town Attorney to not disclose this pending issue with residents or expected to pay. The decision to keep the populus in the dark is a glaring failure of leadership. Transparency and proactive communication are the bedrock of good governance. By withholding critical information, the Mayor and Council deprived us of the chance to collectively explore alternate solutions; possibly preventing such a drastic rate increase. Imagine if we had been informed earlier; our community could have come together leveraging our collective resources, knowledge and creativity to find a less burdensome solution. We could have applied for grants, sought State or Federal assistance, or devised a phased approach to address the storm water issue without imposing such a significant financial strain on residents without any notice.

As representatives elected to service and protect the interests of this community, it is your duty to ensure that decisions of this magnitude are made with full transparency and resident engagement. The current approach has undermined his trust and confidence in your leadership. Therefore, he is calling for the following immediate action:

- Full disclosure and release of all information regarding the storm sewer issue, including the advice given to the Mayor and Council, the financial analysis that led to the rate increase and any other relevant documents.
- Re-evaluation of rates by implementing a temporary roll-back of the rate increase while a thorough evaluation is conducted.
- Consider more equitable billing methods that do not charge residents for water that does not enter the sewer system; such as discounting water usage from June to August and using other months to average the real use.
- Community engagement, by establishing a task force comprised of Councilmembers, residents and most importantly experts to explore alternative solutions and funding sources.
- Engage the community in open forums and discussions to ensure transparency and collective problem solving. Early ideas ranged from contracting with Elizabeth to keep the system in place; a system that has been in the ground for a century. Perhaps employing Federal Agencies, such as the EPA, who may have authority to compel Elizabeth to accept our minute amount of runoff that they have been accepting for a century.
- Accountability for the Mayor and Councilmembers who were involved in the decision to withhold information. If any impropriety is found, appropriate action should be taken to restore trust in our local government.

By taking these steps, we can begin to rebuild the trust that has been severely damaged and work together to find a fair and sustainable solution to this issue. We deserve leaders who prioritize transparency, accountability and the well-being of their constituents. Let this be an opportunity for you to demonstrate your commitment to those principals.

Thanked Mayor and Council for their attention and willingness to address this critical issue that our community's future depends on.

Mayor Signorello said he appreciated his eloquently worded input. There is very little that he disagrees on holistically, but there are several points he would like to address. He asked the Borough Attorney to talk about the sensitive nature of speaking about this.

Borough Attorney DeMarco said a lawsuit was filed by the City of Elizabeth against the Borough of Roselle Park. Once that occurs, it is very difficult to have those types of conversations that the gentleman just spoke about because you negotiated in public. Those experts that were retained, which were Special Counsel for engineering, engaged in a conversation with the Judge and Elizabeth with regards to the final settlement. So it was his direction and Special Counsel's direction that the Borough could not have public conversations about the nature of those discussions. The lawsuit itself was a public document and notice was given every time we went into Executive Session at a public meeting that that was the topic talked about. The specifics as to those topics were not for general consumption.

Mayor Signorello said we also did not have the ability to communicate a number because we did not have a number. He asked Borough Administrator Casais in the initial lawsuit, what was the number in back pay from Elizabeth.

Borough Administrator Casais said somewhere between \$30 and \$40 million.

Mayor Signorello said we did speak where we could on this, but it's not like we had a hard number to say the impact was going to be this. We negotiated down from \$40 million down to \$4 million in retroactive pay. He said that means there has never been any legal agreement for the Borough to runoff into Elizabeth. We have searched far and wide and apparently, it's a handshake agreement since 1904 when the Borough was made; not documentation of an agreement. About 10 years ago, the City of Elizabeth started monitoring our flows and started asking for a fee. We did ask if we could stay on this and pay the fee. The fees were exorbitant and they still don't want us on there; so that was not really an option for us. After many years of wrangling with multiple administrations and multiple councils, they pulled the trigger and filed a lawsuit against us. He said he thinks it's terrible and there's no wins here. You guys have been here, especially this year, because the Borough is taking some views/controversial steps like the legalization of marijuana or art installation. He said he is more than happy to debate the merits of these things because that is a policy decision that we can talk about. He said he is smart enough to know that whacking people last minute, especially the citizens of Roselle Park, is not a fun thing. If this was something that he could have communicated and soften the landing of, he would have. There was no and is no incentive for him to have kept quiet about this. If anything, the incentive would have been to start prepping everyone for this last year. Unfortunately, negotiations and lawsuits don't work that way.

Mayor Signorello said he would like CFO Blum to talk about the billing mechanism and why it's coming through this. He also wants CFO Blum to talk about his position as CFO, who is tenured, and who was not appointed by him and who is audited yearly by an independent Auditor who has oversight from the State, and for the fact that we are not allowed to legally rise the water bills unless we have an expense; and we haven't done that in the last 13 years.

CFO Blum said it is an annual requirement of the State of New Jersey that we have an annual audit done by an outside Auditor; which is Suplee Clooney based out of Westfield, New Jersey. He said our audit gets filed with the State and if there are any recommendations, we have to file a Corrective Action Plan annually. As far as the rate, the rate has been based on water consumption since before his time here. He was appointed previously by Mayor Joe DeIorio, who also appointed him for tenure. He has worked with several governing bodies and has been here part time since 2005 and full time since January of 2007. He said we had a 13 year span where we did not raise rates in sewer at all; we were able to balance things out. This year unfortunately with this lawsuit, we had no choice and there are other factors in there also; but the main one is this lawsuit. He said going forward, why it was done through sewer, because it is in a combined sewer system in Elizabeth and we have to separate that now and have a better opportunity to get grants and funding going through the sewer utility.

Mayor Signorello said there are a couple of things we tried to do this that he thinks we need to improve on going forward. If there are going to be heftier payments, he is pushing for next year to do four payments versus just the two. The other thing is the bill might not stay flat this year. Next year we are going to actively look through all measures to try and lower that. He does think there is a valid point in the time of year to measure and thinks that's something worth exploring going forward. There are grants out there, but to separate what we legally have to do from Elizabeth is a \$20 million project. We have to do our own piping from the Borough of Roselle Park directly into the Elizabeth River. We are actively looking at all grants that we can for that. The said grants can cover infrastructure projects, but they do not cover lawsuits settlements. He idea that he takes some joy in raising everybody's rates, when he has been thumping his chest about keeping taxes flat; it just doesn't jive intellectually. He said sadly the Borough will be paying the fine one way or the other. We either pay for the fine through the utility or we pay for it out of the operational budget and you would see an increase in your property tax, which we tried to keep relatively flat this year; or through the utility rates. There is no magic pot of money for a lawsuit and that's the sad fact.

Arlene Brown, 475 East Westfield Avenue

She asked why are we building a \$150,000 statue, when every little bit of money helps to be taken out of the sewer bill.

Mayor Signorello announced we are not doing the Rick Barry statue. He heard everybody and Council does not want it. He said there are two pots of money. That is a capital expense that we would have done that is avoided; that does not help operational expenses. There are capital expenses for road work, bridges and tunnels that we put for and bond out, and there are operational expenses that go to your direct property taxes; these are two totally separate pots of money. So yes, are we saving \$150,000 on the statue; yes. Is it going to provide direct property tax relief this year on utilities or on property tax; no. Can we apply it to this project in the future; one hundred percent. He said the Rick Barry statue is dead.

Jorge Ramirez, 500 East Clay Avenue

In regards to the Police cars we are buying, so we are paying for two cars \$88,574.80; which comes out to \$44,287.40 per car. Why are we paying \$1,000 more for a 2023 which is a year older.

Mayor Signorello brought up Chief Frino to talk about the importance of some of our aging vehicles and then as far as the purchase, he will defer to the Business Administrator.

Chief Frino said for the record, we have 11 patrol cars that are shared between the day shift and the night shift; some of them run 24/7. Two of those patrol cars have over 120,000 miles, so they are not fleet worthy or not trusted to go to your house if someone had a heart attack or anything like that.

Mr. Ramirez said his question is not why we are buying them, but why are we paying more for a 2023 as compared to a 2024.

Borough Clerk Casais said the reason for that is two reasons: one is the availability of vehicles, which is very poor in the State of New Jersey. So we have to try to buy the vehicles where we can and when we can. The difference between the 2023 and 2024 Police Interceptor is very low; there is almost no difference in the options.

Mr. Ramirez said he has worked in the car business for 20 years and it doesn't matter if the car is brand new, the warranty starts from 2023.

Mayor Signorello said you are speaking from a general consumer and we buy from a co-op. He said we do not resale these; we put them into circulation or we auction them.

Mr. Ramirez said or you put them at the DPW Yard to rot away.

Borough Clerk Casais said that's actually a real good point. When a vehicle is decommissioned or unfit for any other service, we do put them at the DPW. It is important to note that those vehicles are decommissioned mostly and primarily for safety and they are kept at the DPW because in lieu of buying brand new parts, especially with Crown Vics and we have very few Crown Vics anymore, those parts become very expensive because they are not made anymore. So we utilize them and when they are completely devoid of any value, we either auction them or scrap them and in most times when we scrap them, we allow the Fire Department to train on them and cut them up and then we scrap them.

Mr. Ramirez said the Tahoe looks pretty new; if it's not drivable, what's wrong with it.

Borough Clerk Casais said there may be one Tahoe up there that is a hybrid and a little bit of a nightmare.

Mayor Signorello said the hybrid engine keeps sputtering out and is more expensive to fix than what it's worth. It could potentially be an inspector's vehicle, but it's certainly not made for a response and it was a donation, so we didn't pay for that vehicle. He said they made those hybrids for two years; those aren't capable of responding to a scene anyway.

Chief Frino said the replacement batteries for those vehicles is about \$8,000 to \$10,000.

Mr. Ramirez said he knows the cost of cars and said batteries have a 10 year warranty and you can reach out to GMC to get one or get it fixed.

Mayor Signorello said these are first response vehicles where peoples' lives are on the line, so he would rather buy a new vehicle rather than patch together a 2016 vehicle. It's something you cannot put a price on.

Mr. Ramirez said the reason he brought it up is because it looks like a lot of excessive expenditure in this town.

There being no one else wishing to speak, Councilman Petrosky moved at 7:27 p.m. to close the public comment portion of the meeting on agenda items only; seconded by Councilman Robaina, all members present voting Aye, said motion was adopted.

REPORTS OF DEPARTMENTS

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

He noted a correction from the last meeting and he will take the blame, the next regular meeting of the Municipal Land Use Board is Monday, June 24th; not the 17th. Typically Municipal Land Use Board Meetings are the 3rd Monday of the month; but the regular meeting for June is Monday, the 24th. In case anyone shows up on the 17th, there will be no meeting; it will be the following week. Anyone who arrives at the building because they may have seen that broadcast, there will be a sign on the front door indicating such that the meeting is the following week. In addition, we put out communications on social media indicating that the regular meeting is the next week. He personally apologized to the Governing Body for the mistake on his part.

Mentioned we had the regular Primary this past Tuesday; fairly uneventful Presidential Primary, other positions on the ballot and certification will be in a couple of weeks. Just a reminder on the process, the ballots do arrive at the Board of Elections Office within 48 hours of the close of the polls. They are canvassed and then counted if they are found to be valid votes, and there are also provisional ballots. He said he knows specifically with the Republican Committee, there were some write-in votes. There will be some positions that are written in, should those candidates choose to accept. None of those write-in candidates are yet elected. They will be elected when the results are certified on or about the 17th of this month.

Noted we did have a little bit of a discontinuity with our Animal Control Services. Something on the agenda is a layoff of our Animal Control Officer, who many of us know very closely, Alex Balaban. Without going into a lot of details about Alex, he suffered a little bit of a medical episode. He said he spoke to him earlier this week and he is doing much better. He is unable to continue doing the services that he was doing before, so we have agreed this is the best way to part ways. We did bring on a very professional, well versed provider within the State of New Jersey. They are based in Flemington, but have multiple response areas from different parts of the State. He thinks ours is strategically located in Union Township, so the response is good. They have been responding to Roselle Park since Saturday, when the contract

began. He wished Alex all the best. He said Alex has volunteered his services to the extent he can do them in the future. On behalf of everyone sitting on the dais, we thank him for his service.

As Administrator, he wanted to thank Superintendent Baiamonte who could not be here tonight; his contract will be ending the end of June. He has found a better opportunity for himself and is doing right by his family. He said the Borough is exercising some options with the Borough of Kenilworth to bring on a shared service that will fill that void. He wished Paul the best and thanked him for his friendship and professionalism for the time that they worked together.

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

Noted the sewer bills have been mailed and are due July 1st for the first installment and the 2nd installment is due October 1st.

Community Center: Rupen Shah, Community Center Director

May 2nd more than 25 seniors visited the Robert Gordon Elementary School for a Spring Breakfast. Thanked Robert Gordon Elementary School for hosting the event.

May 2nd more than 40 seniors enjoyed “The Perfect Afternoon” at the Casano Center. The afternoon was filled with a delightful performance by Barbara Harris of The Toys.

May 20 and 21st more than 120 residents received service at the NJ MVC’s Mobile Unit at Michael Mauri Parking Lot. They are scheduled to visit again on July 22nd and 23rd. Thanked the NJ MVC for their partnership.

Due to the rainy forecast, the Borough had to cancel the annual Memorial Day Parade and hosted the Memorial Service at the Community Center. Thanked all those who came together to honor and remember the brave men and women who have made the ultimate sacrifice to our country. Thanked all those who participated.

Mayor Signorello said now that we are not spending money on the Rick Barry statue, he thought one thing that may be worth considering spending money on, which would be much cheaper, is he believes former Mayor Carl Hokanson had a good idea of adding the newly founded Space Force to the Armed Force Display in the Library and for Rupen to get a quote for this.

Director Shah said during the summer, the Center has planned day trips for our seniors at the 9/11 Memorial Ground Zero; BAPS Temple; Barnegat Lighthouse State Park; Grounds for Sculpture; Lake Hopatcong Cruises; New Hope, PA; Northlandz World’s Largest Miniature Wonderland & Museum; Parx Casino; Point Pleasant Beach; River Lady Historical Lunch Cruise; Seaside Heights; Smithville; Turtle Back Zoo; Van Vleck House & Gardens; and Weehawken Dueling Grounds.

June 8th the Borough will be holding a PRIDE Flag Raising Ceremony and Celebration at the Library from 12:00 Noon to 1:00 p.m.

June 15th the Diversity & Inclusion Committee will hold the Annual Juneteenth Festival from 5:00 p.m. to 9:00 p.m. at Michael Mauri Gazebo Park. Juneteenth is a celebration of American liberation and commemorates the journey and achievements of African Americans from a period of sanctioned slavery to the pinnacle of human achievement.

July 1st the Borough will celebrate Independence Day at the Roselle Park High School's Herm Shaw Field; the festivities kick off at 5:00 p.m. with the Flag-raising ceremony followed by a spectacular fireworks display starting at dusk. If it rains, the celebration will move to Wednesday, July 5th. Thanked the County of Union, Neglia Group, Colliers Engineering & Design and Suburban Disposal for their sponsorship.

July 6th the New York Blood Center is hosting a blood drive from 10:00 a.m. to 6:00 p.m. at the Casano Center. There is a national shortage of blood donations, and the Blood Center is urging residents to come and donate to help those in need. Thanked the New York Blood Center for their partnership.

Mayor Signorello said excellent work and it's a shame that we had to do things inside, but thought it was a nice ceremony despite that.

Code Enforcement Department: Richard Belluscio, Construction Official

Reported that as of May, a total of 159 permits were issued. He indicated that the total revenue related to the Uniform Construction Code (UCC) through the end of May was \$490,190; sewer connection fees year to date were \$176,258.72; COAH Development fees were \$2,384 and the number of UCC violations were 12 for the month of May. With respect to property maintenance enforcement, there were 16 Court dispositions and fines year to date were \$11,029; 135 violations were issued and 13 Court summons were issued during May 2024.

10 West Westfield Avenue: Building A has a TCO for floors 3 and 4.

Mayor Signorello asked if they have sufficient parking on site for floors 3 and 4.

Mr. Belluscio said they have sufficient parking for floors 3 and 4. The reason why they don't have floors 2 and 5 is because they do not have sufficient parking. He said they may be reaching out to some businesses in the area or us. The other thing they may try to do, is Building B is not going to be ready for occupancy until the end of the year; they are going to attempt to finalize the parking garage including all fire suppression systems throughout the building and then use those spaces while the deck is being built.

404 West Westfield Avenue (Fernmore Homes): They ran into a little delay and are anticipating possibly July 15th for a TCO for Building A.

The Hunter Project is moving along quite nicely with framing.

As far as Zoning Completeness Reviews for the DRC, we have one application for Payes Properties LLC at 243 East Westfield Avenue, who are proposing a retail business with one apartment.

Mayor Signorello said that is the end of Berwyn and that's the ghost house that used to be an Optimo and the laundromat.

Borough Clerk Casais said there were some questions from the last meeting, so if he could stick around for the public hearing on Ordinance No. 2782. He asked if he could just talk about some of the amendments as they relate to roofing and siding.

Mr. Belluscio said these amendments really did not include any changes in the fees. These were structural changes based upon an audit we received and audit comments by the Bureau of Regulatory Affairs. The Bureau is visiting every municipality and every Construction Code Agency throughout the State to review fee schedules and operations to make sure they are properly staffed.

The one particular item in questions was Item #1, which talks about roofing and siding for all use groups other than R# and R5. He clarified that R3 and R5 are single and two family dwellings. In the Uniform Construction Code, roofing replacements or new roofs or new siding do not require a permit; they are considered ordinary maintenance. He said some of the other changes are minor. If you go to Item #2, the one item that does require a permit is a product known as Poly-propylene siding, which using a brand name would be something like Cedar Impressions. He said that is a petroleum based product, which has a decent flame spread rating and that is why it requires a permit because we have to look at clearances to the electrical services coming in as it relates to that type of siding. That does require a permit; that isn't ordinary maintenance and would include one and two family homes.

Recreation Department: John Ranieri, Recreation Director

Provided an overview of the goals of the Roselle Park Recreation Department.

Currently have over 515 recreational members and over 136 members of the Homework Club and after Care. We are currently transporting and chaperoning over 87 students daily.

Noted the Anthony Signorello Youth Center has either hosted or accommodated the following meetings/events: Boys & Girls Scouts; Various Roselle Park School District PTAs; Recreation Committee; Diversity & Inclusion; Community Affairs & Events; Recreational Sport Parties; SEPEG; Diversity Pro Wrestling Event and DMV.

Made mention the following Spring Recreation Programming started: Elementary & Middle School Tennis; Spring Middle School, High School & Adult Strength & Conditioning; Spring Volleyball; Adult Basketball and Off Season Wrestling.

Noted tomorrow is our annual 4 Squares Tournament at the Youth Center at 4:00 p.m., with special guest Mr. Carroll.

Made mention of the following Summer Programming: Boys and Girls Basketball; Co-Ed Tennis; Boys and Girls Wrestling; Elementary, Middle School and High School Volleyball; and Elementary, Middle School and Adult Strength and Conditioning.

The Youth Center will be accommodating some of the Casano Center's summer programming because they will be hosting Early Voting.

Provided contact information.

Councilwoman Lyons asked what time does the 4 Squares Tournament start.

Mr. Ranieri said it starts at 4:00 p.m.

Police Department: Dominick Frino, Police Chief

Noted he submitted his May report, but wanted to highlight a few items.

May 9th attended a send off ceremony for the National Police Unity Bike Tour in Jersey City. Sergeant Joshua Medrano was one of the participants and the Police Department is very proud of his accomplishment and he represented our town and the Police Department professionally.

May 22nd the Roselle Park Traffic Safety Unit conducted a pedestrian decoy safety and education traffic detail. The operation was conducted according to the National Highway Traffic Safety Administration and the New Jersey Division of Highway Traffic Safety standards. There were four officers conducting traffic stops and one decoy. The operation took place over a four hour period in two heavily travelled areas for pedestrians in the area of Locust Street at West Webster Avenue and Chestnut Street at West Lincoln Avenue. The results were 27 motor vehicle stops, resulting in 14 summons and 13 warnings issued.

May 28th the Roselle Park Police Department conducted a motor vehicle inspection checkpoint with the assistance of the NJ MVC Mobile Inspection Team on Faitoute Avenue at West Webster Avenue., The checkpoint resulted in 34 motorists getting their vehicles inspected and 17 summons issued.

May 29th the Roselle Park Traffic Safety Unit conducted a pedestrian decoy safety and education traffic detail. The operation was conducted according to the National Highway Traffic Safety Administration and the New Jersey Division of Highway Traffic Safety standards. There were three officers conducting traffic stops and one decoy. The operation took place over a three hour period in two heavily travelled area for pedestrians in the area of Locust Street and West Webster Avenue. The results were 13 motor vehicle stops, resulting in 4 summons and 9 warnings issued.

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~~ **Excused**
5. Finance Department: Kenneth P. Blum, Jr., Chief Financial Officer
6. ~~Fire Department: Steven A. Thompson, Fire Chief~~ **Excused**
7. Police Department: Dominick Frino, Police Chief
8. ~~Public Works Department: Paul Baiamonte, Superintendent of Public Works~~ **Excused**
9. Recreation Department: John Ranieri, Recreation Director

Written Reports Received:

1. Community Center Director's Report for May 2024
2. Police Chief's Report for May 2024
3. Construction Official's Report for May 2024
4. Court Administrator's Report for May 2024

Councilman Petrosky moved to approve the following written Reports of Departments; seconded by Councilman Robaina, 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. 2781

AN ORDINANCE AMENDING ORDINANCE NO. 2760, FIXING THE SALARY RANGES OF NON-UNION EMPLOYEES AND OFFICIALS OF THE BOROUGH OF ROSELLE PARK, IN THE COUNTY OF UNION, STATE OF NEW JERSEY

Councilman Petrosky moved to open the public hearing on Ordinance No. 2781; seconded by Councilman Robaina, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Petrosky moved to close the public hearing on Ordinance No. 2781; seconded by Councilman Robaina, all members present voting Aye, said motion was adopted.

Councilman Petrosky moved that Ordinance No. 2781 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Robaina.

<input type="checkbox"/> Vote Record – Ordinance No. 2781		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. 2782

AN ORDINANCE AMENDING CHAPTER 16 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, “BUILDING AND CONSTRUCTION”

Councilman Petrosky moved to open the public hearing on Ordinance No. 2782; seconded by Councilman Robaina, all members present voting Aye, said motion was adopted.

There being no one wishing to speak, Councilman Petrosky moved to close the public hearing on Ordinance No. 2782; seconded by Councilman Robaina, all members present voting Aye, said motion was adopted.

Councilman Petrosky moved that Ordinance No. 2782 be adopted on second reading and advertised as prescribed by law; seconded by Councilman Robaina.

<input type="checkbox"/> Vote Record – Ordinance No. 2782		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. 2783

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF THE BOROUGH OF ROSELLE PARK AS MANDATED BY THE NJDEP ENTITLED, “STORMWATER CONTROL”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 31 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

SECTION 1. Repeal and Replace of Existing Code

The entirety of Chapter 31 of the Code of the Borough of Roselle Park entitled, “Stormwater Control,” is hereby repealed. Chapter 31 shall be replaced by the content of Section 2 of the foregoing Ordinance.

SECTION 2. Adoption of Model Stormwater Control Regulations Promulgated by NJDEP

§ 31-1 SCOPE AND PURPOSE.

- a. Policy Statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for green infrastructure, water quality, quantity, and groundwater recharge.**
- b. Purpose. The purpose of this Chapter is to establish minimum stormwater management requirements and controls for “major development,” as defined below in §31-2.**
- c. Applicability.**
 - 1. This Chapter shall be applicable to the following major developments:**
 - (a) Non-residential major developments and redevelopment projects; and**
 - (b) Aspects of residential major developments and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.**
 - 2. This Chapter shall also be applicable to all major developments undertaken by the Borough of Roselle Park.**
 - 3. Applicability of this Chapter to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.**
- d. Compatibility with Other Permit and Ordinance Requirements. Development approvals issued pursuant to this Chapter are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, chapter, or ordinance. In their interpretation and application, the provisions of this Ordinance shall**

be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This Chapter is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this Chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§ 31-2 DEFINITIONS.

For the purpose of this Chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions used in this Chapter shall be the same as the last amended Stormwater Management Rules at N.J.A.C. 7:8-1.2, incorporated herein by reference.

§ 31-3 DESIGN AND PERFORMANCE STANDARDS FOR STORMWATER MEASURES.

This Section establishes design and performance standards for stormwater management measures for major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference.

§ 31-4 SOLIDS AND FLOATABLE MATERIALS CONTROL STANDARDS.

- a. Site design features identified under §31-3 above, or alternative designs in accordance with §31-3 above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see §31-4.a.2 below.
 1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - (a) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or,
 - (b) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- (c) For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.**
- 2. The standard in §31-4.a.1. above does not apply:**
- (a) Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;**
 - (b) Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;**
 - (c) Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:**
 - (1) A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or,**
 - (2) A bar screen having a bar spacing of 0.5 inches.**

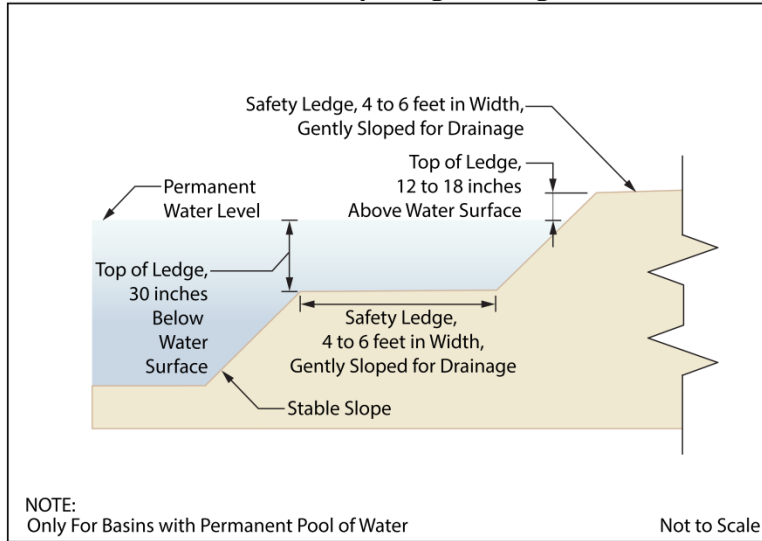
Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- (d) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or,**
- (e) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.**

§ 31-5 SAFETY STANDARDS FOR STORMWATER MANAGEMENT BASINS.

- a. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.
- b. **Safety Ledge Illustration:**

Elevation View –Basin Safety Ledge Configuration:



§ 31-6 REQUIREMENTS FOR A SITE DEVELOPMENT STORMWATER PLAN.

- a. **Submission of Site Development Stormwater Plan:**
 1. Whenever an applicant seeks municipal approval of a development subject to this Chapter, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at §31-6.c below as part of the submission of the application for approval.
 2. The applicant shall demonstrate that the project meets the standards set forth in this Chapter.
 3. The applicant shall submit the copies required under Section 40-801 or Section 40-904 of the materials listed in the checklist for site development stormwater plans of the Land Use Chapter in accordance with §31-6.c of this Chapter.
- b. **Site Development Stormwater Plan Approval.** The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this Chapter.
- c. **Submission of Site Development Stormwater Plan.** The following information shall be required:

1. Topographic Base Map.

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis.

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans.

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan.

This plan shall provide a demonstration of how the goals and standards of §31-3 is being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map.

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- (a) Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- (b) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at

different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations.

- (a) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in §31-3 of this Chapter.**
- (b) When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high-water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.**

7. Maintenance and Repair Plan.

The design and planning of the stormwater management facility shall meet the maintenance requirements of §31-7.

8. Waiver from Submission Requirements.

The municipal official or board reviewing an application under this Chapter may, in consultation with the municipality's review engineer, waive submission of any of the requirements in §31-6.c.1 through §31-6.c.6 of this Chapter when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§ 31-7 MAINTENANCE AND REPAIR.

a. Applicability.

Projects subject to review as in §31-1.c of this Chapter shall comply with the requirements of §31-7.b and §31-7.c.

b. General Maintenance.

- 1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.**
- 2. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department:**
 - (a) If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's**

obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and,

- (b) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.**
- (c) A two-year maintenance guarantee shall be required and posted in accordance with N.J.S.A. 40:55D-53.**

3. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

c. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§ 31-8 PENALTIES.

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this Chapter shall be subject to the following penalties: A fine of up to one thousand five hundred (\$1,500.00) dollars or imprisonment for up to ninety (90) days, or both; each day that a violation continues shall be deemed a separate violation.

SECTION 3. 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 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 Petrosky moved that Ordinance No. 2783 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on June 20, 2024; seconded by Councilman Robaina.

Borough Clerk Casais said there is an annual renewal of our permit with the DEP as a storm water operator and is not related to some of the issues we are talking about. There is a permit the DEP issues called a Tier A MS4 Permit. Every year when you do your renewal of this permit, they look for things that you should be doing differently or codify differently. So in July of 2023, the DEP issued a new model ordinance, which is a very soft way of the DEP saying adopt this. We did not adopt it in July of 2023. He said when we renewed the permit, they said it is time for us to enact some of these provisions. We actually haven't amended our Storm Water Control Ordinance in some time, so this brings it up to what the DEP expects the standards to be. However, in addition to what is codified in our Code, when there are major projects that are reviewed, they are always reviewed based off of the prevailing storm water standards in the State. He said this just really adopts what the model ordinance is that the DEP wants to see on the books with the local municipalities.

<input type="checkbox"/> Vote Record – Ordinance No. 2783		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. 2784

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF ROSELLE PARK ESTABLISHING A NEW CHAPTER 21 AS MANDATED BY THE NJDEP ENTITLED, “PRIVATELY-OWNED SALT STORAGE”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that the Code of the Borough of Roselle Park be and hereby is amended to establish a new Chapter 21 as follows:

SECTION 1. New Chapter Title

(Reserved)

§ 21 Privately-Owned Salt Storage

SECTION 2. Chapter Purpose

§ 21-1 PURPOSE.

The purpose of this chapter is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This chapter establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in Borough of Roselle Park to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION 3. Definitions of Terms within Chapter

§ 21-2 DEFINITIONS.

For the purpose of this Chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

DE-ICING MATERIALS

Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

IMPERVIOUS SURFACE

A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

PERMANENT STRUCTURE

Shall mean a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;**
- 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;**
- 3. The structure shall be erected on an impermeable slab;**
- 4. The structure cannot be open sided; and**
- 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.**

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

RESIDENT

A person who resides on a residential property where de-icing material is stored.

STORM DRAIN INLET

The point of entry into the storm sewer system.

SECTION 4. Stipulations for Storage Requirements

§ 21-3 DEICING MATERIAL STORAGE REQUIREMENTS.

- a. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least fifty (50) feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - (a) The cover shall be waterproof, impermeable, and flexible;
 - (b) The cover shall extend to the base of the pile(s);
 - (c) The cover shall be free from holes or tears;
 - (d) The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and,
 - (e) Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (i.e. old tires) shall not be used.
 5. Containers must be sealed when not in use; and,
 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- b. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15th - April 15th.

- c. Any and all temporary and/or permanent deicing storage structures must also comply with all other local ordinances, including building and zoning regulations.
- d. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this chapter are met. Inspection records shall be kept on site and made available to the municipality upon request.
 - 1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION 5. Specified Exemptions

§ 21-4 EXEMPTIONS.

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within two (2) weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in §21-3 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This chapter does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION 6. Enforcement of Regulations

§ 21-5 ENFORCEMENT.

This Chapter shall be enforced by the Department of Code Enforcement and Borough Engineer of the Borough of Roselle Park.

SECTION 7. Penalty Provisions

§ 21-6 VIOLATIONS AND PENALTIES.

Any person(s) who is(are) found to be in violation of the provisions of this Chapter shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows:

- a. The fine for a first offense shall be one-hundred fifty dollars (\$150.00);
- b. The fine for a second offense shall be five-hundred dollars (\$500.00); and,
- c. The fine for third and subsequent, repeat offenses shall be one-thousand five-hundred dollars (\$1,500.00).

SECTION 8. 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 9. Inconsistent Ordinances Repealed.

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

SECTION 10. 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 11. Effective Date.

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

Councilman Petrosky moved that Ordinance No. 2784 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on June 20, 2024; seconded by Councilman Robaina.

Borough Clerk Casais said this is updating our Code based on what the State expects. He said if a resident were to read this they would be very concerned potentially; but it's not something to be overly concerned about unless you keep your salt loosen your yard.

<input type="checkbox"/> Vote Record – Ordinance No. 2784		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. 2785

AN ORDINANCE AMENDING CHAPTER 26 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, “TREES,” ESTABLISHING A NEW SECTION 2 AS MANDATED BY THE NJDEP ENTITLED, “PRIVATE TREE REMOVAL AND REPLACEMENT”

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Section 2 of Chapter 26 of the Code of the Borough of Roselle Park be and hereby is established as follows:

SECTION 1. Adoption of Model Stormwater Control Regulations Promulgated by NJDEP

§ 26-2 PRIVATE TREE REMOVAL AND REPLACEMENT.

§ 26-2.1 PURPOSE.

Pursuant to the requirements of the New Jersey Department of Environmental Protection, this Section shall establish requirements for tree removal and replacement in Borough of Roselle Park on private property, to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

§ 26-2.2 DEFINITIONS.

For the purpose of this Section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Section clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

- a. "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this Section.
- b. "Critical Root Radius (CRR)" means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.
- c. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.
- d. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not "Hazard Trees."
 1. Has an infectious disease or insect infestation;
 2. Is dead or dying;
 3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
 4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or,
 5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).
- e. "Person" means an individual, resident, corporation, utility, company, partnership, firm, or association.
- f. "Planting Strip" means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

- g. “Resident” means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this chapter is removed or proposed to be removed.**
- h. “Street Tree” means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.**
- i. “Tree” means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.**
- j. “Tree Caliper” means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.**
- k. “Tree Removal” means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.**

§ 26-2.3 REGULATED ACTIVITIES.

a. Application Process:

- 1. Any person planning to remove any non-street tree with a with a DBH of 6” or more shall submit a Tree Removal Application to the Borough of Roselle Park Department of Code Enforcement. No non-street tree shall be removed until municipal officials have reviewed and approved the removal.**
- 2. Nothing in this Section shall alter the site plan requirements, including application, review, and approval processes, as provided in Part II of § 40.**
 - (a) No person shall be permitted to remove a street tree of any size unless explicitly authorized by the municipality through the site plan approval processes in Part II of § 40.**

b. Tree Replacement Requirements.

- 1. Any person, who removes a tree, as defined by this Section as tree removal, with a DBH of 6” or more shall be subject to the requirements of the Tree Replacement Requirements Table within this Section. The species type, diversity, and planting standards for replacement trees shall be in accordance with the list kept on file with the Borough of Roselle Park Department of Code Enforcement. The Roselle Park Environmental Commission shall make recommendations as to the compilation and update of such list.**

2. Replacement tree(s) shall:

- (a) Be replaced in kind with a tree that has equal or greater DBH than the tree removed, or meet the criteria in the table below;
- (b) Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the Borough of Roselle Park;
- (c) Be monitored by the applicant for the period of two (2) years to ensure their survival and shall be replaced as-needed within twelve (12) months; and,
- (d) Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

3. Tree Replacement Requirements Table:

Category	Size of Tree Removed (DBH)	Tree Replaced Criteria	Application Fee
1	DBH of 6" to 12.99"	Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed	\$0.00
2	DBH of 13" to 22.99"	Replant 2 trees with minimum tree calipers of 1.5" for each tree removed	\$0.00
3	DBH of 23" to 32.99"	Replant 3 trees with minimum tree calipers of 1.5" for each tree removed	\$0.00
4	DBH of 33" or greater	Replant 4 trees with minimum tree calipers of 1.5" for each tree removed	\$0.00

c. Tree Replacement Alternatives.

- 1. If the Borough of Roselle Park determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall pay a fee of \$250.00 per tree that would otherwise be required by the replacement criteria in the Tree Replacement Requirement Table. For example, a tree removed with a DBH of 19" would result in a total alternative fee of \$500.00, \$250.00 per required tree.

§ 26-2.4 EXEMPTIONS.

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the Borough of Roselle Park by all persons claiming an exemption, which justification may be in the form of photos, or statements from New Jersey licensed tree experts (pursuant to N.J.S.A. 45:15C-11) or arborist, as deemed necessary by the reviewing Borough official:

- a. Residents who remove one tree per property that falls into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period, not including those otherwise exempted by this Section.
- b. Tree farms in active operation, nurseries, fruit orchards, and garden centers.
- c. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active on file with the Borough of Roselle Park.
- d. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- e. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- f. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- g. Hazard Trees may be removed with no fee or replacement requirement.

§ 26-2.5 ENFORCEMENT.

This Section shall be enforced by the Department of Code Enforcement.

§ 26-2.6 VIOLATIONS AND PENALTIES.

Any person who is found to be in violation of the provisions of this Section shall be subject to a fine of \$250.00 per tree removed.

SECTION 2. 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 3. Inconsistent Ordinances Repealed.

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

SECTION 4. 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 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 Petrosky moved that Ordinance No. 2785 be adopted on first reading and advertised as prescribed by law for second reading and public hearing on June 20, 2024; seconded by Councilman Robaina.

Mayor Signorello said normally if you have a tree that is dying or problematic, you can call us and we will take care of it in front of your house; especially if it is in the Borough’s right-of-way. If it is on your private property, it is your responsibility. He said from now on, it is a State mandate that you get a permit from the Borough to remove a tree. Then if you remove it, there is a certain calculation based on the size of the tree that you need to plant new trees or you can pay into our Tree Trust Fund which we will use those funds to buy more trees.

<input type="checkbox"/> Vote Record – Ordinance No. 2785		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 Petrosky; seconded by Councilman Robaina, all members present voting Aye, said motion was adopted.

RESOLUTION NO. 136-24

WAIVING PERMIT REQUIREMENTS AND FEES ESTABLISHED IN SECTION 4-10 OF THE MUNICIPAL CODE FOR PEDDLERS PARTICIPATING IN ANY PUBLIC EVENTS HOSTED OR CO-HOSTED BY THE BOROUGH OF ROSELLE PARK DURING CALENDAR YEAR 2024

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby waive permit requirements and fees established within Section 4-10 of the Code of the Borough of Roselle Park for peddlers participating in any public events hosted or co-hosted by the Borough of Roselle Park during calendar year 2024; and,

BE IT FURTHER RESOLVED that this waiver shall explicitly expire December 31, 2024; and,

BE IT FURTHER RESOLVED that this waiver shall not eliminate a prospective peddler’s obligation to abide by any and all procedures and policies regarding public event registration or attendance coordination.

RESOLUTION NO. 137-24

APPOINTING PAUL M. KOBLISKA AS A PART-TIME COVERING ELECTRICAL SUBCODE AND BUILDING SUBCODE INSPECTOR

WHEREAS, the Construction Official of the Borough of Roselle Park (hereinafter, the “Borough”) has determined there to be a need for additional Uniform Construction Code Covering Inspectors in order to render services to the community at a level both expected by practice and required by New Jersey statute; and,

WHEREAS, the Construction Official, likewise, recommends the appointment of one or more additional Covering Inspectors; and,

WHEREAS, the Mayor and Council (hereinafter, the “Governing Body”) of the Borough concur with Construction Official and wish to make and confirm the appointment of an additional Covering Inspector.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Paul M. Kobliska of 159 Belvidere Avenue, Fanwood, New Jersey 07023 be and is hereby appointed to the position of part-time Covering Electrical Subcode and Building Subcode Inspector effective immediately at a rate of \$40.00 per hour.

RESOLUTION NO. 138-24

AUTHORIZING, DIRECTING, AND OTHERWISE RATIFYING AND AFFIRMING
THE ACTIONS OF THE CHIEF ADMINISTRATIVE OFFICER IN INSTITUTING A
LAYOFF ACTION INCLUDING ONE (1) ANIMAL CONTROL OFFICER

WHEREAS, the Mayor and Council seeks to increase efficiency and efficacy within its professional animal control operations; and,

WHEREAS, associated with this effort, Mayor and Council likewise seek to reduce the number of retained personnel, specifically an Animal Control Officer, in exchange for contracted services; and,

WHEREAS, discontinuing the use of a certain number of Animal Control Officers effectuates the need for a layoff action; and,

WHEREAS, such layoff action will impact one (1) member of Borough personnel: Alexander Balaban; and,

WHEREAS, the intent of the foregoing Resolution shall be to provide the Chief Administrative Officer with the express legal authority to undertake such aforementioned layoff action, and otherwise ratify and affirm actions already taken.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby authorizes, directs, ratifies, and affirms the actions of the Chief Administrative Officer in instituting a layoff action including one (1) Animal Control Officer in the manner prescribed in Section III of the Employee Policy and Procedure Manual of the Borough of Roselle Park; and,

BE IT FURTHER RESOLVED that the member of Borough personnel employed as an Animal Control Officer subject to the authorized layoff action shall be Alexander Balaban.

RESOLUTION NO. 139-24

APPROVING THE INSERTION OF A CLEAN COMMUNITIES PROGRAM GRANT
AS A SPECIAL ITEM OF REVENUE IN THE 2024 MUNICIPAL BUDGET IN THE
AMOUNT OF \$28,678.22

WHEREAS, *N.J.S.A. 40A:4-87* provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$28,678.22 which item is now available as a revenue from the Clean Communities Program Grant Program pursuant to the provisions of statute; and,

BE IT FURTHER RESOLVED, that the like sum of \$28,678.22 is hereby appropriated under the caption of the Clean Communities Program Grant; and,

BE IT FURTHER RESOLVED, that the Borough Clerk forward a certified copy of this Resolution with enclosures to the Chief Financial Officer to submit the Resolution electronically to the Director of the Division of Local Government Services.

RESOLUTION NO. 140-24

APPROVING THE INSERTION OF A UNION COUNTY MEANS GREEN
COMMUNITY GARDEN PROGRAM GRANT AS A SPECIAL ITEM OF REVENUE
IN THE 2024 MUNICIPAL BUDGET IN THE AMOUNT OF \$250.00

WHEREAS, *N.J.S.A. 40A:4-87* provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2024 in the sum of \$250.00 which item is now available as a revenue from the Union County Means Green Community Garden Grant Program pursuant to the provisions of statute; and,

BE IT FURTHER RESOLVED, that the like sum of \$250.00 is hereby appropriated under the caption of the Union County Means Green Community Garden Program Grant; and,

BE IT FURTHER RESOLVED, that the Borough Clerk forward a certified copy of this Resolution with enclosures to the Chief Financial Officer to submit the Resolution electronically to the Director of the Division of Local Government Services.

RESOLUTION NO. 141-24

AUTHORIZING THE PURCHASE OF TWO (2) 2024 FORD POLICE INTERCEPTORS
FROM PARAMUS FORD, INC. PURSUANT TO EDUCATIONAL SERVICES
COMMISSION OF NEW JERSEY CO-OP CONTRACT NO. 23/24-11 IN AN
AMOUNT NOT TO EXCEED \$88,574.80

WHEREAS, the Borough of Roselle Park desires and requires to purchase goods and services necessary for the acquisition of two (2) 2024 Ford Police Interceptors; and,

WHEREAS, Paramus Ford, Inc. of 375 Route 17 South, Paramus, New Jersey 07652 has been awarded Educational Services Commission of New Jersey Co-Op Contract No. 23/24-11 for the provision of certain goods and services inclusive of two (2) 2024 Ford Police Interceptors.

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 purchase of two (2) 2024 Ford Police Interceptors be and are hereby authorized from Paramus Ford, Inc. of 375 Route 17 South, Paramus, New Jersey 07652 pursuant to Educational Services Commission of New Jersey Co-Op Contract No. 23/24-11 expiring

December 14, 2025, in an amount not to exceed eighty-eight thousand five-hundred seventy-four dollars and eighty cents (\$88,574.80).

RESOLUTION NO. 143-24

AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO.
2015-33-010-006, OCEAN CASTLE, INC., DBA VINTAGE ITALIAN RESTAURANT
& CATERING, FOR THE 2024-2025 LICENSING TERM

WHEREAS, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2024 pursuant to the regulations promulgated by the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, the following applicant has complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough Clerk be and is hereby authorized to issue renewed licenses effective July 1, 2024 to expire June 30, 2025, to the following:

2015-33-010-006 Ocean Castle, Inc., P.O. Box 405, Marlboro, N.J. 07746
DBA: Vintage Italian Restaurant & Catering,
9 West Westfield Avenue, Roselle Park, N.J. 07204

RESOLUTION NO. 145-24

AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE
NO. 2015-44-003-003, GAJANI, INC., DBA ROSELLE PARK LIQUORS AND FOOD,
FOR THE 2024-2025 LICENSING TERM

WHEREAS, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2024 pursuant to the regulations promulgated by the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, the following applicant has complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough Clerk be and is hereby authorized to issue renewed licenses effective July 1, 2024 to expire June 30, 2025, to the following:

2015-44-003-003 Gajani, Inc., 117 West Colfax Avenue, Roselle Park, N.J. 07204
DBA: Roselle Park Liquors and Food
117 West Colfax Avenue, Roselle Park, N.J. 07204

RESOLUTION NO. 146-24

AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE
NO. 2015-44-013-009, CHESTNUT STREET SPIRITS, LLC, DBA ROSELLE PARK
WINES & SPIRITS, FOR THE 2024-2025 LICENSING TERM

WHEREAS, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2024 pursuant to the regulations promulgated by the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, the following applicant has complied with the provisions of the Act of the Legislature entitled, “An Act Concerning Alcoholic Beverages”, being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough Clerk be and is hereby authorized to issue renewed licenses effective July 1, 2024 to expire June 30, 2025, to the following:

2015-44-013-009 Chestnut Street Spirits, LLC, 137 Chestnut Street, Roselle Park, N.J. 07204
DBA: Roselle Park Wines & Spirits
137 Chestnut Street, Roselle Park, N.J. 07204

RESOLUTION NO. 148-24

AUTHORIZING RENEWAL OF INACTIVE ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-33-006-014, CAFÉ C ROSELLE PARK, LLC, FOR THE 2024-2025 LICENSING TERM IN CONFORMITY WITH ADMINISTRATIVE ORDER NO. 2024-03 ISSUED BY NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL GRANTING BLANKET 12.39 RELIEF TO INACTIVE MUNICIPALLY ISSUED CLASS C RETAIL LICENSEES AND ESTABLISHING QUARTILES UNDER P.L. 2023, C. 290

WHEREAS, all Plenary Retail Consumption, Distribution and Club Licenses expired on June 30, 2024 pursuant to the regulations promulgated by the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, the following applicant has complied with the provisions of the Act of the Legislature entitled, “An Act Concerning Alcoholic Beverages”, being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable; and,

WHEREAS, the Director of the Division of Alcoholic Beverage Control of the State of New Jersey issued Administrative Order No. 2024-03 which granted blanket relief from the provisions of *N.J.S.A. 33:1-12.39* for the 2024-2025 licensing term, and established quartiles for inactive Class C retail licensees pursuant to P.L. 2023, c. 290; and,

WHEREAS, inactive Alcoholic Beverage Control License No. 2015-33-006-014 met the requirements to attain the blanket relief granted by Administrative Order No. 2024-03.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough Clerk be and is hereby authorized to issue renewed licenses effective July 1, 2024 to expire June 30, 2025, to the following:

2015-33-006-014 Café C Roselle Park, LLC, 201 South Wood Avenue, Linden, New Jersey 07036
DBA: ABC Pocket License
201 South Wood Avenue, Linden, New Jersey 07036

RESOLUTION NO. 149-24

AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-44-001-008, ROSELLE PARK LIQUORS, LLC, DBA ROSELLE PARK LIQUORS, FOR THE 2024-2025 LICENSING TERM

WHEREAS, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2024 pursuant to the regulations promulgated by the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, the following applicant has complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough Clerk be and is hereby authorized to issue renewed licenses effective July 1, 2024 to expire June 30, 2025, to the following:

2015-44-001-008 Roselle Park Liquors, LLC, 43 Winchester Drive, Scotch Plains, N.J. 07076
DBA: Roselle Park Liquors
122 East Westfield Avenue, Roselle Park, New Jersey 07204

RESOLUTION NO. 150-24

AWARDING A PROFESSIONAL SERVICES CONTRACT TO THE NEGLIA
GROUP FOR PRELIMINARY PROFESSIONAL ENGINEERING AND SURVEYING
SERVICES FOR THE PROJECT "IMPROVEMENTS TO ACKER PARK" IN AN
AMOUNT NOT TO EXCEED \$50,000.00

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 preliminary professional engineering and surveying services for the project: "Improvements to Acker Park," be awarded to the Neglia Group of 34 Park Avenue, P.O. Box 426, Lyndhurst, New Jersey 07071, for the sum not to exceed fifty thousand dollars and zero cents (\$50,000.00); and,

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

BE IT FURTHER RESOLVED that charges incrementally incurred and paid associated with this contract shall be pursuant to the contract terms authorized in Resolution No. 30-24.

RESOLUTION NO. 151-24

AWARDING A PROFESSIONAL SERVICES CONTRACT TO THE NEGLIA
GROUP FOR PROFESSIONAL ENGINEERING SERVICES, INCLUDING
SURVEYING, DESIGN, AND CONSTRUCTION MANAGEMENT FOR THE
PROJECT "IMPROVEMENTS TO BOY SCOUT PARK" IN AN AMOUNT NOT
TO EXCEED \$26,300.00

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for professional engineering services, including surveying, design, and construction management for the project: "Improvements to Boy Scout Park," be awarded to the Neglia Group of 34 Park Avenue, P.O. Box 426, Lyndhurst, New Jersey 07071, for the sum not to exceed twenty-six thousand three-hundred dollars and zero cents (\$26,300.00); and,

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

BE IT FURTHER RESOLVED that charges incrementally incurred and paid associated with this contract shall be pursuant to the contract terms authorized in Resolution No. 30-24.

RESOLUTION NO. 152-24

AWARDING A PROFESSIONAL SERVICES CONTRACT TO THE NEGLIA GROUP FOR PROFESSIONAL ENGINEERING SERVICES, INCLUDING SURVEYING, DESIGN, AND CONSTRUCTION MANAGEMENT FOR THE PROJECT "IMPROVEMENTS TO GRANT AVENUE – YEAR 50 CDBG" IN AN AMOUNT NOT TO EXCEED \$86,800.00

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for professional engineering services, including surveying, design, and construction management for the project: "Improvements to Grant Avenue – Year 50 CDBG," be awarded to the Neglia Group of 34 Park Avenue, P.O. Box 426, Lyndhurst, New Jersey 07071, for the sum not to exceed eighty-six thousand eight-hundred dollars and zero cents (\$86,800.00); and,

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

BE IT FURTHER RESOLVED that charges incrementally incurred and paid associated with this contract shall be pursuant to the contract terms authorized in Resolution No. 30-24.

RESOLUTION NO. 153-24

AWARDING A PROFESSIONAL SERVICES CONTRACT TO THE NEGLIA GROUP FOR PROFESSIONAL ENGINEERING SERVICES, INCLUDING SURVEYING, DESIGN, AND CONSTRUCTION MANAGEMENT FOR THE PROJECT "IMPROVEMENTS TO AVON STREET AND BERWYN STREET – FY2024 NJDOT" IN AN AMOUNT NOT TO EXCEED \$111,250.00

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for professional engineering services, including surveying, design, and construction management for the project: "Improvements to Avon Street and Berwyn Street – FY2024 NJDOT," be awarded to the Neglia Group of 34 Park Avenue, P.O. Box 426, Lyndhurst, New Jersey 07071, for the sum not to exceed one-hundred eleven thousand two-hundred fifty dollars and zero cents (\$111,250.00); and,

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

BE IT FURTHER RESOLVED that charges incrementally incurred and paid associated with this contract shall be pursuant to the contract terms authorized in Resolution No. 30-24.

RESOLUTION NO. 154-24

AWARDING A PROFESSIONAL SERVICES CONTRACT TO THE NEGLIA GROUP FOR PROFESSIONAL ENGINEERING SERVICES, INCLUDING SURVEYING, DESIGN, AND ARCHITECTURAL SERVICES FOR THE PROJECT "IMPROVEMENTS TO FIREHOUSE NO. 3" IN AN AMOUNT NOT TO EXCEED \$225,000.00

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that a Professional Service Contract for professional engineering services, including surveying, design, and architectural services for the project: "Improvements to Firehouse No. 3," be awarded to the Neglia Group of 34 Park Avenue, P.O. Box 426, Lyndhurst, New Jersey 07071, for the sum not to exceed two-hundred twenty-five thousand dollars and zero cents (\$225,000.00); and,

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

BE IT FURTHER RESOLVED that charges incrementally incurred and paid associated with this contract shall be pursuant to the contract terms authorized in Resolution No. 30-24.

RESOLUTION NO. 155-24

AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE
NO. 2015-31-018-001, WEST END COMMUNITY CENTER, DBA WEST END
COMMUNITY CENTER, FOR THE 2024-2025 LICENSING TERM

WHEREAS, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2024 pursuant to the regulations promulgated by the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, the following applicant has complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough Clerk be and is hereby authorized to issue renewed licenses effective July 1, 2024 to expire June 30, 2025, to the following:

2015-31-018-001 West End Community Center, 205 West Clay Avenue, Roselle Park, N.J. 07204
DBA: West End Community Center
205 West Clay Avenue, Roselle Park, New Jersey 07204

RESOLUTION NO. 156-24

AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE
NO. 2015-33-004-008, WILLOW KACIE, LLC, DBA SUN TAVERN, FOR THE
2024-2025 LICENSING TERM

WHEREAS, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2024 pursuant to the regulations promulgated by the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, the following applicant has complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough Clerk be and is hereby authorized to issue renewed licenses effective July 1, 2024 to expire June 30, 2025, to the following:

2015-33-004-008 Willow Kacie, LLC, 168 Grandview Avenue, Caldwell, N.J. 07006
DBA: Sun Tavern, 600 West Westfield Avenue, Roselle Park, N.J. 07204

RESOLUTION NO. 157-24

AUTHORIZING THE PURCHASE OF ONE (1) 2023 FORD POLICE INTERCEPTOR
FROM NIELSEN FORD OF MORRISTOWN, INC. PURSUANT TO MORRIS COUNTY

CO-OP CONTRACT NO. 15-A IN AN AMOUNT NOT TO EXCEED \$45,355.00

WHEREAS, the Borough of Roselle Park desires and requires to purchase goods and services necessary for the acquisition of one (1) 2023 Ford Police Interceptor; and,

WHEREAS, Nielsen Ford of Morristown, Inc. of 170 Ridgedale Avenue, Morristown, New Jersey 07960 has been awarded Morris County Co-Op Contract No. 15-A for the provision of certain goods and services inclusive of one (1) 2023 Ford Police Interceptor.

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 purchase of one (1) 2023 Ford Police Interceptors be and are hereby authorized from Nielsen Ford of Morristown, Inc. of 170 Ridgedale Avenue, Morristown, New Jersey 07960 pursuant to Morris County Co-Op Contract No. 15-A expiring October 31, 2024, in an amount not to exceed forty-five thousand three-hundred thirty-five dollars and zero cents (\$45,355.00).

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

RESOLUTION NO. 135-24

DIRECTING THE CHIEF FINANCIAL OFFICER TO APPLY ANY AND ALL 2024 REVENUE RECEIVED FROM THE LOCAL CANNABIS TRANSFER TAX AND USER TAX TO OFFSET THE 2025 SEWER UTILITY BUDGET TO THE EXTENT PERMITTED BY LAW

WHEREAS, the governing body of the Borough of Roselle Park adopted local Ordinances which are now codified within Chapter 30 of the Municipal Code of the Borough of Roselle Park, implementing P.L. 2021, c. 16, imposing taxes on the sale of cannabis or cannabis items by a cannabis establishment that is located within the municipality; and,

WHEREAS, prospective revenue associated with the local cannabis transfer tax and user tax is not appropriated within the 2024 municipal budget; and,

WHEREAS, it is the sense of the governing body governing body to apply any and all 2024 revenue received from the local cannabis transfer tax and user tax to offset the costs associated with the 2025 sewer utility budget to the extent, and in the manner permitted by law.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby direct the Chief Financial Officer to apply any and all 2024 revenue received by the Borough of Roselle Park from its local cannabis transfer tax and user tax to offset the 2025 sewer utility budget to the extent permitted by law.

Mayor Signorello said this is not a vote on whether or not we like cannabis in Roselle Park. This is not a vote supporting the number of cannabis retailers in Roselle Park. The idea here is exploring all avenues to try and offset some of the pain that's been caused by the storm water system.

He said there have been three conditional potential licenses for Class 5 sales of marijuana. One was passed by the Land Use Board and is currently being challenged in Court. There is another, if you feel passionately about, check it out on the website or in person on June 24th and have your voice be heard. The final potentially would be the existing Breakwater. Breakwater is an existing medical marijuana place that has been existing since 2021. They would like to covert to sell adult use and medical use. The building they are building and will be moving into is right next to the temporary one, which will be taken down.

He said we are legally allowed to get 2% of their revenue as an additional tax. He has heard these institutions can do about \$500,000 in revenue a month, and 2% of that could be \$120,000. He said we get fined from the City of Elizabeth about \$350,000 a year for 11 years. This is him trying to get creative to try to solve a problem. If no marijuana places get passed this year, then no monies get directed to that.

Councilman Patel had a question about Breakwater and medical marijuana; are we taking the tax from the medical and are we allowed to.

Mayor Signorello said yes, we are allowed to. He thinks it is kind of unethical to add an extra tax on something that you legitimately need; but we can always revisit that.

Councilman Patel asked is it just any medical place that we don't collect tax on; like Urgent Care.

Mayor Signorello said they pay property taxes.

Councilwoman Lyons thanked the Mayor for being transparent.

<input type="checkbox"/> Vote Record – Resolution No. 135-24		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 Petrosky; seconded by Councilman Robaina.

RESOLUTION NO. 142-24

AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF KENILWORTH FOR THE POSITION OF SUPERINTENDENT OF PUBLIC WORKS

WHEREAS, the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1, et seq.* permits municipalities and other local units to enter into Shared Services Agreements with other governmental units by adoption of a Resolution authorizing such shared services; and,

WHEREAS, the Borough of Kenilworth presently employs a Superintendent of Public Works who holds licensure as a Certified Public Works Manager; and,

WHEREAS, effective July 1, 2024, the Borough of Roselle Park will be in need of the services of a Superintendent of Public Works who holds licensure as a Certified Public Works Manager; and,

WHEREAS, the Boroughs of Kenilworth and Roselle Park have determined that it would be mutually beneficial to enter into an agreement whereby the Borough of Kenilworth would act as the lead agency and provide services, inclusive of its aforementioned certified personnel, their expertise, and labor to the Borough of Roselle Park to assist Roselle Park in meeting the requirements of state statute, and the public works needs of the community.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that is hereby authorizes a Shared Services Agreement with the Borough of Kenilworth in the form of an agreement substantially similar to that which is attached to the foregoing Resolution as Exhibit A; and,

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute any and all documents in furtherance of the aforementioned Shared Services Agreement.

SHARED SERVICES AGREEMENT

This **SHARED SERVICE AGREEMENT** (the “Agreement”) is entered into and effective the 1st day of July 2024 by and between the **BOROUGH OF ROSELLE PARK** (hereinafter, “Roselle Park”), with its principal offices located at 110 East Westfield Avenue, Roselle Park, New Jersey 07204, and the **BOROUGH OF KENILWORTH** (hereinafter, “Kenilworth”), with its principal offices located at 567 Boulevard, Kenilworth, New Jersey 07033.

RECITALS

WHEREAS, the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1, et seq.*, permits municipalities and other local units to enter into Shared Services Agreements with other governmental units by adoption of a Resolution authorizing such shared services; and,

WHEREAS, Kenilworth presently employs a Superintendent of Public Works who holds licensure as a Certified Public Works Manager; and,

WHEREAS, effective July 1, 2024, Roselle Park is in need of the services of a Superintendent of Public Works who holds licensure as a Certified Public Works Manager; and,

WHEREAS, Kenilworth and Roselle Park have determined that it would be mutually beneficial to enter into the foregoing Agreement whereby Kenilworth would act as the lead agency and provide services, inclusive of its aforementioned certified personnel, their expertise, and labor to Roselle Park to assist Roselle Park in their fulfillment of requirements of state statute and the public works needs of the Roselle Park community.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

1. **Services.** Roselle Park hereby retains Kenilworth as its service provider for the position of Superintendent of Public Works. The specific individual who shall serve as Superintendent of Public Works shall be an employee of Kenilworth and shall be duly designated by Kenilworth.

The Superintendent of Public Works shall possess Certified Public Works Manager licensure as issued by the State of New Jersey at all times during the term of the foregoing agreement. This Superintendent of Public Works shall render services to Roselle Park inclusive of, but not limited to the following:

- a. Serve as Roselle Park's Principal Public Works Manager pursuant to the requirements of *N.J.S.A. 40A:9-154.6g*;
 - i. Principal Public Works Manager shall be further defined by *N.J.S.A. 40A:9-154.6a(e)*, specifically: "...a certified public works manager who performs administrative and supervisory duties relating to installation, maintenance and repair of public works facilities, or assists in planning, organizing and directing all programs relating to a public works activity, or a combination thereof, who is appointed by the local governing body, its designated appointing authority or chief executive officer, and who is not an elected member of that governing body, who advises municipal elected officials and employees in proper compliance and administration of the various laws, regulations, technical practices, operations and management techniques with regard to public works activities conducted by the municipality..."
- b. Perform all duties and responsibilities set forth in Roselle Park Borough Code §2-29 with the following specific deviations and/or stipulations:
 - i. Regarding §2-29.2c - In lieu of in-person meeting attendance, the Superintendent of Public Works shall report to the Mayor and Council once per month, in-writing, unless specifically requested otherwise;
 - ii. Regarding - §2-29.2e - The Superintendent of Public Works shall devote active service to the performance of his duties to Roselle Park without the expectation that such service shall constitute a full-time arrangement. The number of hours

dedicated to Roselle Park shall vary day-to-day and week-to-week based upon the balance of needs between Roselle Park and Kenilworth.

- c. Serve as the point of contract for contracted service providers where the Superintendent of Public Works is the designed contract administrator.
- d. Report directly to the Chief Administrative Officer of Roselle Park

2. Consideration.

- a. Monetary. In consideration of the faithful performance of services by Kenilworth, Roselle Park conveys and agrees to pay Kenilworth \$50,000 per annum, prorated on a six (6) month basis for the year 2024 commencing July 1, 2024. Said sum shall be paid on a quarterly basis.
- b. Vehicle. In consideration of the faithful performance of services by Kenilworth, Roselle Park conveys and agrees to loan Kenilworth a Roselle Park municipal vehicle, specifically a Ford F-250 Pickup Truck (VIN # 1FT7X2BA8PED10874), for use by the Superintendent of Public Works to carry out the services set forth above that require use of such a vehicle. This shall specifically include take home use of this vehicle by the Superintendent of Public Works. Said vehicle shall not be used for the Superintendent of Public Works' personal activities, and shall be solely used for transportation to, from, and during the course of services rendered under the Agreement. Kenilworth agrees to the following stipulations with respect to the consideration related to the Roselle Park municipal vehicle:
 - i. Kenilworth's designated employee, as created under this agreement, will not cause or allow the subject vehicle to be loaned, rented, or driven by any person other than said designated employee;
 - ii. Kenilworth shall preserve and protect the subject vehicle from loss or damage;
 - iii. Kenilworth shall not use said vehicle, cause, or permit the same to be used in any manner whatsoever in violation of any municipal, county, state, or federal law, ordinance, or regulation;

- iv. Kenilworth's designated employee shall not operate the vehicle while under the influence of alcohol or other impairing substances;
 - v. In the event of any accident involving the subject vehicle, Kenilworth will immediately furnish Roselle Park a full and complete report thereof;
 - vi. Kenilworth will forever and hold harmless and indemnify Roselle Park from any and all claims, demands, causes of action, attorney's fees and expenses of any nature arising, or alleged to arise from Kenilworth's use, operation, or damage during said use of loaned vehicle;
 - vii. Kenilworth will, at its own risk and expense, maintain Workers Compensation Insurance for the Superintendent of Public Works for all matters inclusive of this operation of the subject vehicle, as well as Bodily Injury and Property Damage Liability Insurance covering the Bodily Injury or Property Damage Liability Insurance during said use of loaned vehicle.
- c. Equipment. In consideration of the faithful performance of services by Kenilworth, Roselle Park consents and agrees to allow Kenilworth to utilize any and all Roselle Park equipment, including apparatus and vehicles, housed by and within the Roselle Park Department of Public Works. Kenilworth agrees to the following stipulations with respect to the consideration related to the Roselle Park equipment:
- i. Priority for use of all Roselle Park equipment shall be for operations within Roselle Park, consideration for Roselle Park equipment use in Kenilworth shall be secondary;
 - ii. Kenilworth shall preserve and protect the subject equipment from loss or damage;
 - iii. In the event of equipment damage, Kenilworth shall immediately inform Roselle Park, thereafter the parties shall in good faith determine both the responsibility and need for repairs;

- iv. Kenilworth shall not use said equipment, cause, or permit the same to be used in any manner whatsoever in violation of any municipal, county, state, or federal law, ordinance, or regulation;
 - v. No Kenilworth employee shall operate any Roselle Park equipment while under the influence of alcohol or other impairing substances;
 - vi. In the event of any accident involving the subject equipment, Kenilworth will immediately furnish Roselle Park a full and complete report thereof;
 - vii. Kenilworth will forever and hold harmless and indemnify Roselle Park from any and all claims, demands, causes of action, attorney's fees and expenses of any nature arising, or alleged to arise from Kenilworth's use, operation, or damage during said use of equipment.
3. **Effective Date.** This agreement shall be effective July 1, 2024, and continue until December 31, 2024.
4. **Termination of Agreement.** The provisions of this agreement are contingent upon Kenilworth having in its employ a full-time Superintendent of Public Works, licensed as a Certified Public Works Manager. If for any reason Kenilworth shall cease to employ such an employee, Roselle Park may immediately terminate the foregoing agreement. In any other circumstance, this agreement may be terminated by Roselle Park or Kenilworth with forty-five (45) days written notice to the other party, unless mutually agreed between Roselle Park and Kenilworth that said termination should be effective earlier.
5. **Mutual Indemnification.** To the fullest extent allowable by the law, each party, their successors, and assigns shall hold harmless, indemnify, defend, and release the other party and their members, directors, officers, employees, agents, contractors, successors, and assigns from and against all suits, liabilities, penalties, costs, losses, damages, expenses or claims, including, without limitation, reasonable attorney's fees arising from or in any way connected with the other party's performance, attempted performance, or failure to perform in connection with this

agreement or other activities as described in the agreement, including, but not limited to, any injury to or the death of any person or any damage to any property resulting from any act, omission, condition, or other manner related to this agreement, regardless of cause, unless due to the negligence of any of the indemnified parties.

6. **Insurance.** Each Party shall obtain a liability insurance policy naming the other party as an additional insured covering the respective parties from liability which may arise from this agreement. In the event an action, claim, demand, debt, liability, cause of action, legal proceeding or similar such action is filed against a party to this agreement stemming from the services provided under the agreement, the responsible party shall turn this matter over to their insurance carrier to defend and address such issue.
7. **Disputes.** If there are any disputes arising between the parties as to the interpretation of the terms of agreement or the satisfactory performance by any of the parties or the services and other responsibilities provided in this agreement, Kenilworth and Roselle Park shall make a good faith effort to resolve the matter amongst themselves. If no settlement is reached, both parties agree that either party may pursue any and all legal remedies, including the initiation of legal proceedings in the Superior Court of New Jersey in Union County, as may be necessary unless they can agree to some form of Alternative Dispute Resolution
8. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey.
9. **Notice.** All notices, reports, statements, requests, or authorizations required to be given hereunder shall be personally delivered or sent by first-class mail to the parties at the following addresses unless a party has been notified of a change of address:

Borough of Kenilworth

Attention: Business Administrator

567 Boulevard

Kenilworth, New Jersey 07033

Borough of Roselle Park

Attention: Business Administrator

110 East Westfield Avenue

Roselle Park, New Jersey 07204

10. **Assignment.** This Agreement shall not be assignable by either party, except upon written agreement signed by both Parties.
11. **Entire Agreement.** This agreement sets forth the entire understanding of the parties hereto with respect to the transactions contemplated herein. No change or modification of this agreement shall be valid unless the same shall be in writing and approved by the parties.
12. **Severability.** If any clause, sentence, paragraph, section or part of this Agreement shall be adjudged to be invalid by any Court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.
13. **Force Majeure.** If an event beyond the control of either party occurs which prevents or substantially reduces that party's ability to comply with any obligation under this agreement, then the party shall be relieved of performance.
14. **Compliance with the Uniform Shared Services and Consolidation Act.** In accordance with N.J.S.A. 40A:65-1 et seq., this Agreement shall be filed with the Department of Community Affairs, Division of Local Government Services.
15. **Authority.** By the signatures below, the parties execute this agreement and confirm that they are mutually bound by and fully authorized and empowered to enter into and bind their organization by all provisions contained therein.

IN WITNESS WHEREOF, each party has caused its authorized officials to sign and seal this contract effective upon the date first indicated within the forgoing agreement.

BOROUGH OF KENILWORTH:

ATTEST:

Linda Karlovitch
Mayor

Angela Lazzari, RMC
Borough Clerk

BOROUGH OF ROSELLE PARK:

ATTEST:

Joseph Signorello III
Mayor

Andrew J. Casais, RMC
Borough Clerk

Mayor Signorello said we talk a lot about costs and how much we spend here in Roselle Park; this would be another cost cutting measure. He said we have a pretty slim Department of Public Works now. We are looking to enter into a six month agreement with the Borough of Kenilworth to share our Superintendent of Public Works. He would manage the Public Works in Kenilworth and the Public Works in Roselle Park; and we would have him as a shared resource. He asked Borough Clerk Casais how many Share Service Agreements have we done in the last six years.

Borough Clerk Casais said this is about the third or fourth one.

Mayor Signorello said we would look to save probably about \$50,000 to \$60,000 by doing this; which he thinks is good for the Borough. We are doing it in a six month timeframe to see if it works out, and if it doesn't work out, we will revert the other way. He thinks this is another really important step in helping slim the Borough down. We are already working with a smaller piece of the pie than other entities in the Borough. We have eliminated five roles going through County Shared Services and saved \$170,000 in run rate revenue the first year he got here. He said we are actively looking to save money and this is one way to do that.

Councilwoman Lyons asked if he is going to be available to us.

Mayor Signorello said yes absolutely, but the best protocol is to talk Deborah the DPW Secretary.

<input type="checkbox"/> Vote Record – Resolution No. 142-24					
		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"/>

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

RESOLUTION NO. 144-24

AUTHORIZING RENEWAL OF INACTIVE ALCOHOLIC BEVERAGE CONTROL

LICENSE NO. 2015-33-002-005, CASCIO'S TAVERNE, II, INC., DBA CASCIO'S TAVERNE, II, FOR THE 2024-2025 LICENSING TERM IN CONFORMITY WITH ADMINISTRATIVE ORDER (AO) NO. 2024-03 ISSUED BY NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL GRANTING BLANKET 12.39 RELIEF TO INACTIVE MUNICIPALLY ISSUED CLASS C RETAIL LICENSEES AND ESTABLISHING QUARTILES UNDER P.L. 2023, C. 290

WHEREAS, all Plenary Retail Consumption, Distribution and Club Licenses expired on June 30, 2024 pursuant to the regulations promulgated by the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, the following applicant has complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable; and,

WHEREAS, the Director of the Division of Alcoholic Beverage Control of the State of New Jersey issued Administrative Order No. 2024-03 which granted blanket relief from the provisions of *N.J.S.A. 33:1-12.39* for the 2024-2025 licensing term, and established quartiles for inactive Class C retail licensees pursuant to P.L. 2023, c. 290; and,

WHEREAS, inactive Alcoholic Beverage Control License No. 2015-33-002-005 met the requirements to attain the blanket relief granted by Administrative Order No. 2024-03.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough Clerk be and is hereby authorized to issue renewed licenses effective July 1, 2024 to expire June 30, 2025, to the following:

2015-33-002-005 Cascios Taverne II, Inc., 400 Seaton Avenue, Roselle Park, N.J. 07204
 DBA: Cascios Taverne II, Inc.
 400 Seaton Avenue, Roselle Park, New Jersey 07204

Mayor Signorello mentioned he heard something was happening at Cascio's and asked Construction Official Belluscio if any permits were taken out there, and if he could check with Judy Mack.

<input type="checkbox"/> Vote Record – Resolution No. 144-24		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"/>

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

RESOLUTION NO. 147-24

AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-33-005-003, FRENCHY'S BAR GRILL, INC., DBA FRENCHY'S BAR GRILL, FOR THE 2024-2025 LICENSING TERM

WHEREAS, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2024 pursuant to the regulations promulgated by the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, the following applicant has complied with the provisions of the Act of the Legislature entitled, “An Act Concerning Alcoholic Beverages”, being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Borough Clerk be and is hereby authorized to issue renewed licenses effective July 1, 2024 to expire June 30, 2025, to the following:

2015-33-005-003 Frenchy’s Bar Grill, Inc., 545 West Westfield Avenue, Roselle Park, N.J. 07204
 DBA: Frenchy’s Bar Grill
 545 West Westfield Avenue, Roselle Park, New Jersey 07204

<input type="checkbox"/> Vote Record – Resolution No. 147-24		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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Patel

Attended the Ribbon Cutting event for Dowling’s; please make sure you stop by to check it out.

May 27th attended the Memorial Day Service; thanked all those who attended.

Mentioned if anyone would like to volunteer at the Community Gardens, they are there from 9:30 a.m. to 12:00 Noon on Saturdays. The Environmental Commission is looking into options and resources to assist the Borough and residents.

June 4th attended the meeting with the DOT, where concerns were brought to their attention in regards to Route 28, such as pedestrian crossing by 240 West Westfield Avenue (Meridia).

Noted the Boy Scouts will be hosting the 2nd Annual Pinewood Derby this Saturday.

Mentioned he will be leaving early tonight for his Dad’s birthday.

Provided contact information.

Councilman Robaina

May 18th attended the NJBWC Bike and Walk Summit at Middlesex County College. A lot of great information was presented and got some very doable (low cost and some free) takeaways to consider as we work together to improve safety, mobility, connectivity and trails in Roselle Park and beyond.

May 21st joined Tim Coakley with the Environmental Commission to clean out the raised beds and plant a number of sensory-friendly perennials and annuals at the Sensory-Friendly Playground at Loreti Park. He and his family have been visiting to water the plants so they take root just in time for the Roselle

Park Special Education Parent Advisory Group's end of year get-together at the park on June 13th at 6:00 p.m. Thanked Tim Coakley for donating these plants.

Regarding our roadways and sidewalks, work is underway on Larch and Pine with curbing and concrete work. Milling and paving is next and yesterday the County started milling Locust, a County Road, at night with minimal and temporary impact.

May 23rd represented the Borough for the Rahway Valley Mayor's Alliance. Regarding the Roselle Park Train Station, NJ Transit confirmed the construction bid will be out in the first quarter of 2025 for the station renovations. Requested signage be posted at the station with the design plan with mention that the project is coming soon, and so that our commuter residents were kept informed.

May 23rd attended the Roselle Park Fire Department and Police Department Chili Cookoff at the High School benefiting Project Graduation and the 8th Grade Graduating Class, and served as one of the judges. Congratulated the Roselle Park Fire Department for taking home the trophy, and thanked all those who participated.

Thanked the Cranford Dairy Queen for their continued support and partnership as they sponsored 50 free small ice cream coupons for the Library's Summer Reading Program and the upcoming SEPAG end of the year get-together. A portion of SEPAG's vouchers will be shared with the Middle School and High School volunteers who have become peer models to our children at events.

May 27th attended the Memorial Day Service at the Casano Center. Over 1.3 million American servicemen and women have died in wars and conflicts throughout U.S. History. Today is also D-Day; and on this day 80 years ago, the course of history changed with over 150,000 Allied Forces, composed of 73,000 Americans, with 2,500 service members paying the ultimate price for freedom.

May 30th attended the first Spotlight Series of the Kean Union County 22 Consortium, comprising of the 21 municipalities and the County of Union, which focused on government hiring and retention, the KEAN network and benefits of partnership.

June 4th, as Chamber Liaison, shared flyers for the Gateway YMCA at 5 Points; Chamber partners benefiting Roselle Park residents and families with a no-joiners fee for two weeks and summer swim lesson specials.

Also on June 4th, participated in NJDOT's enhanced study of Route 28 kick-off meeting regarding numerous long-standing issues with traffic flow and mobility. Thanked Borough Clerk Casais, Mayor Signorello and Councilman Johnson for spearheading these discussions. Commended Borough Clerk Casais for sending a polite, yet direct message to top brass regarding another DOT issue, major property maintenance concerns along Grove Street, Valley Road and Beechwood Avenue.

Provided contact information.

Councilwoman Lyons

Attended the Dowling's opening and it is awesome to see all the businesses opening.

May 27th attended the Memorial Day Service; it was a beautiful and meaningful service.

Had Karaoke Night at the Casano Center. Post 60 will also be having karaoke as well.

Reminded and encouraged everyone that Roselle Park.net is where to go for Borough information. Also check out the MyRosellePark app, which has all the events happening in the Borough.

Noted the Roselle Park Walking Club will be starting as soon as the weather gets better.

Provided contact information.

Noted she had three words on her heart: connection, communication and community.

Councilman Petrosky

Expressed condolences to the families of Constance D'Amico and Judith Caufield.

May 18th attended the ribbon cutting ceremony for Dowling's and wished them good luck.

May 20th attended the Historical Society Meeting.

May 27th attended the Memorial Day Service; thanked Councilman Johnson and all veterans for their service.

June 3rd attended the Fire Department Meeting and discussed various repairs.

Noted today, June 6th, is D-Day and thanked everyone for their service.

Provided contact information.

Councilman Signorello

Thanked Chief Frino for clearing out all the construction equipment on West Clay Avenue for the upcoming St. Anthony's Feast.

Noted he spoke to former Mayor Carol Hokanson on Memorial Day about adding the Space Force to the monument. Thanked all the veterans that have served over the years. It was also nice to see the second year of Hometown Heroes banners downtown.

May 27th attended the Memorial Day Service, and even though the parade was cancelled, the intent and spirit of the ceremony was great.

Attended the opening of Dowling's; it is so good to see that corner done and it is beautiful inside.

Provided contact information.

Councilman Johnson

Pleased to announce on behalf of the Diversity & Inclusion Committee that we will be having our 2nd Annual Juneteenth Celebration on June 15th from 5:00 p.m. to 9:00 p.m. at Michael Mauri Park.

Advised residents that we finally had a discussion with NJDOT professionals with regard to revitalization efforts to make Route 28 a safer corridor for both pedestrians and motorists. Thanked Borough Clerk Casais, Mayor Signorello and Councilman Robaina for supporting this project.

Wanted to express his position without interruptions, without rudeness, without labelling or without condescending biases. He wanted to add another word to Councilwoman Lyons' three "C's"; civility. He said we can have a difference of opinion and different views, but his hat goes off to the resident that was here earlier; he put that so eloquently and it was so refreshing to see opposition being articulated politely in a respectful manner. So if you are going to come up here and ask him questions, please just do that. He will be respectful to you and you will be respectful to him.

First and foremost, how did we come to the three number; it was originally five and we lowered it to three. Just to set the record straight, he is not staunch on it has to be three. He is okay with going through the process, that if we could downsize it because the community says downsize it, he is open to those discussions. He said he had the opportunity to speak to a young lady, who advised him she was against it, but she talked politely; he was able to hear her. When two people are yelling at each other or being disrespectful to each other, you cannot hear. He said he feels bad because there are truly residents in this community that want to express themselves the right way.

In regards to the ROB Zone, the Cannabis MD was in the right zone, but behind it is a residential area. He understands what's going on with that situation; but Medical MD is in the proper ROB Zone. He doesn't think anyone did that to rile the residents. Like Mayor Signorello said earlier, if it happens to get canned through the process, then we will revisit it; that's what government is about.

As far as residents deciding to quote propaganda, attack mailers with no actual factual reality, he is shocked and a little bit appalled that in 2024 our population don't know we have to check and cite our sources. That propaganda that was sent out, he never voted for that apartment; that was OPRA-able and that was an attack on his character; which is inappropriate. All his stuff is public information and anyone could review it as they see fit. He said he doesn't always agree with the Mayor or his counterparts, but they articulate and have discussions. Please stop labeling. He wants Roselle Park to understand we have to go through this process, so we can avoid liability concerns such as the sewer and Romerovski, which cause a financial burden to the residents. He understands people are in disagreement, but we have to follow the process. He said he initiated a lot of transparency.

Mayor Signorello

He said for whatever is going on here, the most important thing about today is D-Day and recognizing that so many years ago people fought for an ideal, people fought against Fascism, people fought against the rise of Nazism and disgusting, horrid things that were happening in Europe. He said he is so damn proud everyday to be an American and he flies his flag. We might not always agree, but he shudders to think that social media has become such a cesspool that people have no more civil discourse. Everybody up here works their butts off, one hundred percent. Everybody up here lives here, everybody salutes the flag and everybody here pays taxes. He thinks it's really important now, being an American and respecting our systems, whether it's at the top of the house or right here in Roselle Park. There is a certain level of common sense and respect for the systems that we have and so many died for fighting for that right that needs to be observed today and going forward.

Provided contact information.

PUBLIC PORTION

Councilman Petrosky moved at 8:30 p.m. to open the public comment portion of the meeting on any subject matter; seconded by Councilman Robaina, all members present voting Aye, said motion was adopted.

Jorge Ramirez, 500 East Clay Avenue

He said he thinks we do need more communication and more civility. The reason people are mad is that for the last few weeks there have been 80 year old people coming here expressing their disgust for these cannabis dispensaries and nobody does anything. Last month there was an 85 year old man who stood here and you guys told him it was already approved and you have to go to the Land Use Board to let them know you don't like it. Well, the gentleman showed up a couple of weeks later and because he didn't ask the question the right way, the Land Use Board said that's got nothing to do with us; Council already approved it. Just because he didn't say you guys need to vote on the variance, they turned him away. He said everybody plays the blame game here, with everybody blaming each other and everyone is mad about it and tired about it.

He said you keep talking that we are fully transparent. You are doing the base minimum as far as being transparent. You are putting it on the website; but when it comes to a garage sale, Roselle Park is paying Facebook to sponsor an ad for the garage sale. Why not pay for an ad that is going to influence people and that's going to impact people in their pockets. He said property taxes are going to go up next year.

Mayor Signorello asked how do you know property taxes are going to go up next year.

Mr. Ramirez said you raised the budget.

Mayor Signorello said that was for this year's budget; that's for the taxes levied this year. We don't know if taxes are going up next year; we have to project this.

Mr. Ramirez said we have a lot of expenditures going on; we have the sewer tax and property taxes and instead of cutting back on expenses, we're spending more.

Mayor Signorello said we just literally cut \$50,000 from the budget tonight.

Mr. Ramirez said you just spent \$500,000 to the Neglia Group. How much of that was bid out to see who could give us the best service. He said when you ran for Mayor, the first thing you did was you raised the amount people can donate to your campaign.

Mayor Signorello said we removed restrictions, so you would have more options and the State also raised them wholesale.

Mr. Ramirez said before the maximum amount that someone could donate to the Mayor was \$200; did you raise that amount.

Mayor Signorello said yes, we removed the cap. He said because the legal limits you contribute are the legal limits. We removed the cap to do work in Roselle Park.

Mr. Ramirez asked by removing the cap, how many more businesses have we gained that weren't around before; like trash collection.

Mayor Signorello said we bid out every three years for trash collection and the only bidders we ever get are Suburban. He would love for someone else to bid. He said it varies by professional to professional and we get about eight bids for Engineer.

Mayor Signorello said Mr. Ramirez's time is up and he apologized for taking up some of his time, but wanted to respond to a few items. He said he represents about 8,000 voters and 14,000 people in the Borough of Roselle Park. He understands and respects any individual who would like to come here and talk about their problems or talk about their issues; that does not mean they are representative of the majority of Roselle Park. He said when it comes to transparency, these things bother him and could he have been more transparent. It occurred to him the other day, we made medical marijuana a conditional use; which means they cannot go to Mr. Belluscio, the Zoning Office, to get a permit. They have to go through other steps; other steps within the public. On property taxes, he cannot stress enough for 20 years before he became Mayor, on every house the average property value was \$200 a year. He said it hasn't been perfect under his administration, but we have cut that in half. We had the first reduction in taxes three years ago that's happened in the last three decades. For people who want to challenge his record on taxes, he has been the most fiscally conservative Mayor in Union County.

Chris Ley, 450 Henry Street

He wanted to apologize for his laughter earlier. It was not directed at any member of this body, nor was it directed at the body itself. He said he is dissatisfied with the discussion, both in the content and the character of the discussion of it, and he will yield the rest of his time.

Mayor Signorello said noted and thanked him.

Maria Miguelez, 607 Sheridan Avenue

She said we all want and deserve respect, and respect is earned. When people are talking, don't laugh at what they say. Everyone has their opinions and you have yours; don't ignore them.

She asked how the salaries were defined; the minimums and maximums. She said you said we saved \$50,000 because we are going to join with Kenilworth. She said \$50,000 is nothing compared to all the expenditures that are here. She said Councilman Robaina said one of the girls at the school said it's one more dollar than what we had before and that is what this other gentleman is saying. You said we were also going to get 2% tax rebates from the marijuana place, but then you said it's really heartless to charge people who have terminal diseases 2%; so technically we are not getting anything from the dispensary.

Mayor Signorello said as it stands; if we pass new recreational ones, then we would get 2% from them.

Ms. Miguelez said so in order for us to get the 2%, we have to get a dispensary for recreational, should they get approved. She said she is going to be heartless and she's sorry, but charge the 2% on the medicinal ones. This is how the commercials come out on TV in the mornings that say, ok please don't smoke because now I have lung cancer. She said she's sorry, but you shouldn't have smoked; and not her problem. She said we all have a choice on what we do. We all know that smoking is dangerous and causes cancer; why would you continue to do this and then when you get sick, we all have to foot the bill.

Mayor Signorello said his grandfather took medical marijuana because he had health issues and he took them as lozenges.

Ms. Miguelez said her grandfather died from cancer from smoking; so she has that in her family and yet he continued, knowing what it could do.

Borough Attorney DeMarco said with regards to her why the Borough chose not to tax medicinal marijuana, if he went to CVS and got his cancer medicine there, the State would not allow the municipality

to put an additional tax on it. So it's a different form of cancer medication from a different medical provider; so the Borough looks at it from that respect. The recreational tax is the same as the cigarette tax; that's a different choice. However, when it came to medicine, it's on par as if he went to Walgreens or CVS to receive his cancer medication there. So you do not get an additional 2% tax because you are sick; but that is not what the Borough chose to do.

Ms. Miguelez said Borough Attorney DeMarco explained it better than the Mayor did. She asked so going back, do we know the limits on these salaries.

Mayor Signorello asked Borough Clerk Casais to comment on this.

Ms. Miguelez said that is a lack of respect to her; you turning around and asking Borough Clerk Casais to take care of it.

Mayor Signorello said he deferred to Borough Clerk Casais because Andrew is the Administrator who sets the salaries. He asked Borough Clerk Casais to please respond to the question.

Borough Clerk Casais said the salary ranges are not the salaries per se. Salary ranges are broad by design for a variety of reasons; one of which is the Borough exercises different options with different employees. Some employees are part time and sometimes they are quickly changed to full time or vice versa. The maximum range of those salaries is the maximum. He said no employee of the Borough of Roselle Park is at the maximum of their salary range, Unfortunately, he cannot respond to any more of her questions; which the Mayor will also tell her. However, he is happy to explain this. The ranges are not as scientific in thought as you may think. They could be Zero to \$1 million; it will not make any meaningful difference to what those individuals are paid. They are paid commensurably as to what their duties are.

Mayor Signorello said there are two things he wants to comment on. First off, broadly he understands we have a lot to pay for now and he understands there are things that we shouldn't spend it on, but he is still going to spend money on public safety. Before he became Mayor, the Deputy Chiefs of our volunteer Fire Department were riding round in hoopties, barely getting around and Mark Jaskula fixing them every week. When he became Mayor, everybody got new vehicles and we just got \$75,000 in new turnout kits; by the way, great grant and thank you Councilman Robaina for the leadership there and we have an aging fire truck that we need to replace. This is something that our volunteers have requested. So yes, he is spending his money on Neglia to design the extension to the Fire Department because our Fire Department needs more space to put stuff and a fire truck. He will not be intimidated on spending money when it comes to public safety. He said when it comes to respect, he speaks passionately; it's not anger and it's not disrespect. He said verbally he appreciated Mr. Ley's words and thought they were spoken very eloquently; it's nice to have that laid out perfectly.

Arlene Brown, 475 East Westfield Avenue

She had a question and understands the Mayor is very much for public safety, but if this dispensary goes through for recreational purposes, what will be the laws about people driving, leaving that dispensary and putting a candy or marijuana cigarette in their mouth and smoking it. What are the laws going to be, are they going to be for public safety.

Mayor Signorello said you are not allowed to drink and drive or smoke and drive.

Ms. Brown said so if we saw someone smoking, we can call the cops if they are smoking and driving.

Mayor Signorello said yes, if they are smoking and driving.

Patricia Almeida, 453 Colonial Road

She said you guys request respect. When they came here the first time, she came because Mayor and Council were going to put a dispensary in front of her house. She pays \$18,000 in property taxes and her house is in a residential area. You told here it wasn't in a residential area and that the business is not in a residential area; but it's right in front of her house. You said it was approved, shook each other's hands and laughed in our faces. That's why she's mad. You guys need respect and we want respect. She said in the schools, we promote not to use drugs and marijuana and now you want to put one in front of the schools; she doesn't understand. Why are you putting up those prevention programs and then you are going to put those recreational drugs right in front of the kids.

Mayor Signorello said he really hates to do this, but he wants to set the record straight on how that night went. You can say that we laughed and he laughed at you; and as you were leaving you called him a pendejo. So if you want to talk about respect; that's disrespect. From the beginning of that, we were there to evaluate whether or not that area, ROB Zone, was okay. He understands it is a residential area. These people worked hard to make a decision whether or not it was okay and he sat there and was made fun of for his hair, and made fun of for what he was wearing. He said you can disagree with whether or not he was dressed appropriately for a Land Use Board member, but he sat there and evaluated and took insult after insult and yes, he laughed because when someone uses the "b" word like that on him, he'd rather laugh than really get insulted and that's disrespect ma'am.

Ms. Almeida said he started it and he is the Mayor and is supposed to respect everybody and listen to everybody. When you all want our votes, you knock on our doors and offer the best and then do the opposite. She asked that he have consideration for the families that live there; it's not fair.

Mayor Signorello said for everybody that is watching and for everybody that hasn't heard what's going on, the Board passed the okay for a Class 5 marijuana dispensary there. It is now in litigation and up to a Judge to decide whether or not that stands. If it does not stand and if it does not go through this year, then we will remove the license for it and there will be no marijuana allowed there. He said you cannot ask any more questions, but he will be happy to talk about it afterwards. He has no horse in this race, if there are zero marijuana dispensaries after this year, whatever. Right now, whether everybody likes it or not and maybe you can say it was a mistake, maybe the people on the Board feel like it was a mistake; we issued three conditional uses and we cannot retract them this year. Once the year is up and if we choose and there are leftovers, we can retract them. We cannot retract them this year.

Councilwoman Lyons said she agrees with Ms. Almeida and with the residents over there and she is not saying this disrespectfully to the Mayor. She just wanted to say we did hear her and she was there. What the Mayor just said, that the crowd was going against him and what he was wearing; there was no substance there; that means you have nothing else to say. However, when you do speak about the care of your house and children, she agrees one hundred percent; but you have to hear what he is saying. The Mayor is telling you over and over again if it doesn't go through from your efforts; it's not going to happen and you should be happy about that. You guys came and woke up because you heard something bad was happening in Roselle Park and you're standing up for it. That's a good thing. The only thing she is saying is when Mayor and Council are talking, we want to respect you and we deserve that same thing. She asked where were you last year when everyone voted on this.

Milton Woodruff, 134 Bender Avenue

Mentioned we were all not given proper consideration regarding the marijuana and the fact that there is a Nashville drug problem and drug crisis; and New Jersey has one also. It seems that we do not need to encourage more drug use by having facilities right here in Roselle Park.

In reference to Breakwater, do they have to come back to the Board for the recreational piece.

Mayor Signorello said yes, they do have to come back before the Board for the recreational piece.

Mr. Woodruff said there are two apartment units on Chestnut Street and Westfield Avenue; how many units are there.

Mayor Signorello said 325 units.

Mr. Woodruff asked how many parking spots do they have.

Mayor Signorelli said about 800. They need to have 1.5 per 325; we can give you the actual number. He said it is for both facilities and they also have 50 dedicated to the Borough that we get to use. The first floor will be for our use.

Mr. Woodruff asked how are we going to monitor that.

Mayor Signorello said we are going to put meters in. They do the same thing in Cranford. They have a parking deck over by the Cranford Hotel and they have meters on the first floor.

Mr. Woodruff said one thing that he was curious about is Octagon Edge Towers had to pay \$1 million to resolve the tower issue. How is that money going to be reflected in our budget.

Mayor Signorello said it is going into our general capital and deferred to CFO Blum.

CFO Blum said it will go into the current fund budget and if you want to appropriate it to use to pay for a capital item, you can do that.

Mr. Woodruff said we recently passed a number of street improvement projects. He understands they can be repaired, but is questioning the utilities that help make the mess in the streets by excavating.

Mayor Signorello said when he got elected, they were responsible for just road opening permits and then we made them pay for half of the road to get finished and then recently, they pay for curb to curb. Some of the roads we're doing, we pay for when there is no utility work. However, the ones that have utility work, it's no cost to the Borough. It is not reflected in the budget; the utilities just do it for us when ending the project.

Borough Clerk Casais said the way it works is, you just saw it more recently on Lehigh Avenue and in that area of town where the headache was the final aspect of the milling and paving. What happens is the utility comes in and applies for a road opening permit. That is reviewed by the Clerk's Office and the Borough Engineer and we look at the condition of the road, how old is the road, when was the road last paved and is it under moratorium or is it not. He said 99% of the roads in Roselle Park, whether they are technically under moratorium or not, whether they were paved 10 years ago or one year ago, if they are touching the road, they have to pay for the full boat of the permit which is typically upwards of five figures and then as a condition of the permit close out, repave the road curb to curb. That is a new requirement we put in place over the last two years. Some of the roads we are doing like Avon Street and Berwyn Street

where we had to get NJDOT grant funding for to offset the cost, those roads where you see the trenches and patches are under old permits that are from many years ago.

Karen Oseback, 614 Sheridan Avenue

She said this is more of a comment and not sure if it applied to everyone, but she feels like there was a better fiscal use of municipal staff. She received her letter with her sewer bill and the envelope was handwritten. You indicated there were 14,000 residents and she can't imagine that everyone received that. She knows how busy administrations are and everyone that works in them; so she doesn't know if she was just an anomaly.

CFO Blum said there was a new type of bill this year, so certain envelopes that were a separate address, the use address, had to be handwritten out.

Eric Kennedy, 327 West Lincoln Avenue.

He said he had some concerns with the Shared Services Agreement that was just passed tonight. He doesn't necessarily think it's a terrible idea if it is going to save the Borough \$50,000 and hopefully it works out. He noticed it said that Kenilworth can use all our equipment, apparatus and vehicles; is that something that we can also utilize their equipment.

Mayor Signorello said the goal is and he will defer to Borough Clerk Casais about the nature of this. He said they have the management and we have the equipment; so we each bring a little bit to the table. He was expecting to spend a bit more on the shared services versus the \$50,000; so he thinks we are getting a pretty good deal.

Borough Clerk Casais said the short answer on that is yes. He doesn't think it's going to be an everyday type of thing; just like they are not going to be using our equipment every day. He thinks that part of it is if they have something we need; like when we go to Cranford to use their equipment, it's going to be an arrangement much like that that will continue. Part of the consideration of this agreement happened to be the use of equipment because they know we have better equipment than they do.

Betty Woodruff, 134 Bender Avenue

She asked what are the number of employees covered by the non-Union contract.

Borough Clerk Casais said he couldn't guess. It would be non-Police, non-Clerical and non-DPW.

Ms. Woodruff asked are they mostly part time.

Borough Clerk Casais said no, they are not. We can get that number. He said it's easier for him to get that number than to try and guess the number.

Ms. Woodruff said she had a comment after all this. She finds that respect gets respect and she will leave it at that. You have all been very pleasant when she talks and she is grateful for that. She had a thought and directed it to Councilman Johnson as her Councilman. She has been lazy and doesn't come to the meetings and kind of relies on the Councilmembers who know what they are doing and if something comes up, she will hear about it. She said she got blindsided by the cannabis thing and she would like to suggest that if there are issues like that, and again it would be at your discretion, because she will try to come. If there was some way that we could pull people together in our ward; just like when something like that comes up, she just needed time to digest it and she is still against it. If she had the opportunity to hear

what's going on, so that we are not getting into this mess; she said she would rather talk than have Council struggle to come up with an answer when you just struck a nerve.

Mayor Signorello said thank you for that; that was very well said and he will let Councilman Johnson speak. We have done this in the past where we have gone to people's wards and we sat down and had coffee. He said it's tough to define for us where the line is. In hindsight, if he knew he could avoid headaches this year by shouting from the tree tops we were going to potentially pass weed last year, he would get in a time machine and do it. He was floored beyond belief because we have done less stuff where we have gotten 80 people here versus 40 here. He thanked Ms. Woodruff again for being so respectful.

Ms. Woodruff said at one of the first meetings she started coming to, she looked at the budget and didn't know there was a Recreation Department. So she and her husband looked at the budget and couldn't figure out why we were hiring all these people. She said they met with John Ranieri at the Youth Center and he gave the one of them nicest tours. She thinks Council should open that building every once in a while. She had no idea how big it was and how much stuff was going on there and said it was amazing and gave kudos to John Ranieri.

Councilman Johnson said he tries his best to create a lot of transparency and over the past four years he has been in office, he has done numerous community venues. He said last year his family took a devastating hit and maybe where he was usually most active; he's human and his sister died and left behind four kids. He's not making excuses and it took him a little bit of time; and mental health is real. If anyone looks at his record, he is always transparent. He said you will see a new and improved Greg Johnson going forward.

Jerry Veltre, 476 Ragland Drive

He asked if this application gets sent back to the Land Use Board, will you and Council vote against it.

Borough Attorney DeMarco said they cannot pre-judge something. So what would happen is that would go to Court and the Judge will make a decision as to whether it was properly approved. If it gets sent back, it starts anew and it's a brand new trial and brand new hearing. They cannot comment and pre-judge as to how they would vote before they heard something.

Mayor Signorello said let's just say I stood up here and said I hate it and it's the worst thing on earth. If the applicant can claim that the Mayor was unduly influencing and sued the Borough; then you have the counter effect and the Judge can say yes, the Mayor put his finger on the pulse and that's what happened. I can't really comment on that.

Borough Attorney DeMarco said in simpler terms if they said they are going to vote one way or the other, the applicant after they got denied could then run to Court and say they didn't get a fair trial. It could hurt either side.

Mayor Signorello said based on the ruling, he doesn't know if he will be able to vote. It's either a seven man Board or a nine man Board and there is an open question on which one it can be.

Mr. Veltre asked if it goes beyond 2024; will we accept an application in 2025.

Borough Attorney DeMarco said what has been said by the Board is that each of these conditional approvals or licenses, the one in particular which is subject to the lawsuit, is on a time limit or clock and

that clock expires December 31st. If it is not fully approved by that time, they did not satisfy the condition by having a fully approved license by the time the clock runs out. What he heard this Board say is that they are not in line in 2025 to renew any licenses.

Mr. Veltre asked they can re-apply in 2025.

Borough Attorney DeMarco said what this Board has been saying is that there is no appetite to accept new applications in 2025. So if they don't make it by the deadline, he doesn't know if there is another clock starting.

Tina Schwarz, 117 Avon Street

She said her question is about Resolution No. 153-24; what improvements are you planning on making on Avon and Berwyn because they do need a few improvements.

Councilman Johnson said we plan on doing the curbing, the black top, the aprons and sidewalks.

Ms. Schwarz asked what are the chances of getting another streetlight at the end of the street because there is one part of Avon, the part that she is on, that doesn't have a streetlight at the very end towards Magie. She said there is a pole on the other side with wires, can we possibly get a light there.

Councilman Johnson said that is something that we could look into. He said he was actually walking around the community and has seen a couple of dark areas, which he was going to pitch to Mayor and Council; but since there was a lot of money being spent, he was holding it to do for the next budget. He wants to go around the community and light up the dark areas, if the community is up for that, to try to prevent some of the incidents that are going on.

There being no one else wishing to speak, Councilman Petrosky moved at 9:20 p.m. to close the public comment portion of the meeting on any subject matter; seconded by Councilman Robaina, all members present voting Aye, said motion was adopted.

ADJOURNMENT

There being no further business to come before the meeting, Councilman Petrosky moved at 9:20 p.m. to adjourn; seconded by Councilman Robaina, all members present voting Aye, said motion was adopted.

Attest:

Andrew J. Casais, RMC
Borough Clerk