

**REGULAR MEETING – JUNE 19, 2025**

**READ PUBLIC MEETINGS LAW ARTICLE**

**ROLL CALL**

**MOMENT OF SILENCE/PRAYER**

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS**

None

**PROCLAMATIONS & PRESENTATIONS**

None

**APPROVAL OF MEETING MINUTES, PENDING ANY CORRECTIONS**

1. Regular Meeting of May 1, 2025
2. Regular Meeting of May 15, 2025

**MOTION BILLS & PAYROLLS BE NOT READ AND PASSED FOR PAYMENT**

**PUBLIC PORTION** (Time Limit of 5 Minutes Limited to Agenda Items Only)

**REPORTS OF DEPARTMENTS** (Time Limit 3 Minutes)

Scheduled Verbal Reports:

None (Scheduled for September 4, 2025)

Written Reports Received:

1. Court Administrator's Report for May 2025
2. Treasurer's Report for May 2025

**ORDINANCES FOR 2<sup>ND</sup> READING**

- |               |                                                                                                                                                                                                                     |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ORD. No. 2821 | AN ORDINANCE AMENDING CHAPTER 40, SECTION 3004 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "FENCES," WITH SPECIFIC AMENDMENTS TO SUBSECTION A THEREOF <b>(Code Enforcement)</b>                            |
| ORD. No. 2822 | AN ORDINANCE AMENDING CHAPTER 40, SECTION 3005 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "DRIVEWAYS," WITH SPECIFIC AMENDMENTS TO SUBSECTION B THEREOF <b>(Councilman Signorello)</b>                    |
| ORD. No. 2823 | AN ORDINANCE AMENDING CHAPTER 10, SECTION 4, SUBSECTION 4.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED "RECREATION FEES ENUMERATED" <b>(Recreation)</b>                                                   |
| ORD. No. 2824 | AN ORDINANCE AMENDING ORDINANCE NO. 2806, 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 <b>(Business Administrator)</b> |

## **ORDINANCES FOR INTRODUCTION**

- ORD. No. 2825      AN ORDINANCE AMENDING CHAPTER 7, SECTION 12.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "TIME-LIMITED METERED PARKING" (**Councilman Signorello**)
- ORD. No. 2826      AN ORDINANCE AMENDING CHAPTER 2, SECTION 24.3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "POLICE DEPARTMENT ESTABLISHED" (**Police**)

## **CONSENT AGENDA**

**"ALL MATTERS LISTED WITH AN ASTERISK (\*) ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY THE COUNCIL AND WILL BE APPROVED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF THE GOVERNING BODY SO REQUESTS, IN WHICH CASE THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA AS PART OF THE GENERAL ORDERS."**

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## **RESOLUTIONS:**

- \* **#186-25:** Authorizing a Shared Services Agreement between the Borough of Roselle Park and Borough of Kenilworth for Public Works Services (**Business Administrator**)
- \* **#187-25:** Authorizing and Directing the Chief Administrative Officer to Institute a Layoff Action Including Six (6) Employees within the Department of Public Works (**Business Administrator**)
- \* **#188-25:** Requiring Community Benefits Agreements in Connection with Financial Agreements (PILOTS) Under N.J.S.A. 40A:20-1 within the Borough of Roselle Park (**Councilman Johnson**)
- \* **#189-25:** Awarding a Contract to SJC Lawncare, Inc. Pursuant to the Base Bid and Optional Bid A for the Project, "2025 Tree Planting Program – Phase 1" in an Amount Not to Exceed \$32,150.00 (**Business Administrator**)
- \* **#190-25:** Accepting the Retirement of Michele Boff from the Position of Violations Clerk (**Court**)
- \* **#191-25:** Authorizing the Chief Financial Officer to Issue Interim Payments During July and August 2025 to Ensure the Continuity of Government Operations (**Business Administrator**)
- \* **#192-25:** 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 2025 (**Business Administrator**)
- \* **#193-25:** Awarding a Professional Services Contract to the Neglia Group for Professional Engineering Services, Including Surveying, Design, and Construction Management for the Project "Improvements to Pershing Avenue" in an Amount Not to Exceed \$78,290.00 (**Business Administrator**)

- \* **#194-25:** Awarding a Contract to Cifelli & Son General Contracting, Inc. for the Project, “Improvements to Pershing Avenue” Pursuant to the Base Bid in an Amount Not to Exceed \$494,507.55 **(Councilman Johnson and Councilman Petrosky)**
- \* **#195-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-31-017-001, American Legion Post 60, Inc. DBA American Legion Post 60, Inc., for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#196-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-31-018-001, West End Community Center, DBA West End Community Center, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#197-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-33-004-008, Willow Kacie, LLC, DBA Sun Tavern, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#198-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-33-005-003, Frenchy’s Bar Grill, Inc., DBA Frenchy’s Bar Grill, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#199-25:** Authorizing Renewal of Inactive Alcoholic Beverage Control License No. 2015-33-006-014, Café C Roselle Park, LLC, a Pocket License, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#200-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-33-009-013, Olde Dowling’s, LLC, DBA Dowling’s Irish Pub & Restaurant, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#201-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-33-010-006, Ocean Castle, Inc., DBA Vintage Italian Restaurant & Catering, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#202-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-33-012-006, CDR Group, LLC, DBA Casa Del Rey, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#203-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-33-015-005, Liquor 157, LLC, DBA De Lux Enterprises, Inc.; De Lux Event Planning & Rentals, LLC, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#204-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-33-016-007, Spilanga Food, Inc., DBA Costas Ristorante & Pizzeria, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#205-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-44-001-008, Roselle Park Liquors, LLC, DBA Roselle Park Liquors, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#206-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-44-003-003, Gajani, Inc., DBA Roselle Park Liquors and Food, for the 2025-2026 Licensing Term **(Borough Clerk)**

- \* **#207-25:** Authorizing Renewal of Alcoholic Beverage Control License No. 2015-44-013-009, Chestnut Street Spirits, LLC, DBA Roselle Park Wines & Spirits, for the 2025-2026 Licensing Term **(Borough Clerk)**
- \* **#208-25:** Authorizing Close Out of the Contract with Portofino Builders, LLC for the Project, “2024 Capital Road Program” **(Business Administrator)**
- \* **#209-25:** Endorsing the Fourth Round Housing Element and Fair Share Plan as Adopted by the Municipal Land Use Board **(Business Administrator)**
- \* **#210-25:** Authorizing the Tax Collector to Issue a Reduction and/or Refund Totaling \$19,028.59 on One (1) Property as Order by the Tax Court of the State of New Jersey **(Finance)**
- \* **#211-25:** Authorizing a \$20,000.00 Increase to the Professional Services Contract with the Neglia Group for Professional Engineering Services for the Project, “NJDEP Tier A MS4 Stormwater Permit Compliance Measures” Reflecting a Revised Contract Amount Not to Exceed \$40,000.00 **(Business Administrator)**
- \* **#212-25:** Authorizing a \$10,000.00 Increase to the Professional Service Contract with Garrubbo & Capece, PC as Labor Attorney for the Year 2025 Reflecting a Revised Contract Amount Not to Exceed \$35,000.00 **(Business Administrator)**
- \* **#213-25:** Authorizing a Shared Services Agreement with the Township of Clark for Fire Prevention Services **(Business Administrator)**
- \* **#214-25:** Authorizing the Borough Clerk to Auction Unclaimed Vehicles **(Borough Clerk)**
- \* **#215-25:** Authorizing the Tax Collector to Issue a Reduction and/or Refund on Four (4) Sewer Utility Bills in the Total Amount of \$4,590.00 **(Finance)**

**REPORTS OF BOROUGH COUNCIL/ COMMITTEES (Time Limit 7 Minutes)**

**REPORT OF THE MAYOR AND MAYORAL APPOINTMENTS (Time Limit 7 Minutes)**

**PUBLIC PORTION (Time Limit of 4 Minutes On Any Subject)**

**EXECUTIVE (CLOSED) SESSION**

**ADJOURNMENT**

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL  
WILL BE HELD ON JULY 17, 2025**

## ORDINANCES FOR SECOND READING

### ORDINANCE NO. 2821

#### **AN ORDINANCE AMENDING CHAPTER 40, SECTION 3004 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "FENCES," WITH SPECIFIC AMENDMENTS TO SUBSECTION A THEREOF**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 40, Section 3004, Subsection A of the Code of the Borough of Roselle Park be and hereby is amended as follows:

#### **SECTION 1.** Amendments to Permit Fees

§ 40-3004. FENCES.

A. No fence or wall shall be erected without first obtaining a permit from the Construction Code Office and paying a fee of **forty dollars (\$40.00)**;

1. ~~Twenty (\$20) dollars on estimated costs of fence and construction of up to five hundred (\$500) dollars.~~

2. ~~Twenty five (\$25) dollars on estimated costs of fence and construction of more than five hundred (\$500) dollars but less than one thousand (\$1,000) dollars.~~

3. ~~Thirty (\$30) dollars on estimated costs of fence and construction of more than one thousand (\$1,000) dollars but less than two thousand (\$2,000) dollars.~~

4. ~~Forty (\$40) dollars on estimated costs of fence and construction over two thousand (\$2,000) dollars.~~

#### **SECTION 2.** Invalidity

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

#### **SECTION 3.** Inconsistent Ordinances Repealed.

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

#### **SECTION 4.** Captions and Editing Indications.

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

#### **SECTION 5.** Effective Date.

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

**ORDINANCE NO. 2822**

**AN ORDINANCE AMENDING CHAPTER 40, SECTION 3005 OF THE CODE OF  
THE BOROUGH OF ROSELLE PARK ENTITLED, "DRIVEWAYS," WITH  
SPECIFIC AMENDMENTS TO SUBSECTION B THEREOF**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 40, Section 3005, Subsection B of the Code of the Borough of Roselle Park be and hereby is amended as follows:

**SECTION 1.** Amendments to Permit Fees

§ 40-3005. DRIVEWAYS.

[...]

B. No driveway to be used in conjunction with a one- or two-family residence shall be installed unless a permit therefor has been obtained from the office of the Construction Code Official. The fee for such permit shall be **twenty-five dollars (\$25.00)**.~~as follows:~~

~~5. One car garage: five (\$5) dollars.~~

~~6. One car garage with allowance for additional off street parking: eight (\$8) dollars.~~

~~7. Two car garage: ten (\$10) dollars.~~

**SECTION 2.** Invalidity

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

**SECTION 3.** Inconsistent Ordinances Repealed.

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

**SECTION 4.** Captions and Editing Indications.

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

**SECTION 5.** Effective Date.

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

## **ORDINANCE NO. 2823**

### **AN ORDINANCE AMENDING CHAPTER 10, SECTION 4, SUBSECTION 4.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK, ENTITLED “RECREATION FEES ENUMERATED”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 10, Section 4, Subsection 4.1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

#### **SECTION 1.** Amendment to Fees

##### **10-4.1 Recreation Fees Enumerated.**

The fees for the Department of Recreation of the Borough of Roselle Park are hereby set as follows:

| <b>Recreation Membership</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Fee(s)</b>    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| Annual membership fee                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | \$25 per person  |
| All above Membership fees may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.                                                                                                                                                                                                                                                                                                                                                                                                            |                  |
| All above Membership fees shall be discounted by 20% for active members of the Roselle Park Fire Department, active members of the Roselle Park Police Department, and honorably discharged United States military veterans providing sufficient proof of the same, and family members of firefighters, police officers, and military veterans living within the same household. Roselle Park residency shall be required to qualify for this fee discount. All above Membership fees shall apply to non-resident active members of the Roselle Park Fire Department and Police Department.                             |                  |
| All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, shall be eligible for Membership with the Roselle Park Department of Recreation. All above Membership fees shall apply to non-resident civilian employees.                                                                                                                                                                                                                                                                                                                                                          |                  |
| <b>Recreation Wrestling</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Fee(s)</b>    |
| Kindergarten through 2 <sup>nd</sup> Grade                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$75 per person  |
| 3 <sup>rd</sup> Grade through 8 <sup>th</sup> Grade                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$120 per person |
| Fee for Unreturned Singlet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$100            |
| Off Season Wrestling Program                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$60 per person  |
| All above wrestling fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.                                                                                                                                                                                                                                                                                                                                                                                |                  |
| All above Wrestling fees, with the exception of gear, shall be discounted by 20% for active members of the Roselle Park Fire Department, active members of the Roselle Park Police Department, and honorably discharged United States military veterans providing sufficient proof of the same, and family members of firefighters, police officers, and military veterans living within the same household. Roselle Park residency shall be required to qualify for this fee discount. All above Membership fees shall apply to non-resident active members of the Roselle Park Fire Department and Police Department. |                  |
| All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Wrestling programs with the Roselle Park Department of Recreation. All above Wrestling fees shall apply to non-resident civilian employees.                                                                                                                                                                                                                                                                                                                                                      |                  |
| <b>Recreation Fitness and Training Center</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Fee(s)</b>    |
| 3 <sup>rd</sup> to 8 <sup>th</sup> grade                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$60 per person  |
| Family registration (3 or more people)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | \$55 per person  |
| Seasonal Fitness Program                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$60 per person  |
| T-shirt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$12             |

|          |      |
|----------|------|
| Tank top | \$15 |
| Shorts   | \$16 |

All above Fitness and Training Center fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Fitness and Training Center fees, with the exception of gear, shall be discounted by 20% for active members of the Roselle Park Fire Department, active members of the Roselle Park Police Department, and honorably discharged United States military veterans providing sufficient proof of the same, and family members of firefighters, police officers, and military veterans living within the same household. Roselle Park residency shall be required to qualify for this fee discount. All above Membership fees shall apply to non-resident active members of the Roselle Park Fire Department and Police Department. All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Fitness and Training Center programs with the Roselle Park Department of Recreation. All above Fitness and Training Center fees shall apply to non-resident civilian employees.

| <b>Recreation Basketball</b>                        | <b>Fee(s)</b>    |
|-----------------------------------------------------|------------------|
| Kindergarten through 2 <sup>nd</sup> Grade          | \$75 per person  |
| 3 <sup>rd</sup> Grade through 8 <sup>th</sup> Grade | \$120 per person |
| Off-Season Basketball Program                       | \$60 per person  |

All above Basketball fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Basketball fees, with the exception of gear, shall be discounted by 20% for active members of the Roselle Park Fire Department, active members of the Roselle Park Police Department, and honorably discharged United States military veterans providing sufficient proof of the same, and family members of firefighters, police officers, and military veterans living within the same household. Roselle Park residency shall be required to qualify for this fee discount. All above Membership fees shall apply to non-resident active members of the Roselle Park Fire Department and Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Basketball programs with the Roselle Park Department of Recreation. All above Basketball fees shall apply to non-resident civilian employees.

| <b>Recreation After-School Program</b>                           | <b>Fee(s)</b>     |
|------------------------------------------------------------------|-------------------|
| <b>Homework Club</b>                                             |                   |
| Individual                                                       | \$1,350 per child |
| Individual - special circumstances                               | \$870 per child   |
| Family registration (3 or more children)                         | \$1,250 per child |
| Family registration (3 or more children) - special circumstances | \$800 per child   |
| <b>After Care</b>                                                |                   |
| Individual                                                       | \$1,150 per child |
| Individual - special circumstances                               | \$750 per child   |
| Family registration (3 or more children)                         | \$1,050 per child |
| Family registration (3 or more children) - special circumstances | \$700 per child   |
| <b>Transportation (Sherman &amp; Aldene Schools)</b>             |                   |
| Individual                                                       | \$500 per child   |
| Individual - special circumstances                               | \$350 per child   |
| Family registration (3 or more children)                         | \$460 per child   |
| Family registration (3 or more children) - special circumstances | \$325 per child   |
| <b>Chaperone Service (Robert Gordon &amp; Middle Schools)</b>    |                   |
| Individual                                                       | \$200 per child   |
| Individual - special circumstances                               | \$150 per child   |
| Family registration (3 or more children)                         | \$195 per child   |
| Family registration (3 or more children) - special circumstances | \$145 per child   |



### Late Fees

After 5 Minutes of Program Ending \$2 per minute per child

After 5 Minutes of Program Ending – Special Circumstances \$1 per minute per child

Eligibility for a special circumstance rate as part of the after-school program applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Recreation After-School Program fees, except for late fees, shall be discounted by 20% for active members of the Roselle Park Fire Department, active members of the Roselle Park Police Department, and honorably discharged United States military veterans providing sufficient proof of the same, and family members of firefighters, police officers, and military veterans living within the same household. Roselle Park residency shall be required to qualify for this fee discount. All above Membership fees shall apply to non-resident active members of the Roselle Park Fire Department and Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in After-School programs with the Roselle Park Department of Recreation. All above After-School fees shall apply to non-resident civilian employees.

| <b>Recreation Volleyball</b>        | <b>Fee(s)</b> |
|-------------------------------------|---------------|
| Off Season Girls Volleyball Program | \$60          |

All above Volleyball fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Recreation Volleyball fees, with the exception of gear, shall be discounted by 20% for active members of the Roselle Park Fire Department, active members of the Roselle Park Police Department, and honorably discharged United States military veterans providing sufficient proof of the same, and family members of firefighters, police officers, and military veterans living within the same household. Roselle Park residency shall be required to qualify for this fee discount. All above Membership fees shall apply to non-resident active members of the Roselle Park Fire Department and Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Volleyball programs with the Roselle Park Department of Recreation. All above Volleyball fees shall apply to non-resident civilian employees.

| <b>Intramural Sports &amp; Activities</b> | <b>Fee(s)</b>          |
|-------------------------------------------|------------------------|
| Flag Football – Girls (Grades 9-12)       | \$60 per person        |
| Adult Basketball Program                  | \$60 per person        |
| Zumba/Yoga                                | \$60 per person        |
| RecRiders Summer Program                  | \$200 per person       |
| Soccer Summer Camp (Grades 6-12)          | \$135 per person       |
| RP-PAC (Performing Arts)                  | \$60 per person        |
| <b>Cheer</b>                              | <b>\$60 per person</b> |

All above Intramural Sports & Activities fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Intramural Sports & Activities fees shall be discounted by 20% for active members of the Roselle Park Fire Department, active members of the Roselle Park Police Department, and honorably discharged United States military veterans providing sufficient proof of the same, and family members of firefighters, police officers, and military veterans living within the same household. Roselle Park residency shall be required to qualify for this fee discount. All above Membership fees shall apply to non-resident active members of the Roselle Park Fire Department and Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Intramural Sports & Activities with the Roselle Park Department of Recreation. All above Intramural Sports & Activities fees shall apply to non-resident civilian employees.

| <b>Recreation Flag Football (Grades K – 8)</b> | <b>Fee(s)</b>    |
|------------------------------------------------|------------------|
| Individual                                     | \$120 per person |
| Family (3 or more)                             | \$105 per person |

#### Pre-Season Clinics

\$60 per person

All above Recreation Flag Football fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Recreation Flag Football fees, with the exception of gear, shall be discounted by 20% for active members of the Roselle Park Fire Department, active members of the Roselle Park Police Department, and honorably discharged United States military veterans providing sufficient proof of the same, and family members of firefighters, police officers, and military veterans living within the same household. Roselle Park residency shall be required to qualify for this fee discount. All above Membership fees shall apply to non-resident active members of the Roselle Park Fire Department and Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Flag Football programs with the Roselle Park Department of Recreation. All above Flag Football fees shall apply to non-resident civilian employees.

#### Recreation Co-Ed Tennis

##### Fee(s)

Individual (Grades 3 – 12)

\$60 per person

Family (3 or more children)

\$55 per person

Fall/Spring Seasonal Co-Ed Tennis Program

\$60 per person

All above Recreation Co-Ed Tennis fees, with the exception of gear, may be waived (\$0) as special circumstances. A special circumstance waiver of fees applies if an individual or family qualifies for a school-based free and reduced meal program.

All above Recreation Co-Ed Tennis fees, with the exception of gear, shall be discounted by 20% for active members of the Roselle Park Fire Department, active members of the Roselle Park Police Department, and honorably discharged United States military veterans providing sufficient proof of the same, and family members of firefighters, police officers, and military veterans living within the same household. Roselle Park residency shall be required to qualify for this fee discount. All above Membership fees shall apply to non-resident active members of the Roselle Park Fire Department and Police Department.

All civilian employees of the Borough of Roselle Park, regardless of Roselle Park residency status, may participate in Recreation Co-Ed Tennis programs with the Roselle Park Department of Recreation. All above Co-Ed Tennis fees shall apply to non-resident civilian employees.

#### Youth Center Rental for Private Parties

##### Fee(s)

|                             |                            |                                                                              |
|-----------------------------|----------------------------|------------------------------------------------------------------------------|
| Up to and including 5 hours | Roselle Park Residents     | \$800 (which includes \$200 non-refundable deposit and proof of insurance)   |
|                             | Non-Roselle Park Residents | \$1,000 (which includes \$250 non-refundable deposit and proof of insurance) |
| Over 5 hours                | Roselle Park Residents     | \$200 per hour                                                               |
|                             | Non-Roselle Park Residents | \$250 per hour                                                               |

#### **SECTION 2.** Invalidity

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

#### **SECTION 3.** Inconsistent Ordinances Repealed.

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

#### **SECTION 4.** Captions and Editing Indications.

Any captions contained in this Ordinance have been included only for the purpose of facilitating reference to the various sections and are not intended and shall not be utilized to construe the intent and meaning of the text of any section. Likewise, editing indications are structured such that all strikethrough

text, ~~thusly~~, should be considered a deletion from exiting Borough Code, and all bolded text, **thusly**, should be considered an addition to existing Borough Code.

**SECTION 5.** Effective Date.

This Ordinance shall become effective upon publication of the Notice of Final Adoption prepared by the Office of the Borough Clerk; however, any amended fees for the Recreation After-School Program shall be effective August 1, 2025.

**ORDINANCE NO. 2824**

**AN ORDINANCE AMENDING ORDINANCE NO. 2806, 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**

**WHEREAS**, the Mayor and Council (hereinafter, the “Governing Body” adopted Ordinance No. 2806 on February 20, 2025 which fixed the salary ranges of non-union employees and officials of the municipality; and,

**WHEREAS**, from time to time the Governing Body has found it necessary to amend its Ordinances which fix the salary ranges for employees and officials of the municipality; and,

**WHEREAS**, the Governing Body wishes to adopt the forgoing Ordinance amending Ordinance No. 2806 toward the same purpose of fixing the salary ranges of non-union employees and officials.

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

**SECTION 1.** Classifications/Titles and Salary Ranges

The following non-union positions shall be entitled to an annual salary or salary rate as hereinafter set forth opposite each respective classification:

| <u>POSITION</u>                    | <u>MINIMUM</u> | <u>MAXIMUM</u> |
|------------------------------------|----------------|----------------|
| Mayor                              | \$ 10,000.00   | \$ 20,000.00   |
| Councilmember                      | \$ 5,000.00    | \$ 15,000.00   |
| Borough Clerk                      | \$ 60,000.00   | \$ 160,000.00  |
| Chief Administrative Officer       | \$ 0.00        | \$ 130,000.00  |
| Qualified Purchasing Agent         | \$ 12,000.00   | \$ 25,000.00   |
| Assessment Search Officer          | \$ 0.00        | \$ 4,500.00    |
| Deputy Borough Clerk               | \$ 50,000.00   | \$ 70,000.00   |
| Alternate Deputy Borough Clerk     | \$ 50,000.00   | \$ 70,000.00   |
| Community Center Director          | \$ 30,000.00   | \$ 100,000.00  |
| Public Information Officer         | \$ 2,500.00    | \$ 7,500.00    |
| Chief Financial Officer            | \$ 45,000.00   | \$ 240,000.00  |
| Assistant Treasurer                | \$ 40,000.00   | \$ 90,000.00   |
| Tax Assessor                       | \$ 9,000.00    | \$ 25,000.00   |
| Tax Collector                      | \$ 10,000.00   | \$ 125,000.00  |
| Tax Search Officer                 | \$ 2,000.00    | \$ 4,500.00    |
| Municipal Land Use Board Clerk     | \$ 2,000.00    | \$ 14,000.00   |
| Fire Chief                         | \$ 6,000.00    | \$ 15,000.00   |
| Deputy Fire Chief                  | \$ 2,000.00    | \$ 6,000.00    |
| Fire Captain                       | \$ 700.00      | \$ 5,000.00    |
| Fire Lieutenant                    | \$ 700.00      | \$ 2,300.00    |
| Fire Engineer                      | \$ 700.00      | \$ 2,300.00    |
| Fire Prevention Official           | \$ 10,000.00   | \$ 20,000.00   |
| Fire Prevention Chief Inspector    | \$ 8,000.00    | \$ 18,000.00   |
| Fire Prevention Inspector          | \$ 850.00      | \$ 5,000.00    |
| Fire Prevention Arson Investigator | \$ 850.00      | \$ 2,300.00    |
| Fire Prevention Clerk              | \$ 1,800.00    | \$ 4,500.00    |
| Police Chief                       | \$ 75,000.00   | \$ 200,000.00  |
| Police Captain                     | \$ 58,000.00   | \$ 185,000.00  |

|                                                                |                        |                                            |
|----------------------------------------------------------------|------------------------|--------------------------------------------|
| Class II Special Officer                                       | \$ 30.00 per hour      | \$ 50.00 per hour                          |
| Class III Special Officer                                      | \$ 30.00 per hours     | \$ 50.00 per hour                          |
| Parking Enforcement Officer                                    | \$ 20.00 per hour      | \$ 35.00 per hour                          |
| Part Time Clerk                                                | \$ 15.49 per hour      | \$ 25.00 per hour                          |
| Emergency Management Coordinator                               | \$ 2,000.00            | \$ 10,000.00                               |
| Deputy Emergency Management Coordinator                        | \$ 0.00                | \$ 8,000.00                                |
| Superintendent of Public Works                                 | \$ 48,000.00           | \$ 100,000.00                              |
| Principal Public Works Manager                                 | \$ 5,000.00            | \$ 25,000.00                               |
| Custodian of Municipal Buildings                               | \$ 25,000.00           | \$ 50,000.00                               |
| Part Time Custodian                                            | \$ 15.49 per hour      | \$ 25.00 per hour                          |
| Recycling Coordinator                                          | \$ 2,000.00            | \$ 15,000.00                               |
| Registrar of Vital Statistics                                  | <del>\$ 2,000.00</del> | \$ 10,000.00                               |
| Deputy Registrar of Vital Statistics                           | <del>\$ 1,000.00</del> | \$ 5,000.00                                |
| Recreation Director                                            | \$ 25,000.00           | \$ 60,000.00                               |
| Assistant Recreation Director                                  | \$ 20,000.00           | <del>\$ 30,000.00</del> <b>\$40,000.00</b> |
| Recreation Coordinator                                         | \$ 2,000.00            | \$ 3,000.00                                |
| Recreation Secretary/Clerk                                     | \$ 900.00              | \$ 3,000.00                                |
| Community Center Clerk                                         | \$ 15.49 per hour      | \$ 25.00 per hour                          |
| Community Center Events and Activities Staff (up to 5 hours)   | \$ 75.65 per event     | \$100.00 per event                         |
| Community Center Events and Activities Staff (over 5 hours)    | \$ 15.49 per hour      | \$ 25.00 per hour                          |
| Construction Code Official/Building Subcode Official/Inspector | \$ 50,000.00           | \$ 170,000.00                              |
| Building Inspector                                             | \$ 35.00 per hour      | \$ 60.00 per hour                          |
| Electrical Subcode Official                                    | \$ 15,000.00           | \$ 30,000.00                               |
| Electrical Inspector                                           | \$ 35.00 per hour      | \$ 60.00 per hour                          |
| Fire Subcode Official/Inspector                                | \$ 35.00 per hour      | \$ 60.00 per hour                          |
| Plumbing Subcode Official/Inspector                            | \$ 35.00 per hour      | \$ 60.00 per hour                          |
| Covering Inspectors                                            | \$ 35.00 per hour      | \$ 60.00 per hour                          |
| Part Time Deputy Code Enforcement Officer                      | \$ 35,000.00           | \$ 55,000.00                               |
| Multi-Dwelling Administrator                                   | \$ 4,000.00            | \$ 15,000.00                               |
| Control Person                                                 | \$ 20,000.00           | \$ 50,000.00                               |
| Control Person and Assistant Zoning Officer                    | \$ 20,000.00           | \$ 60,000.00                               |
| Zoning Officer                                                 | \$ 500.00              | \$ 20,000.00                               |
| Farmers Market Manager                                         | \$ 2,500.00            | \$ 6,000.00                                |
| Municipal Judge                                                | \$ 15,000.00           | \$ 50,000.00                               |
| Court Administrator                                            | \$ 25,000.00           | \$ 95,000.00                               |
| Deputy Court Administrator                                     | \$ 25,000.00           | \$ 60,000.00                               |
| Violations Clerk                                               | \$ 25,000.00           | \$ 60,000.00                               |
| Clean Communities Coordinator                                  | \$ 1,500.00            | \$ 3,000.00                                |
| Part Time Bus Driver                                           | \$ 15.49 per hour      | \$ 30.00 per hour                          |
| Municipal Housing Liaison                                      | \$ 0.00                | \$ 10,000.00                               |
| Municipal Alliance Coordinator                                 | \$ 4,400.00            | \$ 16,000.00                               |
| <del>Animal Control Officer</del>                              | <del>\$ 5,000.00</del> | <del>\$ 20,000.00</del>                    |
| After-School Program Director                                  | \$ 20,000.00           | \$ 50,000.00                               |
| Program Enterprise Clerk                                       | \$ 5,000.00            | \$ 15,000.00                               |
| Adult Counselor (w/ Teaching Certificate)                      | \$ 20.00 per hour      | \$ 30.00 per hour                          |

|                                            |                   |                   |
|--------------------------------------------|-------------------|-------------------|
| Adult Counselor (w/o Teaching Certificate) | \$ 18.00 per hour | \$ 25.00 per hour |
| High School Counselor                      | \$ 15.49 per hour | \$ 18.00 per hour |
| College Counselor                          | \$ 15.49 per hour | \$ 20.00 per hour |
| Right to Know Inventory Manager            | \$ 1,000.00       | \$ 2,000.00       |

**SECTION 2.** Manner of Wage Payment

The salaries and wages fixed pursuant to the foregoing shall be payable in twenty-six (26) equal installments or in such installments as may hereinafter be determined by Resolution of the governing body. Said salaries shall be in lieu of all fees which may be collected by said officer or employee.

**SECTION 3.** Invalidity

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

**SECTION 4.** Inconsistent Ordinances Repealed.

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

**SECTION 5.** Captions.

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

## ORDINANCES FOR INTRODUCTION

### ORDINANCE NO. 2825

#### **AN ORDINANCE AMENDING CHAPTER 7, SECTION 12.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "TIME-LIMITED METERED PARKING"**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 7, Section 12, Subsection 1 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

#### **SECTION 1.** Amendments and Corrections to Locations

##### **§ 7-12.1** Time-Limited Metered Parking.

- a. The following **table** shall ~~describe be the streets and the~~ **on-street** areas thereof where time-limited metered parking shall be enforced. **It shall be unlawful for any person to place, permit or allow any vehicle owned, driven or controlled by them to remain stationary in these areas beyond 4 hours by repeatedly or periodically returning to the parking meter or pay station to deposit additional payments extending the time the vehicle is parked.**

| Name of Street                 | Sides | Time Limit      | Hours                                           | Location                                                                                     |
|--------------------------------|-------|-----------------|-------------------------------------------------|----------------------------------------------------------------------------------------------|
| Charles Street                 | South | <b>24</b> hours | 8:00 a.m. to 6:00 p.m.,<br>Monday thru Saturday | Between the easterly curb line of Chestnut Street (CR 627) and a point 131 feet east thereof |
| Chestnut Street                | Both  | <b>24</b> hours | 8:00 a.m. to 6:00 p.m.,<br>Monday thru Saturday | Between Westfield Avenue (Route NJ 28) and Grant Avenue                                      |
| Warren Avenue                  | North | <b>24</b> hours | 8:00 a.m. to 6:00 p.m.,<br>Monday thru Saturday | Between the westerly curb line of Chestnut Street (CR 627) and point 98 feet west thereof    |
| Westfield Avenue (NJ Route 28) | Both  | <b>24</b> hours | 8:00 a.m. to 6:00 p.m.,<br>Monday thru Saturday | Between Locust Street (CR 619) and Walnut Street                                             |
| William Street                 | South | <b>24</b> hours | 8:00 a.m. to 6:00 p.m.,<br>Monday thru Saturday | Between the easterly curb line of Chestnut Street (CR 627) and a point 100 feet east thereof |

- b. The following shall be the off-street, municipal parking lots where time-limited metered parking shall be enforced:

| Name of Street              | Time Limit | Hours                                        | Location                                                                                                                                                                        |
|-----------------------------|------------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Municipal Parking Lot No. 1 | 4 hours    | 8:00 a.m. to 6:00 p.m., Monday thru Saturday | The off-street municipal parking area on the easterly side of Chestnut Street (County Road 627) and bounded to the north by Charles Street and to the south by Williams Street. |
| Municipal Parking Lot No. 2 | 4 hours    | 8:00 a.m. to 6:00 p.m., Monday thru Saturday | The off-street municipal parking area nearest to the southeastern corner of the intersection of Grant Avenue and Chestnut Street (CR 627).                                      |

**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.



## **ORDINANCE NO. 2826**

### **AN ORDINANCE AMENDING CHAPTER 2, SECTION 24.3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED, "POLICE DEPARTMENT ESTABLISHED"**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Roselle Park, County of Union and State of New Jersey that Chapter 2, Section 24, Subsection 3 of the Code of the Borough of Roselle Park be and hereby is amended as follows:

#### **SECTION 1.** Amendment(s) to the Police Department Table of Organization

##### **§ 2-24.3** Police Department Established.

The Police Department of the Borough of Roselle Park is hereby established and shall consist of a one Police Chief, one Captain, three Lieutenants, five Sergeants, one Detective Sergeant **or Detective Lieutenant** as assigned by the Police Chief, three Detective Patrolmen as assigned by the Police Chief, four Corporals as assigned by the Police Chief, one Traffic Safety Officer as assigned by the Police Chief, and one Detective Juvenile Officer as assigned by the Police Chief, and such members deemed necessary by the Governing Body. The Governing Body shall determine the number of persons, including temporary officers and members in an emergency, to be appointed and their compensation.

#### **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.

## **RESOLUTIONS**

### **RESOLUTION NO. 186-25**

#### **AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF ROSELLE PARK AND BOROUGH OF KENILWORTH FOR PUBLIC WORKS SERVICES**

**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 Boroughs of Roselle Park and Kenilworth have determined that it would be mutually beneficial to enter into a Shared Services Agreement whereby the Borough of Kenilworth would act as the “Lead Agency” and provide various public works services, as agreed, to the Borough of Roselle Park to assist in their fulfillment of the demands of state statute and general need.

**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 a Shared Services Agreement with the Borough of Kenilworth in the form of 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.

**Exhibit A**  
**of Resolution No. 186-25**

**SHARED SERVICES AGREEMENT BETWEEN  
THE BOROUGH OF ROSELLE PARK AND THE BOROUGH OF KENILWORTH  
FOR PUBLIC WORKS SERVICES**

**THIS SHARED SERVICES AGREEMENT** is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2025, by and between the **Borough of Kenilworth**, a municipal corporation of the State of New Jersey, located at 567 Boulevard, Kenilworth NJ 07033 (hereinafter referred to as "Kenilworth"), and the **Borough of Roselle Park**, a municipal corporation of the State of New Jersey, located at 110 East Westfield Avenue Roselle Park NJ 07204 (hereinafter referred to as "Roselle Park").

**RECITALS**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes local units to enter into agreements for the provision of shared services; and

**WHEREAS**, both Kenilworth and Roselle Park currently maintain separate Departments of Public Works; and

**WHEREAS**, Kenilworth and Roselle Park have determined that sharing services traditionally provided by individual Departments of Public Works will enhance efficiency, ensure appropriate staffing levels, and result in cost savings for both municipalities; and

**NOW, THEREFORE**, in consideration of the mutual promises and covenants set forth herein, and for other good and valuable consideration, the parties agree as follows:

**AGREEMENT**

**1. SCOPE OF SERVICES**

**1.1 Services Provided**

Kenilworth shall provide Roselle Park public works services. These services include, but are not limited to:

- a. Storm sewer maintenance;
- b. Sanitary sewer (collection system) maintenance;
- c. Municipal buildings and grounds maintenance;
- d. Winter weather mitigation: pre-treatment and removal of snow and ice from municipal roads, sidewalks, and crosswalks;
- e. Curbside pickup of bulk items, appliances, and electronic waste, and other items by appointment;

**Exhibit A**  
**of Resolution No. 186-25**

- f. Emergency response during extreme weather events and other applicable exigent circumstances;
- g. Set-up/breakdown and clean-up of public events;
- h. Tree trimming, removal, and maintenance, except that Kenilworth shall not cut any trees over sixty (60) feet tall and Roselle Park shall utilize and hire a third-party service provider to cut trees greater than sixty (60) feet tall;
  - 1. Tree trimming, removal, and maintenance for the balance of calendar year 2025 shall exclude those services for which Roselle Park has already contracted with third parties.
  - 2. Commencing on January 1, 2026 through the term of this Agreement, tree trimming, removal, and maintenance shall be for the entirety of Roselle Park.
- i. Street sweeping and routine repair of potholes;
- j. Lawn maintenance and landscaping of municipal facilities;
  - 1. Lawn maintenance and landscaping of municipal facilities for the balance of calendar year 2025 shall exclude those services for which Roselle Park has already contracted with third parties.
  - 2. Commencing on January 1, 2026 through the term of this Agreement, lawn maintenance and landscaping of municipal facilities shall be for the entirety of Roselle Park.
- k. Repair and maintenance of vehicles and equipment; and
  - 1. Gasoline and diesel fuel supply and maintenance of fueling pumps.

In no event shall the services provided by Kenilworth include curbside sanitation services. If Roselle Park desires to have Kenilworth provide curbside sanitation services, the Parties shall agree upon such terms and conditions as appropriate, which terms and conditions shall be included as an addendum to this Agreement.

**1.2 Personnel**

Kenilworth shall assign a sufficient number of qualified personnel to perform the services outlined in this Agreement. In total, Kenilworth shall augment its existing workforce by no less than nine (9) individuals within four (4) months of the commencement date of this Agreement. Pursuant to the requirements of N.J.S.A. 40A:9-154.6g, Kenilworth shall also provide a Superintendent of Public works who maintains a Certified Public Works Manager Certification in good standing with the State of New Jersey.

**Exhibit A**  
**of Resolution No. 186-25**

For purposes of this Agreement, the Superintendent of Public Works and all personnel assigned by Kenilworth in fulfillment of this Agreement are solely employees of Kenilworth. Kenilworth is the employer of the above personnel, and all salaries and costs associated therewith are to be borne solely by Kenilworth pursuant to N.J.S.A. 40A:65-6(a).

**1.3 Operational Structure**

- a. It is acknowledged that Public Works operations provided under this agreement shall be principally based at and from the Kenilworth Public Works facility principally located at 401 Sheridan Avenue, Kenilworth, New Jersey 07033. All personnel shall report to the Kenilworth facility as a matter of regular business. Costs associated with the reconfiguration of the Kenilworth facility, if any, shall be borne solely by Kenilworth.

The current Roselle Park Public Works facility located at 180 West Webster Avenue, Roselle Park, New Jersey 07204 will be repurposed for strategic equipment staging and asset storage owned by either municipality and dedicated for Public Works services. Costs associated with the reconfiguration of the Roselle Park facility shall be borne solely by Roselle Park.

- b. For all services provided within Roselle Park, the Superintendent of Public Works shall report to the Business Administrator of Roselle Park, or other personnel so designated by him or her, and shall coordinate with Roselle Park on the scheduling and provision of services.
- c. The Superintendent of Public Works shall serve as the “contract administrator” for all contracted public works services procured by Roselle Park including, but not limited to: garbage collection, recycling collection, and vegetative waste collection.
- d. The Chief Administrative Officer of Roselle Park shall be the main point of contact for all communications, requests, and correspondence to and from members of the public with respect to any services performed by Kenilworth on behalf of Roselle Park.
- e. Each municipality shall be responsible to pay any third party contractors hired by the Superintendent of Public Works for the performance of services within the municipality.

**1.4 Ordinance Updates**

From time-to-time Kenilworth and Roselle Park shall collaboratively review their respective municipal codes and policies related to public works functions and recommend necessary revisions thereto in order to align with the operational structure proposed herein and the services provided.

**Exhibit A**  
**of Resolution No. 186-25**

**2. DURATION OF AGREEMENT**

**2.1 Term**

This Agreement shall commence on July 1, 2025, and shall continue for a period of five (5) years and six (6) months, expiring on December 31, 2030 unless terminated or renewed as provided herein.

**2.2 Termination**

Either party may terminate this Agreement prior to its expiration date upon providing nine (9) months' prior written notice to the other party.

**2.3 Renewal**

Either party may initiate negotiations to renew this Agreement with substantially similar or revised terms. Both Kenilworth and Roselle Park agree to make a good faith effort to commence renewal discussions no later than six (6) months prior to the expiry date referenced herein.

**3. FINANCIAL CONSIDERATIONS**

**3.1 Annual Fee**

Roselle Park shall pay an annual fee to Kenilworth for the services contemplated by this Agreement. The parties agree that the annual fee shall be calculated based the following cost factors attributed to the nine (9) members of augmented personnel referenced in Section 2.1 of the foregoing Agreement: salary, social security, pension, health, prescription, dental, and vision. Additional cost factors shall include averaged and agreed allocations attributed to overtime, vehicle maintenance, fuel, and uniforms.

Based on the above factors, effective July 1, 2025, Roselle Park shall pay Kenilworth an annual fee of one-million four-hundred thousand dollars and zero cents (\$1,400,000.00) per annum, payable in quarterly installments of three-hundred fifty thousand dollars and zero cents (\$350,000.00).

This annual fee shall increase or decrease in direct correlation with Kenilworth's contractual salary adjustments and any cost changes to benefits lines. With the exception of calendar year 2025, the annual fee shall be calculated by Kenilworth and supplied to Roselle Park no later than March 1<sup>st</sup> to facilitate timely budgetary preparation. Kenilworth shall provide Roselle Park with supporting documentation for any Annual Fee adjustments upon request and in conjunction with the Midpoint Review requirements of Section 3.2 of this Agreement.

It is understood that Kenilworth's current Employee Manual provides retiree health benefits to those employees who have worked for the Borough for at least twenty

**Exhibit A**  
**of Resolution No. 186-25**

(20) years. If the Manual remains unchanged in that regard, said costs incurred by Kenilworth would be subject to negotiation by the parties as part of a successor shared services Agreement.

**3.2 Midpoint Review**

The Parties shall perform a midpoint review of the expenses incurred after the initial six (6) month period of this Agreement; on or before December 31, 2025, and then, on an annual basis on December 31, 2026; December 31, 2027; December 31, 2028; and December 31, 2029. If the expenses incurred by Kenilworth over the twelve (12) month period for each annual review (or six (6) month period in the case of the initial midpoint review) exceed the payments made by Roselle Park pursuant to this agreement by ten percent (10%) or more from the 12-month review period (or in the case of the initial midpoint review for the six (6) month period between July 1, 2025 and December 31, 2025), Kenilworth may, within ninety (90) days of the review, renegotiate the terms of this Agreement with substantially similar or revised terms or terminate the Agreement pursuant to Section 2.2.

**3.3 Vehicles and Apparatus Purchases**

The Parties acknowledge that capital investments such as vehicle and large apparatus purchases, as well as certain capital projects are required when rendering and maintaining reliable Public Works services. To this end, the Parties collectively agree to evenly apportion the cost of Capital Investments, which shall be defined as any new vehicle and large apparatus acquisitions in excess of five thousand dollars (\$5,000), and the costs of Capital Projects, which shall be defined as those public works projects extending for a term of five (5) years or more. Title to such vehicles and apparatus shall be in issued in the name of Kenilworth.

Should the foregoing Agreement be terminated, not renewed, or otherwise not be in effect for any reason, access and utilization rights to any Capital Investment acquired during the effective timeframe of this Agreement shall be evenly apportioned in accordance with the terms of this Agreement. One Party may agree to “buy out” the other for their initially attributed share of one or more acquisition costs. In this case, the Party remitting payment as part of the “buy out” shall own the vehicle, have right to title, and be without obligation to the other Party and the other Party shall agree to assign title to the Party remitting payment as part of the “buy out” to effectuate transfer of ownership of the Capital Investment Alternatively the parties may agree to sell the asset and distribute the proceeds on a proportion basis in accordance with the terms of this Agreement.

#### **4. ADMINISTRATIVE AND OPERATIONAL EXPENSES**

##### **4.1 Payroll Liabilities**

Kenilworth shall be responsible for all statutory payroll charges, including Social Security, Medicare, unemployment, disability, and pension contributions for the Kenilworth personnel set forth in Section 1.2 hereof who are assigned to discharge Kenilworth's responsibilities under this Agreement.

##### **4.2 Administrative Burden**

Kenilworth shall oversee and manage payroll, scheduling, and operational coordination related to the services provided under this Agreement.

Upon full execution of the foregoing, it shall be the responsibility of Kenilworth to file copies of the same with Division of Local Government Services within the Department of Community Affairs of the State of New Jersey.

##### **4.3 Operational Vehicles and Apparatus**

###### **a. Ownership of Vehicles and Apparatus**

Roselle Park and Kenilworth shall retain respective ownership of all public works vehicles and apparatus to which they currently hold title, which vehicles and apparatus are itemized in the Fixed-Asset Inventory sheets appended hereto as Attachment "A" – Kenilworth and Attachment "B" – Roselle Park.

###### **b. Use of Vehicles and Apparatus**

Roselle Park shall provide Kenilworth with unfettered access and usage of its public works vehicles and apparatus in furtherance of the forgoing Agreement and Kenilworth shall be permitted to utilize Roselle Park's public works vehicles and apparatus for Kenilworth public works services serving the citizens of the Borough of Kenilworth. Kenilworth and Roselle Park acknowledge and recognize that vehicles and apparatus owned by each municipality may be utilized and deployed to provide services in both municipalities and shall be managed by the Superintendent of Public Works.

##### **4.4 Facilities**

Neither party will compensate the other for improvements, remediation, repairs, or maintenance to their facilities except that Roselle Park shall be responsible for and pay for the initial expenses incurred by Kenilworth to modify its facilities to accommodate the new hires necessary to perform services for Roselle Park.



## **5. INSURANCE AND LIABILITY**

### **5.1 Insurance**

Roselle Park shall name Kenilworth as an additional insured for any liability, property damage or other casualty loss occurring while Kenilworth's personnel or other equipment are operating within either jurisdiction. Kenilworth shall name Roselle Park as an additional insured for any liability, property damage or other casualty loss occurring while Roselle Park's vehicles or other equipment are operating within either jurisdiction.

### **5.2 Responsibility for Designees**

Roselle Park and Kenilworth agree and acknowledge, despite the existence of this Agreement between them, that they are individually responsible for all matters related to actions or inactions of their own designees, including, but not limited to, directors, officers, agents, employees, and or volunteers. Roselle Park is not and cannot be held responsible for actions performed, or lack thereof, by Kenilworth or vice versa.

### **5.3 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. MISCELLANEOUS**

### **6.1 Governing Law**

This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey.

### **6.2 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:

**Exhibit A**  
**of Resolution No. 186-25**

Borough of Kenilworth  
Attention: Administrator  
567 Boulevard  
Kenilworth, New Jersey 07033

Borough of Roselle Park  
Attention: Administrator  
110 East Westfield Avenue  
Roselle Park, New Jersey 07204

**6.3 Assignment**

This Agreement shall not be assignable by either party, except upon written agreement signed by both Parties.

**6.4 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.

**6.5 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.

**6.6. 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.

**6.7 Non-Waiver**

The failure of a party to insist upon strict performance of any provision of this Agreement or to exercise any right arising out of this Agreement shall neither impair that provision or right nor constitute a waiver of that provision or right, in whole or in part, in that instance or in any other instance. No waiver of any term or condition of this Agreement on the part of either party shall be effective for any purpose whatsoever unless such waiver is in writing and signed by such party.

**Exhibit A**  
**of Resolution No. 186-25**

**6.8     Dispute Resolution**

Any controversy or claim arising out of or relating to this Agreement or the breach thereof, or the apportionment of the cost to “buy out” the other party, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

**IN WITNESS WHEREOF**, the parties have executed and delivered this Agreement as of the day and year first above written:

**WITNESS OR ATTEST:**

**BOROUGH OF KENILWORTH**

\_\_\_\_\_  
**LAURA REINERTSEN, RMC**  
Borough Clerk

\_\_\_\_\_  
**LINDA KARLOVITCH**  
Mayor

**WITNESS OR ATTEST:**

**BOROUGH OF ROSELLE PARK**

\_\_\_\_\_  
**ANDREW J. CASAIS, RMC**  
Borough Clerk

\_\_\_\_\_  
**JOSEPH SIGNORELLO III**  
Mayor

**RESOLUTION NO. 187-25**

**AUTHORIZING AND DIRECTING THE CHIEF ADMINISTRATIVE OFFICER TO  
INSTITUTE A LAYOFF ACTION INCLUDING SIX (6) EMPLOYEES WITHIN THE  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Mayor and Council seeks to increase efficiency and efficacy within public works operations; and,

**WHEREAS**, associated with this effort, Mayor and Council likewise seek to reduce the number of retained personnel, in exchange for a Shared Services Agreement to achieve the desired result; and,

**WHEREAS**, discontinuing the use of a certain number of above referenced personnel effectuates the need for a layoff action; and,

**WHEREAS**, such layoff action will impact six (6) members of Borough personnel: Zahir Bass, Paul Gallagher, Mark Jaskula, Peter Kupczak, Robert Marasco, and Joshua Regan; and,

**WHEREAS**, the intent of the foregoing Resolution shall be to provide the Chief Administrative Officer with the requisite legal authority to undertake such aforementioned layoff action.

**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 and directs the Chief Administrative Officer to institute a layoff action in the manner prescribed in Article 19 of the prevailing collective bargaining agreement between the Borough of Roselle Park and Roselle Park Department of Public Works employees; and,

**BE IT FURTHER RESOLVED** that the Chief Administrative Officer is directed to institute a layoff action with an effective layoff date of August 9, 2025; and,

**BE IT FURTHER RESOLVED** that the members of Borough personnel employed within the Department of Public Works subject to the authorized layoff action shall be understood as Zahir Bass, Paul Gallagher, Mark Jaskula, Peter Kupczak, Robert Marasco, and Joshua Regan.

**RESOLUTION NO. 188-25**

**REQUIRING COMMUNITY BENEFITS AGREEMENTS IN CONNECTION WITH  
FINANCIAL AGREEMENTS (PILOTS) UNDER N.J.S.A. 40A:20-1 WITHIN THE BOROUGH  
OF ROSELLE PARK**

**WHEREAS** the Borough of Roselle Park (the “Borough”) is permitted to adopt and implement redevelopment area and initiatives within its jurisdiction; and,

**WHEREAS**, the Borough is permitted grant long-term tax abatements (Payments in Lieu of Taxes or “PILOTS”) to qualified developers pursuant to N.J.S.A. 40A:20-1 et seq; and,

**WHEREAS**, the Borough recognizes the impact of redevelopment on residents, neighborhoods and the community at large; and,

**WHEREAS**, the Borough desires to ensure that any redevelopment is fair and equitable and provides benefit to the community; and,

**WHEREAS**, the Borough seeks to protect the public interest and promote social and economic equity in all development projects; and,

**WHEREAS**, Community Benefits Agreements (“CBAs”) promote transparency, ensure accountability, and require local investment in communities; and,

**WHEREAS**, CBAs may include, but shall not be limited to: contributions to local schools or infrastructure; local hiring, job training, or apprenticeship opportunities; the provision of affordable housing above minimum thresholds; streetscape, recreational, or environmental improvements; subsidized residential units for veterans or seniors; community event support; grants or affordable retail space for local- or minority-owned businesses; environmental remediation; public spaces; and transportation services; and,

**WHEREAS**, by way of the foregoing, the Borough shall require that applicants seeking Long-Term Tax Exemptions pursuant to N.J.S.A. 40A:20-1 et seq. submit a proposed Community Benefits Agreement as part of their application, and that such agreements be reviewed and accepted by the governing body prior to approval of any exemption.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, hereby require the following:

1. Any applicant seeking approval for a Long-Term Tax Exemption pursuant to N.J.S.A. 40A:20-1 et seq. must submit a proposed Community Benefits Agreement as part of their formal application to the Borough; and,
2. Approval of any Long-Term Tax Exemption shall be expressly conditioned upon the submission, review, and acceptance of the proposed Community Benefits Agreement by the governing body; and,
3. All approved Community Benefits Agreements shall be incorporated by reference into any Redevelopment Agreement or Financial Agreement associated with the project, thereby rendering the CBA terms contractually binding and enforceable; and,

**BE IT FURTHER RESOLVED**, this Resolution shall take effect immediately upon adoption and apply to all applications for Long-Term Tax Exemptions filed after the effective date hereof.

#### **RESOLUTION NO. 189-25**

#### **AWARDING A CONTRACT TO SJC LAWNCARE, INC. PURSUANT TO THE BASE BID AND OPTIONAL BID A FOR THE PROJECT, “2025 TREE PLANTING PROGRAM – PHASE 1” IN AN AMOUNT NOT TO EXCEED \$32,150.00**

**WHEREAS**, the Borough Clerk received sealed bids at 10:00 a.m. on Tuesday, June 10, 2025 for the project, “2025 Tree Planting Program – Phase 1.”

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to SJC Lawncare, Inc. of 305 Elizabeth Avenue, Cranford, New Jersey 07016 pursuant to the Base Bid and Optional Bid A of the advertised specifications for the project, “2025 Tree Planting Program – Phase 1,” in an amount not to exceed \$32,150.00; and,

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

**RESOLUTION NO. 190-25**

**ACCEPTING THE RETIREMENT OF MICHELE BOFF  
FROM THE POSITION OF VIOLATIONS CLERK**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby accepts the retirement of Michele Boff from the position of Violations Clerk effective August 1, 2025.

**RESOLUTION NO. 191-25**

**AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE INTERIM PAYMENTS  
DURING JULY AND AUGUST 2025 TO ENSURE THE CONTINUITY OF GOVERNMENT  
OPERATIONS**

**WHEREAS**, pursuant to the 2025 Annual Notice of the meetings of Mayor and Council, there will only be one (1) Regular Meeting of the governing body in July 2025 and August 2025, respectively; and,

**WHEREAS**, it is the attestation of the Chief Administrative Officer and Chief Financial Officer that after June 19, 2025 a duration of time will elapse which may disrupt the Borough's policy to remit prompt and otherwise timely payment to all vendors, inclusive of public utilities and public entities; and,

**WHEREAS**, it is the recommendation of the Chief Administrative Officer and Chief Financial Officer that the Governing Body authorize the issuance of interim payments to vendors, including public utilities and public entities, to ensure the continuity of government operations, and mitigate any service interruptions; and,

**WHEREAS**, the Governing Body of the Borough of Roselle Park wishes to act upon the recommendation of the Chief Administrative Officer and Chief Financial Officer and authorize interim payments during the months of July and August 2025.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Chief Financial Officer be authorized and directed to issue interim payments to ensure the continuity of government operations without the need of further prior approval of the Governing Body during the months of July and August 2025; and,

**BE IT FURTHER RESOLVED** that any interim payments made pursuant to the authorizations and directions provided by the foregoing Resolution shall be reported on the succeeding Bill List for final review and formal approval of the Governing Body; and,

**BE IT FURTHER RESOLVED** the authorizations and directions provided by the foregoing Resolution shall expire upon the final approval of the first Bill List in September 2025.

**RESOLUTION NO. 192-25**

**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 2025**

**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 2025; and,

**BE IT FURTHER RESOLVED** that this waiver shall explicitly expire December 31, 2025; 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. 193-25**

**AWARDING A PROFESSIONAL SERVICES CONTRACT TO THE NEGLIA GROUP FOR PROFESSIONAL ENGINEERING SERVICES, INCLUDING SURVEYING, DESIGN, AND CONSTRUCTION MANAGEMENT FOR THE PROJECT "IMPROVEMENTS TO PERSHING AVENUE" IN AN AMOUNT NOT TO EXCEED \$78,290.00**

**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 Pershing Avenue" be awarded to the Neglia Group of 34 Park Avenue, P.O. Box 426, Lyndhurst, New Jersey 07071, for the sum not to exceed \$78,290.00; 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. 31-25.

**RESOLUTION NO. 194-25**

**AWARDING A CONTRACT TO CIFELLI & SON GENERAL CONTRACTING, INC. FOR THE PROJECT, "IMPROVEMENTS TO PERSHING AVENUE" PURSUANT TO THE BASE BID IN AN AMOUNT NOT TO EXCEED \$494,507.55**

**WHEREAS**, the Borough Clerk received sealed bids at 10:00 a.m. on Friday, June 13, 2025 for the project, "Improvements to Pershing Avenue."

**NOW, THEREFORE, BE IT RESOLVED** that upon the recommendation of the Special Projects Engineer, the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey hereby award a contract to Cifelli & Son General Contracting, Inc. of 81 Franklin Avenue, Nutley, New Jersey 07110 pursuant to the Base Bid of the advertised specifications for the project, "Improvements to Pershing Avenue," in an amount not to exceed \$494,507.55; and,

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

**RESOLUTION NO. 195-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-31-017-001, AMERICAN LEGION POST 60, INC., DBA AMERICAN LEGION POST 60, INC., FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 to the following:

2015-31-017-001      American Legion Post 60, Inc., 34 E. Westfield Avenue, Roselle Park, N.J. 07204  
DBA: American Legion Post 60, Inc.  
34 E. Westfield Avenue, Roselle Park, New Jersey 07204

**RESOLUTION NO. 196-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-31-018-001, WEST END COMMUNITY CENTER, DBA WEST END COMMUNITY CENTER, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 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. 197-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-33-004-008, WILLOW KACIE, LLC, DBA SUN TAVERN, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 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. 198-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-33-005-003, FRENCHY’S BAR GRILL, INC., DBA FRENCHY’S BAR GRILL, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 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

**RESOLUTION NO. 199-25**

**AUTHORIZING RENEWAL OF INACTIVE ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-33-006-014, CAFÉ C ROSELLE PARK, LLC, A POCKET LICENSE, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses expired on June 30, 2025 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**, pursuant to the implementation of N.J.S.A. 33:1-12.39 as amended by P.L. 2023, c. 290, the Borough of Roselle Park recognizes the following applicant possesses an inactive license not sited at a physical premises, otherwise known as a “pocket license;” and,

**WHEREAS**, the Borough of Roselle Park, within its legal discretion, wishes to renew the following applicant’s inactive license.

**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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 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. 200-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-33-009-013, OLDE DOWLINGS, LLC, DBA DOWLINGS IRISH PUB & RESTAURANT, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 to the following:

2015-33-009-013      Olde Dowlings, LLC, 117 Chestnut Street, Roselle Park, N.J. 07204

DBA: Dowlings Irish Pub & Restaurant  
117 Chestnut Street, Roselle Park, New Jersey 07204

**RESOLUTION NO. 201-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-33-010-006, OCEAN CASTLE, INC., DBA VINTAGE ITALIAN RESTAURANT & CATERING, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 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. 202-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-33-012-006, CDR GROUP, LLC, DBA CASA DEL REY, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 to the following:

2015-33-012-006      CDR Group, LLC, 139 East Grant Avenue, Roselle Park, N.J. 07204  
DBA: Casa del Rey  
147 West Westfield Avenue, Roselle Park, N.J. 07204

**RESOLUTION NO. 203-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-33-015-005, LIQUOR 157, LLC, DBA DE LUX ENTERPRISES, INC.; DE LUX EVENT PLANNING & RENTALS, LLC, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 to the following:

2015-33-015-005      Liquor 157, LLC, 157 East Westfield Avenue, Roselle Park, New Jersey 07204  
DBA: De Lux Enterprises, Inc.; De Lux Event Planning & Rentals, LLC  
157 East Westfield Avenue, Roselle Park, New Jersey 07204

**RESOLUTION NO. 204-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-33-016-007, SPILANGA FOOD, INC., DBA COSTAS RISTORANTE & PIZZERIA, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 to the following:

2015-33-016-007      Spilanga Food, Inc., 120 Chestnut Street, Roselle Park, N.J. 07204  
DBA: Costas Ristorante & Pizzeria  
120 Chestnut Street, Roselle Park, N.J. 07204

**RESOLUTION NO. 205-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-44-001-008, ROSELLE PARK LIQUORS, LLC, DBA ROSELLE PARK LIQUORS, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 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. 206-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-44-003-003, GAJANI, INC., DBA ROSELLE PARK LIQUORS AND FOOD, FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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 a renewed license effective July 1, 2025 and set to expire June 30, 2026 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. 207-25**

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO. 2015-44-013-009, CHESTNUT STREET SPIRITS, LLC, DBA ROSELLE PARK WINES & SPIRITS,**

## **FOR THE 2025-2026 LICENSING TERM**

**WHEREAS**, all Plenary Retail Consumption, Distribution and Club Licenses will expire on June 30, 2025 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, 2025 to expire June 30, 2026, 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. 208-25**

#### **AUTHORIZING CLOSE OUT OF THE CONTRACT WITH PORTOFINO BUILDERS, LLC FOR THE PROJECT, “2024 CAPITAL ROAD PROGRAM”**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the contract for the project “2024 Capital Road Program” was constructed by Portofino Builders, LLC of 69 Irwin Street, Springfield, New Jersey 07081 in accordance with the plans, specifications and any approved change orders, as directed by the Borough’s Special Projects Engineer; and,

**BE IT FURTHER RESOLVED** that final payment in the amount of \$11,760.52 is hereby approved.

### **RESOLUTION NO. 209-25**

#### **ENDORSING THE FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN AS ADOPTED BY THE MUNICIPAL LAND USE BOARD**

**WHEREAS**, the Borough of Roselle Park (hereinafter the “Borough” or “Roselle Park”) has a demonstrated history of voluntary compliance as evidenced by its Third-Round record; and,

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on June 12, 2015, the Borough of Roselle Park filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfied its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine;” and,

**WHEREAS**, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder's remedy lawsuits, until July 1, 2025; and,

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the "Amended FHA"); and,

**WHEREAS**, the Borough adopted a "binding Resolution" accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 23, 2025, establishing its Fourth Round Present Need of 78 and Prospective Need of 75; and,

**WHEREAS**, in accordance with the Amended FHA and the Administrative Office of the Court's Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("the Program"), along with its binding Resolution, on January 24, 2025; and,

**WHEREAS**, the filing of the DJ Complaint gave the Borough automatic immunity from all exclusionary zoning lawsuits, including builder's remedy lawsuits, which is still in full force and effect; and,

**WHEREAS**, the Borough did not receive any objections to its Present and Prospective Need Obligations by February 28, 2025, resulting in the statutory automatic acceptance of the Borough's Fourth Round obligations on March 1, 2025; and,

**WHEREAS**, on March 27, 2025, the Court entered an order establishing the Borough's Fourth Round Present Need of 78 and Prospective Need of 75; and,

**WHEREAS**, now that the Borough has its Fourth Round Obligations, the Amended FHA requires the municipality to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and,

**WHEREAS**, in accordance with the Amended FHA, the Borough's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A; and,

**WHEREAS**, the Municipal Land Use Board held a public hearing on the Fourth Round Housing Element and Fair Share Plan on June 17, 2025 and adopted the Fourth Round Housing Element and Fair Share Plan via Resolution on that same night; and,

**WHEREAS**, the Mayor and Council wishes to endorse the Fourth Round Housing Element and Fair Share Plan as adopted by the Municipal Land Use Board.

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

1. Mayor and Council hereby endorses the Fourth Round Housing Element and Fair Share Plan, which is attached hereto as Exhibit A, which was adopted by the Borough's Planning Board on June 17, 2025.
2. The Borough Council hereby directs the Borough's Affordable Housing Counsel to seek Program and Court approval of the Fourth Round Housing Element and Fair Share Plan via a

Compliance Certification, and to take whatever actions are necessary to maintain the Borough's immunity from all Mount Laurel exclusionary zoning lawsuits.

3. The Borough reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.



# Fourth Round Housing Element and Fair Share Plan

BOROUGH OF ROSELLE PARK | UNION COUNTY, NEW JERSEY

ADOPTED BY THE PLANNING BOARD:

ENDORSED BY THE COUNCIL:

PREPARED BY:

LYNDSAY KNIGHT, PP, AICP

NEW JERSEY PROFESSIONAL PLANNER LICENSE NO. 33LI00640100

JUNE 6, 2025

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## Introduction

New Jersey's history in affordable housing can be tracked by to the first Supreme Court decision in 1975, Southern Burlington County NAACP v. the Township of Mount Laurel 67 N.J. 151 (1975) (known as Mount Laurel I). This historic case determined that every developing municipality through New Jersey had an affirmative obligation to provide its fair share of affordable housing. In 1983, the Supreme Court decided Southern Burlington County NAACP v. Township of Mount Laurel, 92 N.J. 158, 456 A.2d 390 (1983)(known as Mount Laurel II), which acknowledged that the vast majority of municipalities had not addressed their constitutional obligation to provide affordable housing and created the builder's remedy lawsuit, which allowed developers to sue non-compliant municipalities forcing them to accept their proposed projects at extremely high densities.

In response to an onslaught of builder's remedy lawsuits, the Legislature enacted the Fair Housing Act of 1985 (the "FHA"), which created the Council on Affordable Housing ("COAH") to review and approve municipal Housing Elements and Fair Share Plans. Every municipality in the State was required to provide a "realistic opportunity for a fair share of its region's present and prospective needs for housing low- and moderate-income families". Through this process, a Housing Element became a mandatory part of municipal master plan. In addition, a Fair Share Plan became the mandatory document that illustrates the means of achieving the affordable housing goals discussed more generally in the Housing Element.

To implement the FHA requirements, COAH adopted a series of regulations. First Round regulations were enacted in 1987. Second Round regulations were adopted by COAH in 1994. Third Round regulations were supposed to be adopted in 1999 when the Round 2 rules were set to expire, but the first iteration of Round 3 regulations were not adopted by COAH until 2004. After those regulations were invalidated by the courts, COAH adopted a second iteration of Third Round regulations in 2008. The second iteration of regulations were also invalidated by the Courts, and after COAH failed to adopt a third iteration of Third Round regulations in 2014, the Supreme Court issued In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (Mount Laurel IV), in which it directed trial courts to assume COAH's functions and ruled that municipalities would have to get their Third Round Housing Elements and Fair Share Plans approved in the courts via the granting a Judgment of Compliance and Repose (JOR), rather than getting the plans approved by COAH.

Subsequently, on January 18, 2017, the Supreme Court decided In Re Declaratory Judgment Actions Filed by Various Municipalities, County of Ocean, Pursuant To The Supreme Court's Decision In In re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015) ("Mount Laurel V"), which held that municipalities are also responsible for obligations accruing during the so-called "gap period," the period of time between 1999 and 2015. However, the Court stated that the gap obligation should be calculated as a never-before calculated component of Present Need, which would serve to capture Gap Period households that were presently in need of affordable housing as of the date of the Present Need calculation (i.e. that were still income eligible, were not captured as part of traditional present need, were still living in New Jersey and otherwise represented a Present affordable housing need).

In the Spring of 2024, the New Jersey Legislature passed, and Governor Murphy signed Law A4/S50 which amended the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.)(hereinafter the "amendments" or the "Amended FHA"). The amendments provided direction and deadlines for how a municipality must meet its Fourth Round affordable housing obligations. This legislative effort was intended to create a more

**Exhibit A**  
**of Resolution No. 209-25**

efficient, open, and transparent process for the Fourth Round and all subsequent rounds. The amended FHA also permanently abolished COAH, and introduced a comprehensive structure for municipalities to meet their obligations before a new entity known as the Affordable Housing Dispute Resolution Program (hereinafter the “Program”), which consists of retired Mount Laurel judges and their Special Adjudicators, once known as Court Masters. The Program was created to approve Fourth Round Housing Elements and Fair Share Plans via the granting of a Compliance Certification, along with underlying orders to be entered into by the local vicinage trial court. The Program was also created to help municipalities mediate with objectors regarding their Fourth Round affordable housing obligations and the approval of the plans. The amended FHA also required the Department of Community Affairs (DCA) to take over the monitoring of affordable units in every municipality in the state, and to draft and release a report calculating non-binding Fourth Round municipal Present and Prospective Need obligation for every municipality in the state. The DCA released its Fourth Round numbers report in October of 2024. The amended FHA also ordered the New Jersey Housing and Mortgage Finance Agency (NJHMFA) to adopt new UHAC regulations. The amended FHA also changed the way municipalities receive bonus credits amongst other things.

The amended FHA also laid out the procedure to effectuate compliance with the Fourth Round of Affordable Housing (July 1, 2025 to July 1, 2035). Municipalities must complete a series of steps and, if the steps are timely completed, the municipality retains immunity from all exclusionary zoning lawsuits, including immunity from builder’s remedy lawsuits. The steps are as follows:

1. **Establish Present and Prospective Need Obligation Numbers – January 31, 2025.** The legislation required municipalities to adopt a Present- and Prospective Need Obligation numbers by resolution by January 31, 2025.
2. **Period to Challenge Numbers – February 1, 2025 to February 28, 2025.** Interested parties can file a challenge to the municipality’s adopted numbers.
3. **If Challenged, Numbers Reviewed and Settled – March 1, 2025 to April 1, 2025.** The Affordable housing Dispute Resolution program will review the municipality’s proposed obligation numbers and review the challenge presented.
4. **Adoption and filing of a Fourth Round Housing Element and Fair Share Plan – June 30, 2025.** The HEFSP must contain several components which must provide a realistic opportunity for the development of affordable housing units that will satisfy the municipality’s Rehabilitation, Prior Round, Third Round and Fourth Round affordable housing obligations. The statutory components of the Housing Element and Fair Share Plan include, among other things, an inventory of housing, demographic and employment analyses, and considerations of lands for suitable housing development. This document will also contain areas recommended for rezoning, redevelopment, or other land use strategies to effectuate such housing development. This document will address all of the statutory criteria required by the legislation to achieve conformance with this step.
5. **Challenges to the Fourth Round Housing Element and Fair Share Plan – August 31, 2025 to December 31, 2025.** Interested parties can file a challenge to the validity of the plan and the strategies to address the obligation contained therein- by August 31, 2025. Municipalities will have until December 31, 2025 to settle any challenge or provide an explanation as to why some or all the requested changes from the intervening party will not be made. If there is a settlement, it must be reviewed and approved by the Program, and then by the local vicinage Mount Laurel Judge for the county, who will issue an order approving the settlement and the equivalent of a judgment of compliance and repose known as a Compliance Certification, which will grant a municipality

immunity from all exclusionary zoning lawsuits until the end of the Fourth Round on June 30, 2035. If there is no settlement the Program will review the plan and issue a recommendation which goes to the Superior Court where the assigned Mount Laurel Judge for the county issues the Compliance Certification.

6. **Final Compliance Deadline – March 31, 2026.** The deadline for the Borough to adopt the implementing ordinances to align with the plan.

## **Municipal Summary**

The Borough of Roselle Park is a small residential community located in the middle of Union County. The Borough occupies approximately 1.23 square miles (787.2 acres). The Borough is bounded by the Union Township to the northeast, Kenilworth to the northwest, Elizabeth to the east, Roselle to the south, and Cranford to the west. Roselle Park is almost completely built out with diverse residential development and business accounting for the majority of land use types. Open space, recreation and other community facilities scattered throughout. Limited vacant parcels, public open space, and environmental constraints limit future residential and commercial growth.

Between 2010 and 2020 Roselle Park's population increased from 13,297 people to 13,967 people, a 5% increase.

## **Affordable Housing Obligation**

On January 23, 2025, in response to the requirements of the amended FHA, the Borough memorialized Resolution #41-25 the Present Need (rehabilitation) Obligation of seventy-eight (78) and a Prospective Need Obligation of seventy-five (75), which were the numbers calculated for the Borough by the Department of Community Affairs (DCA). The resolution reserved the Borough's rights to a vacant land adjustment, durational adjustments, and all other applicable adjustments permitted in accordance with the act and COAH regulations. The Township then filed a Declaratory Judgment Complaint on January 24, 2025 with the Program and the Court, along with the Township's Fourth Round numbers resolution, and the local vicinage Court entered an order finalizing the Borough's Fourth Round numbers on March 27, 2025.

## **Borough Goal**

It is the overall goal of the Borough's Fourth Round Housing Element and Fair Share Plan is to provide the planning context in which access to low- and moderate-income housing can be provided in accordance with the requirements of the Fair Housing Act and the laws of the State of New Jersey.

## Content of Housing Element

The Fair Housing Act requires that “the housing element be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing”. As per the MLUL, specifically N.J.S.A. 52:27D-310, a housing element must contain at least the following items:

- a. An inventory of the Borough’s housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential bases for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor’s office, including but not limited to the property records cards;
- b. Projection of the municipality’s housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issues, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to household size, income level, and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024.c2(C.52:27D-304.1);
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021.c273(C.52:27D-329.20);
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to P.L.2024.c2(C.52:27D-304.1), and analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include the consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and
- i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportations based on guidance and technical assistance from the State Planning Commission.

## Inventory of Roselle Park's Housing Stock

The following housing data was sourced from the 2018-2023 five-year ACS estimates.

### Housing Type

According to the 2023 ACS, there are 6,986 housing units in the Borough of Roselle Park. The Borough's housing stock includes single-family detached, single family attached (i.e. townhomes), multi-family dwellings. Single-family detached dwellings comprise the majority of the Borough's housing stock with a total of 3,055 or 56.9% Single-family-attached homes comprise only 96 or 1.8% of Roselle Park's housing stock. As the chart on the right indicates there are 309, two-unit dwellings and 1,433, 5 or more-unit buildings.

| Housing Type by Units in Structure |                 |             |
|------------------------------------|-----------------|-------------|
| Unit Type                          | Number of Units | Percent     |
| 1-unit, detached                   | 3,055           | 56.9%       |
| 1-unit, attached                   | 96              | 1.8%        |
| 2 units                            | 309             | 5.8%        |
| 3 or 4 units                       | 480             | 8.9%        |
| 5 to 9 units                       | 128             | 2.4%        |
| 10 to 19 units                     | 329             | 6.1%        |
| 20 or more units                   | 976             | 18.2%       |
| Mobile home                        | 0               | 0.0%        |
| Other                              | 0               | 0.0%        |
| <b>Total</b>                       | <b>5,373</b>    | <b>100%</b> |

*Source: 2023 ACS Table DP04*

### Occupancy Status

According to the 2023 ACS estimates, 59.4% of the Borough's occupied housing stock is owner occupied while 40.4% is renter occupied. The Borough's housing vacancy rate is estimated to be 1.5, while the rental vacancy rate is estimated to be 0.7 in 2023.

The average household size in Roselle Park is 2.67 persons, while the average family size is 3.17 persons according to the 2023 ACS. See the table below for additional details.

| Occupancy Status                      |              |              |
|---------------------------------------|--------------|--------------|
|                                       | Households   | Percent      |
| <b>Occupied Total</b>                 | <b>5,236</b> | <b>97.5%</b> |
| Owner Occupied                        | 3,122        | 59.4%        |
| Renter Occupied                       | 2,114        | 40.4%        |
| <b>Vacant Total</b>                   | <b>137</b>   | <b>2.5%</b>  |
| For rent                              | 15           | 10.9%        |
| Rented, not occupied                  | 0            | 0.0%         |
| For Sale only                         | 49           | 35.8%        |
| Sold, no occupied                     | 0            | 0.0%         |
| Seasonal, recreational, or occasional | 0            | 0.0%         |
| For migrant workers                   | 0            | 0.0%         |
| Other                                 | 73           | 53.3%        |
| <b>Total</b>                          | <b>5,373</b> | <b>100%</b>  |

*Source: 2023 ACS tables DP04 & B25004*

### Value and Rent of Housing Stock

The ACS provides value estimates for owner-occupied housing units. Roselle Park's estimated 2,014 owner-occupied housing units, the majority of homes (64.5%) are valued at between \$300,000 to \$499,999, while there are 76 homes valued between \$150,000 to \$199,999. There are 15 homes are valued at \$1,000,000 or more in the Borough. See the table below for details.

| Value of Owner-Occupied Units |                 |               |
|-------------------------------|-----------------|---------------|
| Value                         | Number of Units | Percent       |
| Less Than \$149,999           | 101             | 3.2%          |
| \$150,000 to \$199,999        | 76              | 2.4%          |
| \$200,000 to \$299,999        | 447             | 14.3%         |
| \$300,000 to \$499,999        | 2,014           | 64.5%         |
| \$500,000 to \$999,999        | 469             | 15.0%         |
| \$1,000,000 or more           | 15              | 0.5%          |
| <b>Total</b>                  | <b>3,122</b>    | <b>100.0%</b> |

*Source: 2023 ACS table DP04*

Over 43% of rentals in Roselle Park have rents priced less than \$1,499 per month. Units with rents of \$2,500 or more comprise only 7.5% of rentals in the Borough. See the table below for more information.

| Cost of Rentals    |                 |             |
|--------------------|-----------------|-------------|
| Cost               | Number of Units | Percent     |
| Less Than \$1,499  | 899             | 43.1%       |
| \$1,500 to \$1,999 | 847             | 40.6%       |
| \$2,000 to \$2,499 | 183             | 8.8%        |
| \$2,500 to \$2,999 | 76              | 3.6%        |
| \$3,000 or more    | 82              | 3.9%        |
| <b>Total</b>       | <b>2,087</b>    | <b>100%</b> |

*Source: 2023 ACS table DP04*

### Condition of Housing Stock

The Census does not classify housing units as standard or substandard, but it can provide an estimate of substandard housing units that are occupied by low- and moderate-income households. The Appellate Division upheld COAH's use of three indicators to determine substandard housing in the State. Those three indicators are houses built before 1959 and which are overcrowded with more than one person per room. The second indicator is homes lacking complete plumbing and the third indicator are homes lacking kitchen facilities.

The Census indicators available at the municipal level indicate a sound housing stock, as displayed by the following three (3) data tables. According to the 2023 ACS, 0.7% of occupied units within the Borough lacked plumbing facilities, 1.0% lacked kitchen facilities, and 0.8% of homes lacked telephone service.



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| Condition of Housing Stock           |                 |             |
|--------------------------------------|-----------------|-------------|
| Fuel Type                            | Number of Units | Percent     |
| Lacking complete plumbing facilities | 38              | 0.7%        |
| Lacking complete kitchen facilities  | 52              | 1.0%        |
| No telephone service available       | 42              | 0.8%        |
| <b>Total</b>                         | <b>5,236</b>    | <b>2.5%</b> |

*Source: 2023 ACS table DP04*

Housing with 1.01 or more person per room is an index of overcrowding. In 2023, the ACS found that there were only 224 or 4.3% occupied housing units within the Borough that were “overcrowded”. It should be noted that 95.7% of the housing units contained less than 1.00 persons per room.

| Occupants Per Room |                 |             |
|--------------------|-----------------|-------------|
| Occupants          | Number of Units | Percent     |
| 1.00 or less       | 5,012           | 95.7%       |
| 1.01 to 1.50       | 89              | 1.7%        |
| 1.51 or more       | 135             | 2.6%        |
| <b>Total</b>       | <b>5,236</b>    | <b>100%</b> |

*Source: 2023 ACS table DP04*

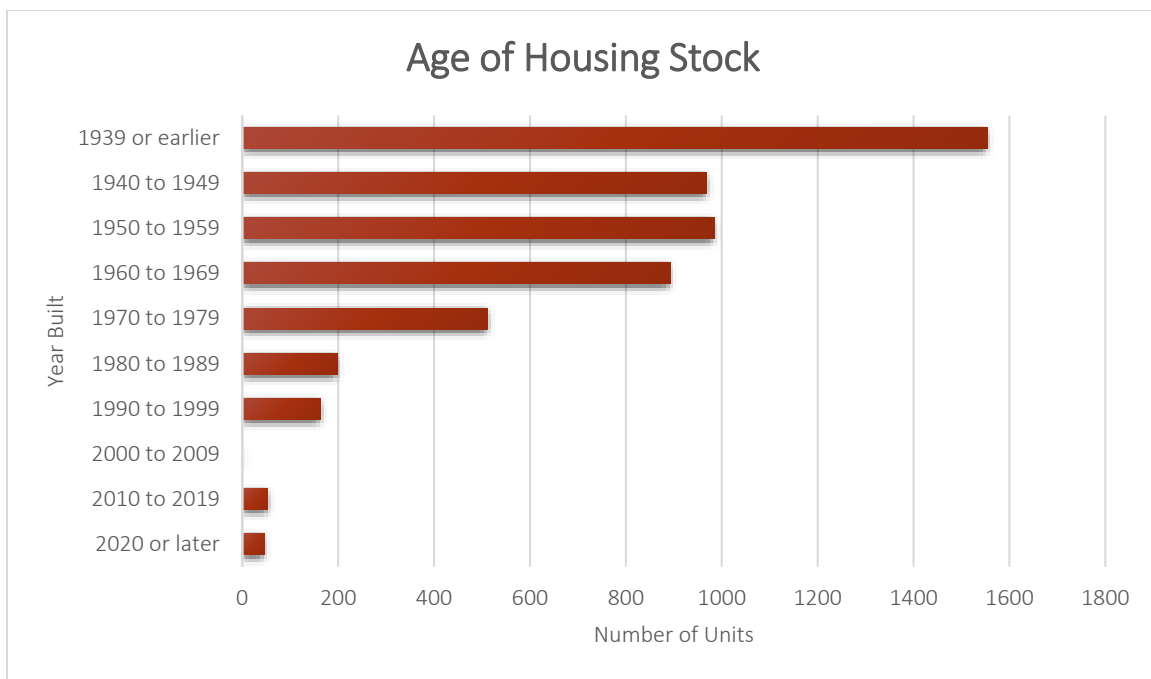
Housing units built in 1975 or earlier are now flagged instead of units built in 1959 or earlier. Research has determined that units built 50 or more years ago are much more likely to be in substandard condition. Included in the rehabilitation calculation are overcrowded units and dilapidated housing. Overcrowded units are defined by the U.S. Department of Housing and Urban Development as those with more than one person living per room.

The table and bar graph on the following page provide the 2023 ACS data on the age of housing stock. Approximately 81.8% of Roselle Park’s housing stock was built before 1975. Units built before 1975 are a factor in the determination of each municipality’s rehabilitation share. In Roselle Park, 4,400 units were constructed prior to 1970. The Borough’s Rehabilitation obligation is 78 units, reflecting the relatively good condition of these older homes. The largest number of housing units constructed in the Borough were built before the 1940s, with 1,554 units or 28.9% housing units in the Borough. There were no housing units built between 2000-2009.

| Age of Housing Stock  |                 |             |
|-----------------------|-----------------|-------------|
| Year Built            | Number of Units | Percent     |
| Built 2020 or later   | 46              | 0.9%        |
| Built 2010 to 2019    | 53              | 1.0%        |
| Built 2000 to 2009    | 0               | 0.0%        |
| Built 1990 to 1999    | 163             | 3.0%        |
| Built 1980 to 1989    | 199             | 3.7%        |
| Built 1970 to 1979    | 512             | 9.5%        |
| Built 1960 to 1969    | 893             | 16.6%       |
| Built 1950 to 1959    | 984             | 18.3%       |
| Built 1940 to 1949    | 969             | 18.0%       |
| Built 1939 or earlier | 1,554           | 28.9%       |
| <b>Total</b>          | <b>5,373</b>    | <b>100%</b> |

*Source: 2023 ACS Table DP04*

**Exhibit A**  
**of Resolution No. 209-25**



### Projection of Housing Stock

As per the MLUL specifically N.J.S.A 52:27D-310, a housing element must contain a projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing for the next ten years, taking into account, but not necessarily limited to construction permits issued, approvals of applications for development, and probable residential development of lands.

The Department of Community Affairs' Division of Codes and Standards website provides data on Certificates of Occupancy and demolition permits for both residential and non-residential development. Within the Division of Codes and Standards website is the New Jersey Construction Reporter, which contains building permit, certificate of occupancy (hereinafter "CO"), and demolition data that is submitted by municipal construction officials within the State each month. The New Jersey Construction Reporter has information dating back to 2000, which can be used to show the Borough's historic development trends.

As shown in the table below, 966 new homes were built and issues COs between 2013 and 2023 while 4 were demolished in the Borough of Roselle Park. As shown in the table below, the greatest numbers of CO's issued occurred in 2018 and 2021.

| Historic Trends of Residential COs and Demolition Permits |          |          |          |          |          |            |          |           |            |           |          |            |
|-----------------------------------------------------------|----------|----------|----------|----------|----------|------------|----------|-----------|------------|-----------|----------|------------|
|                                                           | 2013     | 2014     | 2015     | 2016     | 2017     | 2018       | 2019     | 2020      | 2021       | 2022      | 2023     | Total      |
| COs Issued                                                | 1        | 1        | 1        | 0        | 0        | 169        | 0        | 56        | 650        | 87        | 1        | 966        |
| Demolitions                                               | 0        | 1        | 1        | 0        | 0        | 2          | 0        | 0         | 0          | 0         | 0        | 4          |
| <b>Total</b>                                              | <b>1</b> | <b>2</b> | <b>2</b> | <b>0</b> | <b>0</b> | <b>171</b> | <b>0</b> | <b>56</b> | <b>650</b> | <b>87</b> | <b>1</b> | <b>970</b> |

*Source: New Jersey Construction Reporter from the NJ DCA*

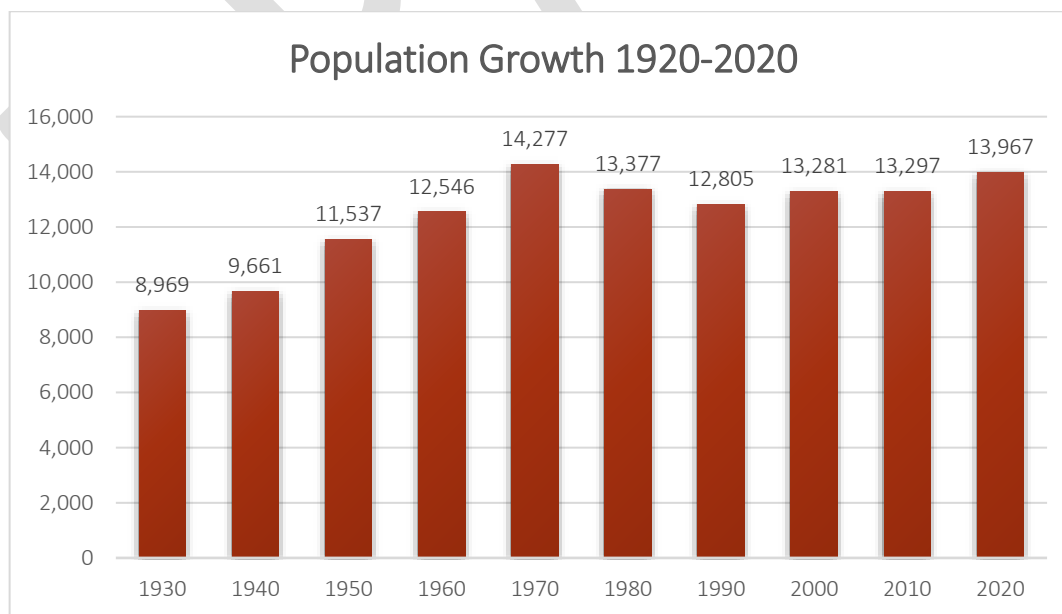
**Exhibit A**  
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### Roselle Park's Population Demographics

Roselle Park's population experienced a growth from 1930 to 1970 until a slight decline 6.3% in 1980. The population continued to decrease from 1980 to 2000 and the 21<sup>st</sup> century has experienced a steady growth in population for the Borough. The 2020 US Census Bureau reports the Borough's population to be 13,967 people. Please see the table to the right and chart below for additional information. It shall be noted that the five-year American Community Survey (hereinafter "ACS") data from the US Census Bureau provided estimates of population, housing and employment estimates between the major Census reports each decade. In an effort to display the most up to date information, the data used in this report is source from the 2018-2022 five-year ACS estimates.

| Population Growth |            |                |
|-------------------|------------|----------------|
| Year              | Population | Percent Change |
| 1930              | 8,969      | -%             |
| 1940              | 9,661      | 7.72%          |
| 1950              | 11,537     | 19.42%         |
| 1960              | 12,546     | 8.75%          |
| 1970              | 14,277     | 1,731%         |
| 1980              | 13,377     | -6.30%         |
| 1990              | 12,805     | -4.28%         |
| 2000              | 13,281     | 3.72%          |
| 2010              | 13,297     | 0.1%           |
| 2020              | 13,967     | 5.1%           |

*Source: US Census Bureau, 2000, 2010, 2020*



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### Age Distribution of Population

The 2023 ACS estimates that 2,136 or 15.3% of the population is 65 years or older while the percentage of children aged 19 or younger comprised 2,886 or 20.6% of the Borough's population. Residents aged 25 to 34 years old comprised the largest age cohort with approximately 18.6% of residents fall in this category. The ACS indicates that the Borough's median age was 38.6 years old. See the table below for additional details.

| Population By Age Cohort |               |             |
|--------------------------|---------------|-------------|
| Age                      | Total         | Percent     |
| Under 5 years            | 780           | 5.6%        |
| 5 to 9 years             | 687           | 4.9%        |
| 10 to 14 years           | 774           | 5.5%        |
| 15 to 19 years           | 645           | 4.6%        |
| 20 to 24 years           | 636           | 4.6%        |
| 25 to 34 years           | 2,591         | 18.6%       |
| 35 to 44 years           | 1,907         | 13.7%       |
| 45 to 54 years           | 2,001         | 14.3%       |
| 55 to 59 years           | 1,149         | 8.2%        |
| 60 to 64 years           | 656           | 4.7%        |
| 65 to 74 years           | 1,444         | 10.3%       |
| 75 to 84 years           | 560           | 4.0%        |
| 85 years and over        | 135           | 1.0%        |
| <b>Total</b>             | <b>13,965</b> | <b>100%</b> |

*Source: 2023 ACS Table DP05*

### Household Size and Type

According to the 2023 ACS estimates, Roselle Park contains 5,236 households. The Borough had a total of 3,676 or 70.2%, family households. Married-couple families with children under 18 comprised 40.8% or 1,055 of households within the Borough, whereas 29.8% or 1,560 were non-family households in 2023. Non-family households include persons living alone or a householder who is not related to any of the other persons sharing their home.

| Household Type and Size       |              |              |
|-------------------------------|--------------|--------------|
| Type                          | Number       | Percent      |
| <b>Family Households</b>      | <b>3,676</b> | <b>70.2%</b> |
| Married couple family         | 2,583        | 70.3%        |
| with children under 18        | 1,055        | 40.8%        |
| Male Householder, no spouse   | 271          | 7.4%         |
| Female Householder, no spouse | 822          | 31.8%        |
| <b>Non-family Households</b>  | <b>1,560</b> | <b>29.8%</b> |
| <b>Total</b>                  | <b>5,236</b> | <b>100%</b>  |

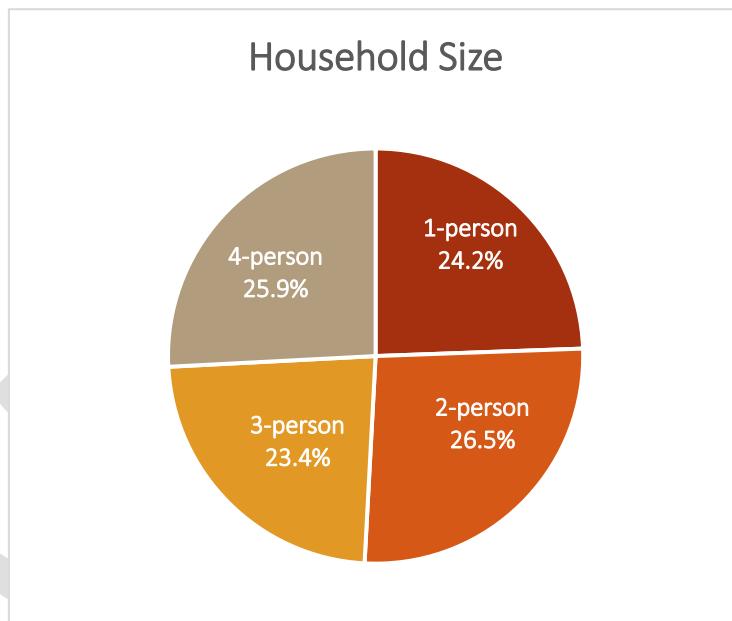
*Source: 2023 ACS Table S1101*

**Exhibit A**  
**of Resolution No. 209-25**

As illustrated in the table below, the most common household size within Roselle Park in 2023 was a 2-person household, which totaled 26.5% of all households. Second most common was a 4 or more-person household with 25.9% of all households. Households of 1-person comprised 24.2% of all households within the Borough. Finally, households of 3- persons comprised 23.4% of all households.

| Household Size   |              |             |
|------------------|--------------|-------------|
| Size             | Total        | Percent     |
| 1-person         | 1,267        | 24.2%       |
| 2-person         | 1,390        | 26.5%       |
| 3-person         | 1,224        | 23.4%       |
| 4 or more person | 1,355        | 25.9%       |
| <b>Total</b>     | <b>5,236</b> | <b>100%</b> |

*Source: 2023 ACS Table S2501*



### Income and Poverty Status

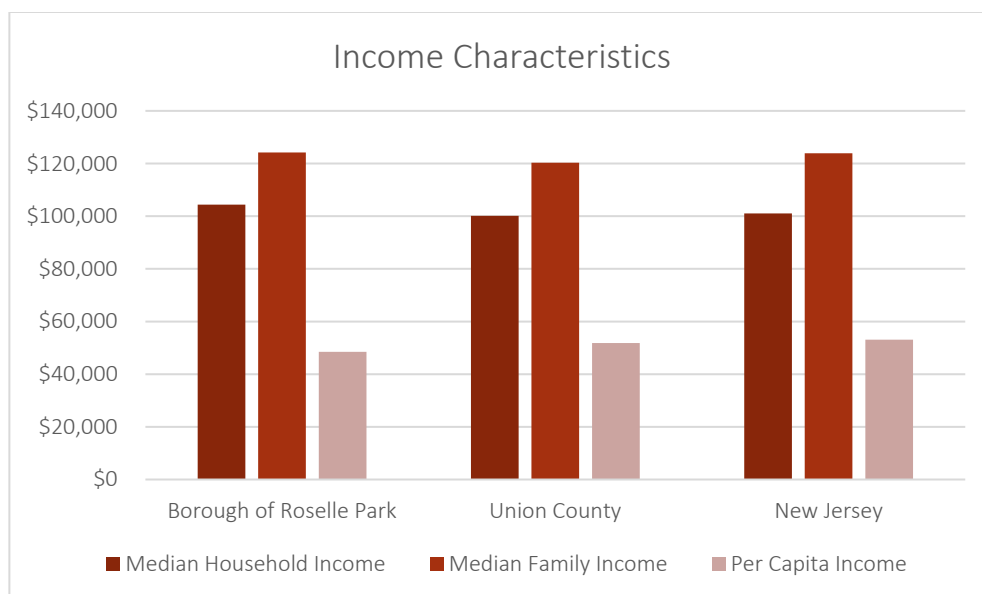
The ACS estimates that the median household income and family income for Roselle Park is more than the income for Union County and New Jersey, while the per capita income are less than the County's and State's incomes. Roselle Park's median household income is \$104,418, compared to \$100,117 for the County and \$101,050 for the State. The median family income in the borough is \$124,175 compared to \$120,310 for the county and \$123,892 for the State's. The per capita income for the borough is \$48,486 compared to \$51,850 for the County and \$53,118 for the State.

Individual poverty is at 5.1% in Roselle Park compared to 8.9% in the County and 9.8% in the State. Poverty within families is at 3.3% in the Borough compared to 6.2% in the County and 7.0% in the State's. See the table and chart below and on the next page for additional details.

| Income Characteristics               |                         |              |            |
|--------------------------------------|-------------------------|--------------|------------|
| Income type                          | Borough of Roselle Park | Union County | New Jersey |
| Median Household Income              | \$104,418               | \$100,117    | \$101,050  |
| Median Family Income                 | \$124,175               | \$120,310    | \$123,892  |
| Per Capita Income                    | \$48,486                | \$51,850     | \$53,118   |
| Poverty Status (Percent of People)   | 5.1%                    | 8.9%         | 9.8%       |
| Poverty Status (Percent of Families) | 3.3%                    | 6.2%         | 7.0%       |

*Source: 2023 ACS table S1901, B19301, S1701, S1702*

**Exhibit A**  
**of Resolution No. 209-25**



According to the 2023 ACS data, a majority of households (24.3%) in Roselle Park earn between \$100,000 to \$149,999 per year. This compares to 17.2% of households in the County and 18.0% of households in the State. On the opposite end of the spectrum, 16.7% or 880 of households earn \$50,000 or less per year compared to 23.9% in the County and 25.2% in the State.

| Household Income       |                         |             |                |             |                  |             |
|------------------------|-------------------------|-------------|----------------|-------------|------------------|-------------|
|                        | Borough of Roselle Park |             | Union County   |             | New Jersey       |             |
|                        | Total                   | Percent     | Total          | Percent     | Total            | Percent     |
| Less Than \$10,000     | 58                      | 1.1%        | 5,927          | 2.9%        | 140,262          | 4.0%        |
| \$10,000 to \$14,999   | 43                      | 0.8%        | 4,745          | 2.4%        | 99,362           | 2.9%        |
| \$15,000 to \$24,999   | 138                     | 2.6%        | 9,788          | 4.9%        | 175,402          | 5.0%        |
| \$25,000 to \$34,999   | 174                     | 3.3%        | 10,781         | 5.3%        | 184,753          | 5.3%        |
| \$35,000 to \$49,999   | 467                     | 8.9%        | 16,999         | 8.4%        | 276,601          | 8.0%        |
| \$50,000 to \$74,999   | 964                     | 18.4%       | 27,512         | 13.6%       | 448,192          | 12.9%       |
| \$75,000 to \$99,999   | 609                     | 11.6%       | 24,989         | 12.4%       | 397,939          | 11.4%       |
| \$100,000 to \$149,999 | 1,010                   | 19.3%       | 34,710         | 17.2%       | 627,526          | 18.0%       |
| \$150,000 to \$199,999 | 964                     | 18.4%       | 23,149         | 11.5%       | 407,723          | 11.7%       |
| \$200,000 or more      | 809                     | 15.5%       | 43,063         | 21.4%       | 720,595          | 20.7%       |
| <b>Total</b>           | <b>5,236</b>            | <b>100%</b> | <b>201,663</b> | <b>100%</b> | <b>3,478,355</b> | <b>100%</b> |

*Source: 2023 ACS table B19001 & S1901*

## Roselle Park's Employment Demographics

This chapter provides a snapshot of employment within Roselle Park, including the types of industries within the community. The 2023 ACS estimates that Roselle Park has 8,861 residents in the labor force. The labor force consists of approximately 95.2% employed person and 4.8% unemployed persons.

The majority of works within the Borough are reported to be private wage and salary workers. Just over 6,346 or 75.2% of those employed fall into this category. Approximately 20.4% of workers are government employees and 4.4% are self-employed. The ACS estimates 0 workers are unpaid family workers.

| Class of Worker                                        |                   |              |
|--------------------------------------------------------|-------------------|--------------|
| Class of Worker                                        | Number of Workers | Percent      |
| Private wage and salary workers                        | 6,346             | 75.2%        |
| Government workers                                     | 1,717             | 20.4%        |
| Self-employed in own not incorporated business workers | 374               | 4.4%         |
| Unpaid family workers                                  | 0                 | 0.0%         |
| <b>Total Employed Residents</b>                        | <b>8,437</b>      | <b>95.2%</b> |
| Total Unemployed Residents                             | 424               | 4.8%         |
| <b>Total Residents in the Workforce</b>                | <b>8,861</b>      | <b>100%</b>  |

*Source: 2023 ACS Table DP03*

## Occupational Characteristics

The ACS estimates that 40.3% of the Borough's residents are employed in management, business, science, and arts occupations. The sales and office occupations employ 1,872 residents or 22.2% of the working population. Service occupations employs 1,485 residents or 17.6%. Natural resources, construction, and maintenance occupations employs 731 residents or 8.7% and production, transportation, and material moving occupations employs 951 residents or 11.3% of the working population.

| Employed Civilian Population By Occupation (Age 16 Years or Older) |                         |             |                |             |
|--------------------------------------------------------------------|-------------------------|-------------|----------------|-------------|
| Occupation                                                         | Borough of Roselle Park |             | Union County   |             |
|                                                                    | Total                   | Percent     | Total          | Percent     |
| Management, business, science, and arts occupations                | 3,398                   | 40.3%       | 119,654        | 40.8%       |
| Service occupations                                                | 1,485                   | 17.6%       | 45,626         | 15.6%       |
| Sales and office occupations                                       | 1,872                   | 22.2%       | 57,935         | 19.8%       |
| Natural resources, construction, and maintenance occupations       | 731                     | 8.7%        | 24,118         | 8.2%        |
| Production, transportation, and material moving occupations        | 951                     | 11.3%       | 45,850         | 15.6%       |
| <b>Total</b>                                                       | <b>8,437</b>            | <b>100%</b> | <b>494,921</b> | <b>100%</b> |

*Source: 2023 ACS Table DP03*

### Employment Projections

The NJTPA estimates that employment within the Borough of Roselle Park will grow by 766 jobs by 2050. In order to achieve this projection, Roselle Park would need to create 21.8 new jobs per year during the 35-year period.

| Employment Projections |       |        |         |
|------------------------|-------|--------|---------|
| Year                   | Jobs  | Change | Percent |
| 2015                   | 2,007 | ---    | ---     |
| 2050                   | 2,773 | 766    | 38.2%   |

*Source: NJTPA Plan 2050, Appendix E; NJTAP Plan 2040, Appendix A (for 2020 data)*

### Employment by Professions

According to the 2023 ACS there were 8,437 persons in the employed labor force in the Borough of Roselle Park and 424 were unemployed. Educational services, and health care and social assistance made up the largest component of the workforce with 2,293 persons or 27.2%. The second largest cohort is transportation and warehousing and utilities with 1,105 persons or 13.1%.

| Employed Person by Profession                                                              |                   |             |
|--------------------------------------------------------------------------------------------|-------------------|-------------|
| Occupation                                                                                 | Number of Persons | Percent     |
| Agriculture, forestry, fishing and hunting, and mining                                     | 13                | 0.2%        |
| Construction                                                                               | 387               | 4.6%        |
| Manufacturing                                                                              | 540               | 6.4%        |
| Wholesale trade                                                                            | 185               | 2.2%        |
| Retail trade                                                                               | 821               | 9.7%        |
| Transportation and warehousing, and utilities                                              | 1,105             | 13.1%       |
| Information                                                                                | 200               | 2.4%        |
| Finance and insurance, and real estate and rental and leasing                              | 514               | 6.1%        |
| Professional, scientific, and management, and administrative and waste management services | 987               | 11.7%       |
| Educational services, and health care and social assistance                                | 2,293             | 27.2%       |
| Arts, entertainment, and recreation, and accommodation and food services                   | 389               | 4.6%        |
| Other services, except public administration                                               | 413               | 4.9%        |
| Public administration                                                                      | 590               | 7.0%        |
| <b>Total</b>                                                                               | <b>8,437</b>      | <b>100%</b> |

*Source: 2023 ACS Table DP03*



## Capacity for Fair Share

This chapter of the Fourth Round Housing Element and Fair Share Plan provides the following information as required by the rules:

- The Borough's capacity to accommodate its housing needs.
- A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for low- and moderate-income housing.
- Lands of developers who have expressed a commitment to provide low- and moderate-income housing.
- The location and capacities of existing and proposed water and sewer lines and facilities relevant to the proposed affordable housing sites.

## Land Capacity

Roselle Park's capacity to construct creditable units toward satisfying its affordable housing obligation is determined by three components – available land, water capacity, and sewer capacity. Additionally, land development is limited by wetland and associated buffers, flood plains, parcel size, and municipal regulations.

## Utility Capacity

There is sufficient overall water and sewer capacity to serve proposed development throughout the Borough. However, to determine if infrastructure upgrades are required, the Borough would need to perform a detailed study of the affordable housing sites and their surrounding utility infrastructure. The study would need to include sanitary sewer and water service reports for each development, the condition, size, location and existing capacities and pressures would need to be determined.

## Appropriate Locations for Affordable Housing

Land that is most appropriate for the construction of low- and moderate-income housing in the Fourth Round includes the following approved, proposed, and anticipated projects:

1. 510 Chestnut Street – The former site of the BOE has been designated as an Area in Need of Redevelopment and a Redevelopment Plan has been approved. The plan proposes a total of 40 units with a 20% set aside, resulting in 8 affordable units.
2. 125 West Westfield Avenue - Block 606 Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01, 38. These Lots have been designated as an Area in Need of Redevelopment and a Redevelopment Plan is in the process of being drafted. The project will result in 46 units with a 20% affordable housing set aside. A total of 9 affordable units will be generated from this site.
3. Ryan Development Area - Block 503, Lots 1-10. These lots have an approved Redevelopment Plan permitting 99 units with a 15% set aside. A developer's agreement was never signed.

## Anticipated Development Patterns

Anticipated land use patterns within the Borough of Roselle Park will follow the established zoning map. The Borough has a variety of zoning districts including one-family residential, two-family residential, four-family residential, garden apartment, residence office building, neighborhood business, central business, arterial business, industrial, senior citizen housing, and planned development.

### **Multigenerational Family Housing Continuity**

Pursuant to the Amended FHA, an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission.

November 8, 2021, the Senate and General Assembly of the State of New Jersey adopted C.52:27D-329.20, which established the “Multigenerational Family Housing Continuity Commission” for the purpose of conducting research, obtaining public input, and adopting recommendations on how to most effectively advance the goal of enhancing multigenerational family housing continuity, which can be defined broadly as the degree to which senior citizens are able to reside at the homes of their extended families.

The bill requires each Municipality’s Housing Plan Element to provide an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal as described in the recommendations of the commission.

The Borough of Roselle Park has a history of being committed to promoting multigenerational family continuity and will continue to do so through the Fourth Round. Roselle Park has diverse housing options in a manner consistent with the regulation. Additionally, the Borough is employing a variety of approaches to accomplish this task through a variety of housing types and affordability levels in close proximity to public transportation (such as the train station and bus stops), shopping centers, and the downtown. The Borough has a number of senior housing options and a Borough sponsored Senior Center.

### **Consistency with the State Development and Redevelopment Plan**

The Fourth Round Housing Element and Fair Share Plan is consistent with the 2001 State Development and Redevelopment Plan (SDRP) and the proposed SDRP that is currently in cross-acceptance process as the projects will provide a realistic opportunity for the construction of affordable housing as the projects are located in State Planning area designated as PA-1, which is the Metro Planning Area. Pursuant to the SDRP, PA-1 is the preferred location for redevelopment for compact growth. The development of affordable housing in PA-1 is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into PA-1 areas as the intentions of the Metropolitan Planning Area are to provide for much of the state’s future redevelopment promote growth in compact forms. The Borough’s Fourth Round Plan is consistent with the 2001 SDRP.

### **Affordable Housing Trust Fund**

The Borough of Roselle Park maintains an Affordable Housing Trust Fund Chapter 39 of the Borough’s Municipal Code.

The Spending Plan is included in the appendix to this Housing Plan, which discusses the anticipated revenues, collection of revenues and the use of revenues, was prepared in accordance with former COAH’s applicable substantive rules. All collected revenue will be placed in the Borough’s Affordable Housing Trust Fund and may be dispensed for the use of eligible affordable housing activities, but not limited to:

- Rehabilitation program;
- New construction of affordable housing units and related development costs;
- Extensions or improvements of roads and infrastructure directly serving affordable housing development sites;
- Acquisitions and/or improvements of land to be used for affordable housing;

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- Purchase of affordable housing units for the purpose of maintaining or implementing affordability controls;
- Maintenance and repair of affordable housing units;
- Repayment of municipal bonds issued to finance low and moderate-income housing activity; and,
- Any other activity as specified in the approved spending plan.

However, the Borough is required to fund eligible programs in a Court-approved Housing Element and Fair Share Plan, as well as provide affordability assistance.

At least 30% of collected development fees shall be used towards affordability assistance. Affordability assistance became a statutory requirement in Fair Housing Act and shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in a municipal Fair Share Plan. At least one third (1/3) of the affordability assistance must be expended on very-low-income units. Additionally, no more than 20% of the revenues collected from development fees each year, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to prepare or implement a rehabilitation program, a new construction program, a housing element and fair share plan and/or an affirmative marketing program.

### Monitoring

The Borough had and will continue to comply with monitoring provisions consistent with those required by the Amended Fair Housing Act. The monitoring requires regular tracking of progress towards meeting the affordable housing obligations and ensuring the affordable units and affordable housing trust fund are administered properly as follows:

- February 15<sup>th</sup> of each year- The Borough will provide an annual reporting of the status of all affordable housing activity within the Borough through posting on the municipal website and certifying the account on the Department of Community Affairs' portal.

## Fair Share Plan

### Content of Fair Share Plan

The Fair Share Plan contains the following information:

- Regional income limits;
- Description of existing credits intended to satisfy the obligation;
- Description of proposed mechanisms that will be used to meet any outstanding obligations; and
- An implementation schedule that sets forth a detailed timeline for units to be approved.

### Regional Income Limits

Dwelling units are affordable to low- and moderate-income households if the maximum sales price or rental cost is within their ability to pay such costs, based on a specific formula. COAH historically provided income limits based upon the median gross household income of the affordable housing region in which the household is located. A moderate-income household is one with a gross household income equal to or more than 50% but less than 80% of the median gross regional household income. A low-income household is one with a gross household income equal to 50% or less of the median gross regional household income. Very-low-income households are those with a gross household income equal to 30% or less of the median gross household income. Roselle Park is located in Region 2, which contains Essex, Morris, Union, and Warren County.

Using the 2024 regional income limits, a four-person household moderate-income is capped at \$96,329. Two-person households could make up to \$77,064 and be considered a moderate-income household or make up to \$48,165 and be considered a low-income household. See the table below for greater detail.

| 2024 Regional Income Limits for Region 2 |                |           |           |           |
|------------------------------------------|----------------|-----------|-----------|-----------|
| Income                                   | Household Size |           |           |           |
|                                          | 1 Person       | 2 Person  | 3 Person  | 4 Person  |
| Median                                   | \$90,591       | \$103,533 | \$116,475 | \$129,416 |
| Moderate                                 | \$72,473       | \$82,826  | \$93,180  | \$103,533 |
| Low                                      | \$45,296       | \$51,766  | \$58,237  | \$64,708  |
| Very Low                                 | \$27,177       | \$31,060  | \$34,942  | \$38,825  |

Source: [https://ahpnj.org/member\\_docs/Income\\_Limits\\_2024\\_FINAL.pdf](https://ahpnj.org/member_docs/Income_Limits_2024_FINAL.pdf)

### Prior and Third Round Compliance

The Borough of Roselle Park adopted a Housing Element and Fair Share Plan on February 8, 2010, which was approved via the entry of an initial Third Round Judgment of Compliance and Repose on September 27, 2010. In response to Mount Laurel IV, the Borough filed a Declaratory Judgment action on June 12, 2015, which resulted in the Court issuing a Mount Laurel IV Third Round Judgment of Compliance and Repose on February 18, 2016, which gave the Borough immunity from all Mount Laurel lawsuits until July 1, 2025. The February 18, 2016 JOR relied on the Borough's already adopted and previously approved 2010 Housing Element and Fair Share Plan.

### Third Round Rehabilitation Obligation

The 2010 Housing Element and Fair Share Plan stated it would address its 46-unit Third Round Rehabilitation Obligation through a variety of mechanisms, some of which included proposed new affordable units that were never built, but it addressed some of its Third Round Rehabilitation obligation. The Borough rehabilitated 15 units through the Union County Home Improvement Program, and rehabilitated 14 units through a municipally sponsored rehabilitation program.

### Fourth Round Compliance Status

Roselle Park's Fair Share Plan describes the various projects and strategies the Borough proposes to address its affordable housing obligations. There are four components – the Borough's Present Need (Rehabilitation) Obligation, Prior Round Obligation, Third Round Obligation and Fourth Round Prospective Need Obligation.

### Affordable Housing Obligations

This Fourth Round Housing Element and Fair Share Plan addresses the following affordable housing obligations:

Present Need (Rehabilitation Obligation): **78**

Prior Round Obligation (1987-1999): **0**

Third Round Obligation (1999-2025): **0**

Fourth Round Prospective Need Obligation (2025-2035): **75**

### Addressing The Present Need

The Borough plans to meet its seventy-eight (78) unit Present Need obligation through continuing participation in the Union County Rehabilitation Program and participation in the Municipal Rehabilitation Program. Both programs were utilized in the previous round and continue to be successful. Said municipal program shall meet the requirements in N.J.A.C. 5:93-5.2.

### Addressing The Prior Round Obligation And The Third Round Obligation

The Borough has a Prior Round Obligation of **zero (0)** and a Third Round Obligation of **zero (0)**. There is therefore no Prior or Third Round Obligation for the Borough to address.

### Addressing The Fourth Round Prospective Need Obligation

The Borough will address its Fourth Round Prospective Need Obligation of **seventy-five (75)** as follows, which will leave the Borough with a 2-unit surplus of affordable units for the Fifth Round:

### 4 Affordable Bedroom Credits From An Existing Group Home

Roselle Park has 4 affordable housing credits from "alternative living arrangements". Alternative living arrangements include, but are not limited to: residential health care facilities, group homes for the developmentally disabled and mentally ill, and congregate living arrangement. The unit of crediting for an alternative living arrangement is the bedroom that received certificates of occupancy after April 1, 1980. The Borough is eligible for 4 affordable housing bedroom credits from a constructed and occupied 4-bedroom DDD-funded group home located on Block 1005, Lot 11. The bedroom units are also eligible for 2 for 1 bonus credits under the Amended FHA.

## 55 Affordable Units From Redevelopment Projects/Redevelopment Areas

- A. **510 Chestnut Street Redevelopment Project (Block 504, Lot 6)**: The Borough approved a Redevelopment Plan for 510 Chestnut Street. This plan proposes a total of 65 units with a 20% set aside, resulting in **13 affordable family rental units**.
- B. **125 West Westfield Avenue (Block 606, Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01, and 38)**: These block and lots have been designated as an Area in Need of Redevelopment and a Redevelopment Plan is in the process of being drafted. A The project will result in 46 total units with a 20% affordable housing set aside. A total of **9 affordable age-restricted rental units** will be generated from this site.
- C. **404-450 West Westfield Avenue (Block 213, Lot 1 and Block 314, Lot 1)**: This project includes 218 total residential units. Phase 1 of this project is substantially complete, has a CO, and is actively leasing (including a portion of the affordable component). Phase 2 remains under construction, it does not have a CO and is not occupied at this time. This project will include **33 affordable family rental units**.

### Site Suitability

Pursuant to N.J.A.C. 5:93-1.3, sites that are designated to produce affordable housing in this plan shall be available, approvable, developable, and suitable according to the following criteria:

- “Available site” means a site with clear title, free of encumbrances which preclude development for low- and moderate-income housing. N.J.A.C. 5:93-1.3.
  - “Approvable site” means a site that may be developed for low- and moderate-income housing in a manner consistent with the rules or regulations of agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low- and moderate-income housing. Ibid.
  - “Developable site” means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area wide water quality management plan (including the wastewater plan) or is included in an amendment to the area wide water quality management plan submitted to and under review by the DEP. Ibid.
  - “Suitable site” means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4. Ibid.
1. All three redevelopment sites proposed to address the Borough’s affordable housing Fourth Round Obligation meet COAH’s criteria for site suitability.

**510 Chestnut Street Redevelopment Project (Block 504, Lot 6)**: The Borough has designated the property as an Area in Need of Redevelopment and the Redevelopment Plan has been drafted and is currently going through the adoption process. The resolutions can be found in the appendix. The Plan permits a maximum



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of 65 multi-family residential units with 20% of those units to be for affordable housing. This would result in a total of 13 affordable housing units on the site. This site is 9,500 square feet, has access to appropriate streets and is bound by to the north is an NJ Transit surface parking lot utilized by commuters for the train station to the north, across Chestnut Street to the west are a number of commercial businesses including a County Excellence bank on the corner of Chestnut Street and East Lincoln Avenue, a dentist office, and a professional office building. Directly to the south of the subject lot is Chestnut Station, a multi-family residential building on the corner of Chestnut Street and West Webster Avenue. The lots to the west of the Redevelopment Area have frontage along West Webster Avenue and consist of one-family residential dwellings. The site has sewer and water capacity and access to infrastructure.



**Redevelopment Area (Block 606, Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01, and 38):** The Redevelopment Area is located on the northeasterly side of West Westfield Avenue (State Route 28) in the southern part of the Borough. The resolution designating the properties as an Area in need of Redevelopment can be found in the appendix of this report. The Redevelopment Plan is in the process of being written and will move forward in the Redevelopment Process.

The redevelopment area consists of approximately 2.78 acres and will result in the construction of a total of 46 units inclusive of 9 affordable units. The proposed development will replace the existing multi-family and retail uses located along West Westfield Avenue. The site has access to appropriate streets and also has access to utilities and sewers and is located in close proximity to the train station.



### **Mandatory Set-Aside Ordinance (MSO)**

The Borough has adopted a Mandatory Set-Aside Ordinance (MSO) that requires a 20% affordable housing set-aside for any multifamily projects constructed in the Borough that are larger than five (5) units.

### **18 Bonus Credits**

The Borough is entitled to 18 bonus credits under the new bonus credits available from the Amended FHA. The Amended FHA states that a municipality may not receive more than one type of bonus credit for each unit. In addition, it caps the total credit from bonuses at 25 percent of the prospective need obligation. In this case, the bonus cap for Roselle Park Borough is 18. Roselle Park's Housing Element and Fair Share Plan generates the potential for up to 28 bonus credits, as indicated below. Because of the cap on bonus credits, only 18 of the 28 credits are being applied by the Borough to the Fourth Round.

### **Senior Housing**

The Borough will be utilizing 1 senior credit from the 125 West Westfield Avenue Project  
 $(75 \text{ prospective need} - 18 \text{ max bonus credits}) \times .30 = 17 \text{ max senior units} \times .10 = 1 \text{ bonus credit}$

### **Redevelopment**

Redevelopment of sites formerly occupied commercial for residential is entitled to 0.5 unit credit for each affordable units.

Both 510 Chestnut Street and 404-450 Westfield Avenue are sites of former commercial properties proposed to be developed for residential use. In addition, 510 Chestnut Street is located within half a mile of a train station. Therefore, the Borough is entitled to 23 bonus credits from these two projects  $(33 + 13 = 46 \times .50 = 23)$ .

### **Group Home**

Finally, the 4-bedrom Group Home on Block 1005, Lot 11 is entitled to 4 bonus credits.



### Sites Not Included In This Plan

The Borough is not including the Ryan Redevelopment Area located on West Lincoln Avenue and Locust Street (Block 503, Lots 1-10) in this Fourth Round plan since the Borough has already fully addressed its Prior Round, Third Round and Fourth Round affordable housing obligations with other affordable housing projects and compliance techniques. If an agreement were to be reached with a developer for this site in the future, any affordable housing units generated by any proposed project on this site would be reserved for the Fifth Round.

DRAFT

## Affirmative Marketing Plan

Each municipality is required to establish and maintain an Affirmative Marketing Plan which is maintained in accordance with *N.J.A.C. 5:80-26*. The Affirmative Marketing Plan applies to all developments that contain low and moderate-income units. The Affirmative Marketing Plan is a regional marketing strategy design to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer/sponsor, municipality and/or designated administrative agency of affordable housing.

The affirmative marketing program is a continuing program and will meet the following requirements:

- The affirmative marketing process for available affordable units shall begin at least four (4) months prior to expected occupancy. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all available units have been leased or sold.
- One advertisement will be published in the following newspaper(s) of general circulation within the housing region: The Star Ledger
- The advertisement will include the following:
  - The location of the units;
  - Directions to the housing units;
  - A range of prices for the housing units;
  - The size, as measured in bedrooms, of the housing units;
  - The maximum income permitted to qualify for the housing units;
  - The business hours when interested households may obtain an application for a housing unit; and;
  - Application fees, if any.
- Signs, posters or brochures of available affordable housing units or affordable housing programs should be displayed at all municipal buildings as well as libraries, and developer's sales offices.

The Affirmative Marketing Program should reach out to local religious groups and civic organizations that are likely to apply, or help members apply for housing. This should include sending quarterly flyers and, or applications for circulation.

Developers of affordable housing should be required to aid in the marketing of the affordable units in their prospective development.

The program should actively continue for as long as low and moderate-income units are initially available and continue when occupancy or re-occupancy becomes necessary.

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## Resolutions

DRAFT

Exhibit A  
of Resolution No. 209-25

RESOLUTION NO. 85-25

**AUTHORIZING AND DIRECTING THE MUNICIPAL LAND USE BOARD TO INVESTIGATE WHETHER ALL OR A PORTION OF THE PROPERTY IDENTIFIED AS BLOCK 504, LOT 6 OF THE MUNICIPAL TAX MAP, COMMONLY KNOWN AS 510 CHESTNUT STREET, ALONG WITH ALL STREETS APPURTENANT THERETO, CONSTITUTE A NON-CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented from time to time (the “**Redevelopment Law**”), authorizes a municipality to determine whether certain parcels of land in the municipality constitute an “area in need of redevelopment;” and,

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the municipal council (the “**Borough Council**”) of the Borough of Roselle Park (the “**Borough**”) must authorize the Borough’s Municipal Land Use Board (the “**Land Use Board**”) to conduct a preliminary investigation of the area and make recommendations to the Borough Council; and,

**WHEREAS**, the Borough Council now desires to authorize and direct the Land Use Board to conduct an investigation of certain property identified as Block 504, Lot 6 on the tax map of the Borough, along with all streets and rights of way appurtenant thereto (collectively, the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment without powers of eminent domain; and,

**WHEREAS**, the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, excluding the power of eminent domain to acquire property in the Study Area, and any redevelopment area so designated shall be referred to as a “Non-Condemnation Redevelopment Area,” pursuant to *N.J.S.A. 40A:12A-6*; and,

**WHEREAS**, the Borough Council therefore authorizes and directs the Land Use Board to conduct a preliminary investigation of the Study Area and to make recommendations to the Borough Council, all in accordance with the Redevelopment Law.

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

1. **Generally.** The aforementioned recitals are incorporated herein as though fully set forth at length.
2. **Investigation of Study Area Authorized.** The Land Use Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether all or a portion of the Study Area satisfies the criteria set forth in the Redevelopment Law, including *N.J.S.A. 40A:12A-5*, to be designated as a Non-Condemnation Redevelopment Area.
3. **Map to be Prepared.** As part of its investigation, the Land Use Board, through the Borough’s qualified professionals, shall prepare a map showing the boundary of the Study Area and appended thereto shall be a statement setting forth the basis of the investigation.

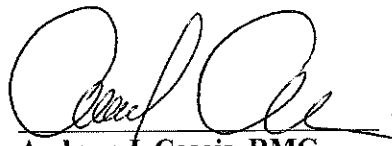
**Exhibit A**  
**of Resolution No. 209-25**

4. **Land Use Board Public Hearing.** The Land Use Board shall conduct a public hearing, after giving due notice containing the proposed boundary of the Study Area, a statement stating that a map has been prepared and can be inspected at the office of the Borough's Municipal Clerk, and the date, time, and location of the Land Use Board's public hearing. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Borough to exercise the power of eminent domain to acquire property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area. At the public hearing, the Land Use Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an "area in need of redevelopment" and evidence in support of those objections shall be received and considered by the Land Use Board and shall be made part of the public record.
5. **Land Use Board to Make Recommendations.** After conducting its investigation, preparing a map of the proposed redevelopment area, and conducting a public hearing at which all objections to the designation are received and considered, the Land Use Board shall make a recommendation to the Borough Council as to whether the Borough should designate all or a portion of the Study Area as a Non-Condensation Redevelopment Area. In the event the Borough Council shall designate the Study Area as a Non-Condensation Redevelopment Area, the Borough shall be authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area, excluding the power of eminent domain to acquire property in the Condensation Redevelopment Area.
6. **Preparation of a Redevelopment Plan.** In the event the Borough Council shall designate the Study Area as a Non-Condensation Redevelopment Area, the Land Use Board is hereby authorized and directed to review or otherwise prepare a redevelopment plan for the Study Area upon referral by the Borough Council.
7. **Severability.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
8. **Availability of the Resolution.** A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.
9. **Effective Date.** This Resolution shall take effect immediately.

**ADOPTED:** March 6, 2025

| COUNCIL            | INTRODUCED | SECONDED | AYE  | NAY | ABSTAIN | ABSENT |
|--------------------|------------|----------|------|-----|---------|--------|
| SIGNORELLO (Mayor) |            |          |      |     |         |        |
| PETROSKY           |            |          | ✓    |     |         |        |
| JOHNSON            |            |          | ✓    |     |         |        |
| SIGNORELLO         |            |          | ✓    |     |         |        |
| ROBAINA            |            | ✓        | ✓    |     |         |        |
| LYONS              | ✓          |          | ✓    |     |         |        |
| PATEL              |            |          |      | ✓   |         |        |
| ON CONSENT AGENDA  |            | YES      | ✓ NO |     |         |        |

I hereby certify that the foregoing Resolution was acted upon by the governing body on March 6, 2025 with the below captioned results on a motion to adopt.

  
**Andrew J. Casais, RMC**  
**Borough Clerk**

**RESOLUTION NO. 119-23**

**AUTHORIZING AND DIRECTING THE MUNICIPAL LAND USE BOARD TO INVESTIGATE WHETHER ALL OR A PORTION OF THE PROPERTY IDENTIFIED AS BLOCK 606, LOTS 25, 26, 27, 28, 29, 30, 31, 32, 36.01 AND 38 OF THE MUNICIPAL TAX MAP CONSTITUTE A NON-CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1 ET SEQ.***

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes a municipality to determine whether certain parcels of land in the municipality constitute an “area in need of redevelopment;” and,

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the municipal council (the “**Borough Council**”) of the Borough of Roselle Park (the “**Borough**”) must authorize the Municipal Land Use Board (the “**Land Use Board**”) to conduct a preliminary investigation of the area and make recommendations to the Borough Council; and,

**WHEREAS**, the Borough Council now desires to authorize and direct the Land Use Board to conduct an investigation of Block 606, Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01 and 38, along with all streets and rights of way appurtenant thereto (collectively, the “**Study Area**”) to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and,

**WHEREAS**, the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the power of eminent domain (hereinafter referred to as a “**Non-condemnation Redevelopment Area**”); and,

**WHEREAS**, the Borough Council therefore authorizes and directs the Land Use Board to conduct a preliminary investigation of the Study Area and to make recommendations to the Borough Council, all in accordance with the Redevelopment Law.

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

1. **Generally.** The aforementioned recitals are incorporated herein as though fully set forth at length.
2. **Investigation of Study Area Authorized.** The Land Use Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether all or a portion of the Study Area satisfies the criteria set forth in the Redevelopment Law, including *N.J.S.A. 40A:12A-5*, to be designated as a Non-condemnation Redevelopment Area.
3. **Map to be Prepared.** As part of its investigation, the Land Use Board shall prepare a map showing the boundary of the Study Area.
4. **Public Hearing Required.** The Land Use Board shall conduct a public hearing, after giving due notice of the proposed boundary of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is a Non-condemnation Redevelopment Area.

**Exhibit A**  
**of Resolution No. 209-25**

5. **Land Use Board to Make Recommendations.** After conducting its investigation, preparing a map of the proposed redevelopment area, and conducting a public hearing at which all objections to the designation are received and considered, the Land Use Board shall make a recommendation to the Borough Council as to whether the Borough should designate all or a portion of the Study Area as a Non-condemnation Redevelopment Area.
6. **Preparation of a Redevelopment Plan.** In the event the Land Use Board determines to recommend that the Borough Council designate the Study Area as a Non-condemnation Redevelopment Area, the Land Use Board is hereby authorized and directed to prepare a redevelopment plan for the Study Area without need of further action by the Borough Council.
7. **Severability.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
8. **Availability of the Resolution.** A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.
9. **Effective Date.** This Resolution shall take effect immediately.

**ADOPTED:** April 20, 2023

I hereby certify that the foregoing Resolution was acted upon by the governing body on April 20, 2023 with the below captioned results on a motion to adopt.

  
**Andrew J. Casais, RMC**  
**Borough Clerk**

| COUNCIL            | INTRODUCED | SECONDED | AYE  | NAY | ABSTAIN | ABSENT |
|--------------------|------------|----------|------|-----|---------|--------|
| SIGNORELLO (Mayor) |            |          |      |     |         |        |
| PETROSKY           |            |          | ✓    |     |         |        |
| JOHNSON            |            | ✓        | ✓    |     |         |        |
| SIGNORELLO         | ✓          |          | ✓    |     |         |        |
| ROBAINA            |            |          | ✓    |     |         |        |
| LYONS              |            |          | ✓    |     |         |        |
| PATEL              |            |          | ✓    |     |         |        |
| ON CONSENT AGENDA  | YES        |          | ✓ NO |     |         |        |



**RESOLUTION NO. 256-23**

**DESIGNATING THE AREA IDENTIFIED AS BLOCK 606, LOTS 25, 26, 27, 28, 29, 30, 31, 32, 36.01 AND 38 OF THE MUNICIPAL TAX MAP OF THE BOROUGH OF ROSELLE PARK, COMMONLY KNOWN AS 112 LOCUST STREET, 101 WEST WESTFIELD AVENUE, 105 WEST WESTFIELD AVENUE, 111 WEST WESTFIELD AVENUE, 115 WEST WESTFIELD AVENUE, 121 WEST WESTFIELD AVENUE, 129 WEST WESTFIELD AVENUE, 133 WEST WESTFIELD AVENUE, 147 WEST WESTFIELD AVENUE, AND 159 WEST WESTFIELD AVENUE, ALONG WITH ALL STREETS AND RIGHTS OF WAY APPURTENANT THERETO, AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and,

**WHEREAS**, by Resolution No. 119-23, adopted on April 20, 2023, the municipal council (the “**Borough Council**”) of the Borough of Roselle Park (the “**Borough**”) authorized and directed the Borough’s Municipal Land Use Board (the “**Land Use Board**”) to conduct a preliminary investigation to determine whether the properties identified as Block 606, Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01 and 38 on the Borough’s tax maps, along with all streets and rights of way appurtenant thereto (the “**Study Area**”) meet the criteria set forth in the Redevelopment Law for designation as a non-condemnation area in need of redevelopment; and,

**WHEREAS**, by Resolution No. 120-23, adopted on April 20, 2023, the Borough Council authorized and directed the Borough’s Planning Consultant, CME Associates (the “**Planning Consultant**”), to perform the preliminary investigation to determine whether the Study Area meets the criteria set forth in the Redevelopment Law for designation as a non-condemnation area in need of redevelopment and prepare a report containing its findings; and,

**WHEREAS**, the Planning Consultant undertook the preliminary investigation and prepared a report containing its findings entitled, “Non-Condensation Area in Need of Redevelopment Study Block 606, Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01 and 38, Borough of Roselle Park, Union County, NJ” dated June 2023 (the “**Report**”); and,

**WHEREAS**, the Redevelopment Law requires the Land Use Board to conduct a public hearing prior to a determination whether the Study Area should be designated as a non-condemnation area in need of redevelopment, at which hearing the Land Use Board shall hear all persons who are interested in or would be affected by a determination that the property is an area in need of redevelopment; and,

**WHEREAS**, on July 17, 2023, after providing due notice, the Land Use Board conducted a public hearing (the “**Public Hearing**”) in accordance with the Redevelopment Law to determine whether the Study Area qualifies as a non-condemnation area in need of redevelopment and whether to recommend the Borough Council designate the Study Area as a non-condemnation area in need of redevelopment; and,

**WHEREAS**, at the Public Hearing, the Land Use Board reviewed the findings of the Planning Consultant set forth in the Report, heard expert testimony from the Planning Consultant, and gave members of the public and interested parties an opportunity to be heard regarding the potential designation of the Study Area as a non-condemnation area in need of redevelopment; and,

**Exhibit A**  
**of Resolution No. 209-25**

**WHEREAS**, the Planning Consultant concluded in the Report, and testified to the Land Use Board at the Public Hearing, that there is evidence to support the conclusion that the properties in the Study Area satisfy the criteria set forth in the Redevelopment Law for designation as a non-condemnation area in need of redevelopment; and,

**WHEREAS**, at the conclusion of the Public Hearing, the Land Use Board determined and recommended, for the reasons set forth in the Report and explained on the record during the public hearing as memorialized in a resolution of the Land Use Board, that the properties in the Study Area meet the criteria set forth in the Redevelopment Law for designation as a non-condemnation area in need of redevelopment and recommended that the Borough Council so designate the Study Area as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law; and,

**WHEREAS**, the Borough Council agrees with the Land Use Board's findings and the Planning Consultant's conclusions set forth in the Report, and desires to designate the Study Area as a non-condemnation area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-6*, such designation authorizing the Borough and Borough Council to use all those powers provided by the Redevelopment Law for use in an area in need of redevelopment, other than the power of eminent domain.

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

**SECTION 1.**

The aforementioned recitals hereof are incorporated herein as though set forth at length herein.

**SECTION 2.**

After considering the conclusions set forth in the Report and the Land Use Board's findings and recommendations, the Borough hereby finds that the Study Area meets the statutory criteria pursuant to *N.J.S.A. 40A:12A-5* for designation as a non-condemnation area in need of redevelopment, and the Study Area is hereby designated as a non-condemnation area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-6* (the "**Non-Condensation Redevelopment Area**").

**SECTION 3.**

The designation of the Study Area as a non-condemnation area in need of redevelopment shall authorize the Borough to exercise all of its powers under the Redevelopment Law in the Non-Condensation Redevelopment Area, other than the power of eminent domain.

**SECTION 4.**

The Borough Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to *N.J.S.A. 40A:12A-6 (b)(5)(c)* of the Redevelopment Law.

**SECTION 5.**

The Borough Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condensation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a

**Exhibit A**  
**of Resolution No. 209-25**

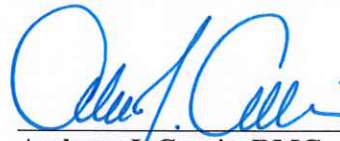
written objection prior to the Public Hearing, service to be in the manner provided by *N.J.S.A.* 40A:12A-6 of the Redevelopment Law.

**SECTION 6.**

This Resolution shall take effect immediately.

**ADOPTED:** August 24, 2023

I hereby certify that the foregoing Resolution was acted upon by the governing body on August 24, 2023 with the below captioned results on a motion to adopt.

  
\_\_\_\_\_  
**Andrew J. Casais, RMC**  
**Borough Clerk**

| COUNCIL            | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|--------------------|------------|----------|-----|-----|---------|--------|
| SIGNORELLO (Mayor) |            |          |     |     |         |        |
| PETROSKY           |            |          | ✓   |     |         |        |
| JOHNSON            |            | ✓        | ✓   |     |         |        |
| SIGNORELLO         | ✓          |          | ✓   |     |         |        |
| ROBAINA            |            |          | ✓   |     |         |        |
| LYONS              |            |          | ✓   |     |         |        |
| PATEL              |            |          |     |     |         | ✓      |
| ON CONSENT AGENDA  | YES        |          | ✓   | NO  |         |        |

**Exhibit A**  
**of Resolution No. 209-25**

**SURENIAN, EDWARDS, BUZAK & NOLAN LLC**

311 Broadway, Suite A

Point Pleasant Beach, NJ 08742

(732) 612-3100

By: Erik C. Nolan, Esq. (Attorney ID: 014032006 )

*Attorneys for Declaratory Plaintiff, Borough of Roselle Park*

**IN THE MATTER OF THE  
APPLICATION OF THE BOROUGH OF  
ROSELLE PARK, COUNTY OF UNION,  
STATE OF NEW JERSEY**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: UNION COUNTY**

DOCKET NO.: UNN-L-\_\_\_\_

CIVIL ACTION  
 AFFORDABLE HOUSING DISPUTE  
 RESOLUTION PROGRAM  
 PER DIRECTIVE # 14-24

**COMPLAINT FOR DECLARATORY  
RELIEF PURSUANT TO AOC  
DIRECTIVE # 14-24**

Declaratory Plaintiff, the Borough of Roselle Park, County of Union, State of New Jersey (hereinafter, “Roselle Park” or the “Borough”), a municipal corporation of the State of New Jersey, with principal offices located at 110 East Westfield Avenue, Roselle Park, New Jersey 07204, by way of filing this Declaratory Judgment Complaint to start this Declaratory Judgment Action (“DJ Action”) as authorized under Directive # 14-24 of the Administrative Office of the Courts (“AOC”) alleges and says:

***Background***

1. Roselle Park is a municipal corporation of the State of New Jersey.
2. The Municipal Land Use Board of the Borough of Roselle Park (hereinafter, “Municipal Land Use Board”) is a municipal agency created and organized under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq., (“MLUL”), and, among other duties and obligations,

**Exhibit A**  
**of Resolution No. 209-25**

is responsible for adopting the Fourth Round Housing Element and Fair Share Plan (“HEFSP”) of Roselle Park’s Master Plan.

3. Through this DJ Action, Roselle Park seeks the following relief in relation to its Fourth Round (2025-2035) affordable housing obligation: (a) to secure the jurisdiction of the Affordable Housing Alternative Dispute Resolution Program (the “Program”) pursuant to P.L. 2024, c.2 (hereinafter, the “Act”) and the Court, pursuant to AOC Directive # 14-24; (b) to have the Program and the Court approve the Borough of Roselle Park’s Present and Prospective affordable housing obligations as set forth in the binding resolution adopted by the Borough, attached hereto as **Exhibit 1**; (c) to have the Program and the Court approve the Borough’s HEFSP, to be adopted by the Municipal Land Use Board and endorsed by the Borough Council, and issue a conditional or unconditional “Compliance Certification” pursuant to the Act or other similar declaration; (d), through the filing of this DJ Action and binding resolution, to have the Program and the Court confirm Roselle Park’s immunity from all exclusionary zoning litigation, including builder’s remedy lawsuits, during the pendency of the process outlined in the Act and for the duration of Fourth Round, i.e., through June 30, 2035; and (e) to have the Program and the Court take such other actions and grant such other relief as may be appropriate to ensure that the Borough receives and obtains all protections as afforded to it in complying with the requirements of the Act, including, without limitation, all immunities and presumptions of validity necessary to satisfy its affordable housing obligations voluntarily without having to endure the expense and burdens of unnecessary third party litigation.

**Exhibit A**  
**of Resolution No. 209-25**

**COUNT I**

**ESTABLISHMENT OF JURISDICTION UNDER P.L.2024, C. 2**

4. The Borough of Roselle Park repeats and realleges each and every allegation as set forth in the previous paragraphs of this Declaratory Judgment Complaint as if set forth herein in full.

5. The Act represents a major revision of the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 *et. seq.*

6. Among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program. Among other things, the Act authorized the Director of the AOC (hereinafter, “Director”) to create a framework to process applications for a compliance certification.

7. On or about December 19, 2024, the Director issued Directive #14-24, which among other things, required municipalities seeking compliance certification to file an action in the form of a Declaratory Judgment Complaint and Civil Case Information Statement in the County in which the municipality is located within 48 hours after the municipality’s adoption of a binding resolution establishing the municipality’s Fourth Round numbers, as authorized under the Act, with an attached copy of said binding resolution.

8. The Borough adopted a binding resolution establishing its present and prospective affordable housing obligations within the statutory window of time set forth in the Act and in accordance with the methodology and formula set forth in the Act, a certified copy of which resolution is attached to this DJ Action as **Exhibit 1**.

**Exhibit A**  
**of Resolution No. 209-25**

9. Based on the foregoing, the Borough has established the jurisdiction of the Program and the Court in regard to this DJ Action for a Compliance Certification as set forth hereinafter.

**WHEREFORE**, the Borough of Roselle Park seeks a declaratory judgment for the following relief:

- a. Declaring that the Borough has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as **Exhibit 1** to this Declaratory Judgment Complaint or to adjust such determination consistent with the Act;
- b. Declaring the present and prospective affordable housing obligations of the Borough under the Act;
- c. Declaring the approval of the Borough's HEFSP subsequent to its adoption by the Municipal Land Use Board and its endorsement by the Borough Council, including, as appropriate and applicable, (i) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vii)

**Exhibit A**  
**of Resolution No. 209-25**

any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;

- d. Declaring that the Borough continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e. Declaring and issuing a Compliance Certification and continuing immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the Borough of Roselle Park for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

**COUNT II**

**DETERMINATION OF THE PRESENT AND  
PROSPECTIVE NEED OF THE BOROUGH OF ROSELLE PARK**

**10.** Roselle Park repeats and realleges each and every allegation set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

**11.** The Act adopted the methodology to calculate every municipality's present and prospective need affordable housing obligation for the Fourth Round (2025-2035) and beyond.

**12.** The Act directed the Department of Community Affairs ("DCA") to apply the methodology and to render a non-binding calculation of each municipality's present and prospective affordable housing obligations to be contained in a report to be issued no later than October 20, 2024.



**Exhibit A**  
**of Resolution No. 209-25**

13. The DCA issued its report on October 18, 2024.

14. Pursuant to the October 18, 2024 report, the DCA calculated Roselle Park's present and prospective affordable housing obligations as follows:

| <b>FOURTH ROUND<br/>PRESENT NEED<br/>(REHABILITATION)<br/>OBLIGATION</b> | <b>FOURTH ROUND<br/>PROSPECTIVE NEED<br/>OBLIGATION (2025-2035)</b> |
|--------------------------------------------------------------------------|---------------------------------------------------------------------|
| 78                                                                       | 75                                                                  |

15. Pursuant to the Act, a municipality desiring to participate in the Program is obligated to adopt a "binding resolution" determining its present and prospective affordable housing obligations to which it will commit based upon the methodology set forth in the Act.

16. Roselle Park adopted a binding resolution, a copy of which resolution is attached hereto and made a part hereof as **Exhibit 1** to this Declaratory Judgment Complaint.

17. The binding resolution maintains that Roselle Park's Round 4 (2025-2035) Present Need (Rehabilitation) Obligation is 78 and its Prospective Need ("New Construction") Obligation is 75.

18. Roselle Park seeks the approval of, and confirmation by, the Program and the Court of the Round 4 (2025-2035) Present and Prospective affordable housing obligations as set forth in the binding resolution attached hereto and made a part hereof as **Exhibit 1**, or the adjustment of those obligations consistent with the Act and all applicable regulations.

19. Pursuant to the binding resolution, the Borough of Roselle Park reserves all rights to amend its affordable housing obligations in the event of a successful legal challenge, or legislative change, to the Act.

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**of Resolution No. 209-25**

**20.** Pursuant to the binding resolution, Roselle Park specifically reserves the right to seek and obtain 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; 5) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; 6) an adjustment based upon any ruling in litigation involving affordable housing obligations; and 7) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations.

**WHEREFORE**, the Borough of Roselle Park seeks a declaratory judgment for the following relief:

- a.** Declaring that the Borough has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as **Exhibit 1** to this DJ Action or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of the Borough under the Act;
- c.** Declaring the approval of Borough's HEFSP subsequent to its adoption by the Municipal Land Use Board and its endorsement by the Borough Council, including, as appropriate and applicable, (i) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and

**Exhibit A**  
**of Resolution No. 209-25**

suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or all applicable regulations;

- d. Declaring that the Borough continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e. Declaring and issuing a Compliance Certification and continuing immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to Roselle Park for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

**COUNT III**

**APPROVAL OF BOROUGH'S HOUSING ELEMENT AND FAIR SHARE PLAN**

**21.** The Borough of Roselle Park repeats and realleges each and every allegation set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

**Exhibit A**  
**of Resolution No. 209-25**

**22.** Pursuant to the Act, a HEFSP must be prepared, adopted by the Municipal Land Use Board and endorsed by the municipality by June 30, 2025.

**23.** Roselle Park hereby commits for its professionals to prepare the appropriate HEFSP to address its affordable housing obligations, as determined by the Program and the Court which HEFSP shall apply as appropriate, any applicable adjustments, including, without limitation, 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; 5) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; 6) an adjustment based upon any ruling in litigation involving affordable housing obligations; and 7) any other applicable adjustment permitted in accordance with the Act and/or applicable regulations.

**WHEREFORE**, the Borough of Roselle Park seeks a declaratory judgment for the following relief:

- a.** Declaring that Roselle Park has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as **Exhibit 1** to this Declaratory Judgment Complaint or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of the Borough under the Act;
- c.** Declaring the approval of the Borough's HEFSP subsequent to its adoption by the Municipal Land Use Board and its endorsement by the Borough Council,

**Exhibit A**  
**of Resolution No. 209-25**

including, as appropriate and applicable, (i) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or all applicable regulations;

- d.** Declaring that the Borough of Roselle Park continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e.** Declaring and issuing a Compliance Certification and continuing immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the Borough of Roselle Park for the period beginning July 1, 2025 and ending June 30, 2035; and
- f.** Declaring such other relief that the program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

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**COUNT IV**  
**CONFIRMATION OF IMMUNITY**

**24.** The Borough of Roselle Park repeats and realleges each and every allegation set forth in the previous paragraphs of this Declaratory Judgment Complaint as if set forth herein in full.

**25.** Pursuant to the Act, a municipality that complies with the deadlines in the Act for both determining present and prospective affordable housing obligations and for adopting an appropriate HEFSP shall have immunity from exclusionary zoning litigation.

**26.** The Borough of Roselle Park has met the deadline for the adoption and filing of its binding resolution not later than January 31, 2025, and the filing of this DJ Action in accordance with AOC Directive #14-24 not later than February 3, 2025, by adopting the binding resolution attached to this DJ Action as **Exhibit 1**, and has also committed to the adoption of its HEFSP by June 30, 2025.

**WHEREFORE**, the Borough of Roselle Park seeks a declaratory judgment for the following relief:

- a.** Declaring that the Borough has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as **Exhibit 1** to this Declaratory Judgment Complaint or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of the Borough under the Act;
- c.** Declaring the approval of the Borough's HEFSP subsequent to its adoption by the Municipal Land Use Board and its endorsement by the Borough Council,

**Exhibit A**  
**of Resolution No. 209-25**

including, as appropriate and applicable, (i) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation involving affordable housing obligations; and (vii) any other applicable adjustment permitted in accordance with the Act and/or all applicable regulations;

- d.** Declaring that the Borough continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e.** Declaring and issuing a Compliance Certification and continuing immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the Borough of Roselle Park for the period beginning July 1, 2025 and ending June 30, 2035; and
- f.** Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

**Exhibit A**

**of Resolution No. 209-25**

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, Borough of Roselle  
Park

By



Erik C. Nolan, Esq.

Dated: January 24, 2025

**CERTIFICATION PURSUANT TO R. 4:5-1**

Erik C. Nolan, Esq., of full age, hereby certifies as follows:

1. I am a member of the Firm of Surenian, Edwards, Buzak & Nolan LLC, attorneys for declaratory plaintiff, Borough of Roselle Park.
2. To the best of my knowledge, there is no other action pending in any court or any pending arbitration proceeding of which the matter in controversy herein is the subject and no such other action or arbitration proceeding is contemplated. To the best of my knowledge, there are no other parties who should be joined in this action.
3. The within Complaint was filed and served within the time prescribed by the Rules of Court.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, Borough of Roselle  
Park

By



Erik C. Nolan, Esq.

Dated: January 24, 2025



**Exhibit A**  
**of Resolution No. 209-25**

**CERTIFICATION PURSUANT TO R. 1:38-7(b)**

Erik C. Nolan, Esq., of full age, hereby certifies as follows:

1. I am a member of the firm of Surenian, Edwards, Buzak & Nolan LLC, attorneys for Declaratory Plaintiff, Borough of Roselle Park.
2. I certify that confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future in accordance with R. 1:38-7(b).

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, Borough of Roselle  
Park

By



Erik C. Nolan, Esq.

Dated: January 24, 2025

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, notice is hereby given that Erik C. Nolan, Esq., attorney for the Declaratory Plaintiff, Borough of Roselle Park is designated as trial counsel in the above captioned matter.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, Borough of Roselle  
Park

By



Erik C. Nolan, Esq.

Dated: January 24, 2025

**EXHIBIT 1****RESOLUTION NO. 41-25****COMMITTING TO FOURTH ROUND PRESENT AND PROSPECTIVE NEED  
AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, the Borough of Roselle Park (hereinafter the “Borough” or Roselle Park”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and,

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on June 12, 2015, the Borough of Roselle Park filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine,” and,

**WHEREAS**, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits until July 1, 2025; and,

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and,

**WHEREAS**, the Amended FHA required the Department of Community Affairs (“DCA”) to provide an estimate of the Fourth Round affordable housing obligations for all municipalities on or before October 20, 2024, based upon the criteria described in the Amended FHA; and,

**WHEREAS**, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and,

**WHEREAS**, the DCA Report calculates the Borough’s Fourth Round (2025-2035) obligations as follows: a Present Need (Rehabilitation) Obligation of 78 and a Prospective Need (New Construction) Obligation of 75; and,

**WHEREAS**, the Amended FHA further provides that, irrespective of the DCA’s calculations, municipalities have the ability to either accept, or provide alternate calculations for, the DCA’s “present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025”, a deadline which was later extended to February 3, 2025 by the Administrative Office of the Courts (“AOC”) via a directive issued on December 19, 2024; and,

**WHEREAS**, this Resolution satisfies the requirements of the Amended FHA by accepting the DCA estimate of need as described in the DCA Report; and,

**WHEREAS**, Section 3 of the Amended FHA provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7” of the Amended FHA; and,

**WHEREAS**, the Borough’s acceptance of the Fourth Round obligations calculated by the DCA are entitled to a “presumption of validity” because it complies with Sections 6 and 7 of the Amended FHA; and,

**WHEREAS**, in addition to the foregoing, the Borough specifically reserves the right to adjust its

**Exhibit A****of Resolution No. 209-25**

fair share obligations in accordance with applicable Council on Affordable Housing ("COAH") regulations or other applicable law based on one or more of the foregoing adjustments if applicable: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment, whether predicated upon lack of sewer or lack of water; and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission regulations and planning documents; and,

**WHEREAS**, in addition to the foregoing, the Borough specifically reserves all rights to revoke or amend this Resolution and commitment, as may be necessary, in the event of a successful challenge to the Amended FHA in the context of the case The Borough of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and,

**WHEREAS**, in addition to the foregoing, the Borough reserves the right to take a position that its Fourth Round Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and,

**WHEREAS**, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the Borough's Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and,

**WHEREAS**, in addition to the foregoing, the Acting Administrative Director of the AOC issued Directive #14-24 on December 19, 2024; and,

**WHEREAS**, pursuant to Directive #14-24, a municipality seeking a Fourth Round Compliance Certification from the entity created by the Amended FHA known as the Affordable Housing Dispute Resolution Program (hereinafter "the Program"), shall file an action in the appropriate venue with the Program, in the form of a Declaratory Judgment Complaint within 48 hours after adoption of the municipal resolution accepting or challenging its Fourth Round fair share obligations, or by February 3, 2025, whichever is sooner; and,

**WHEREAS**, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of the AOC Directive and the Borough reserves any and all rights and remedies in relation to the AOC Directive; and,

**WHEREAS**, the Borough seeks a Compliance Certification from the Program and, therefore, wishes to file a Declaratory Judgment Complaint in the appropriate venue with the Program, along with a copy of this Resolution, within 48 hours of the adoption of this Resolution; and,

**WHEREAS**, in light of the above, the Mayor and Borough Council finds that it is in the best interest of the Borough to declare its obligations in accordance with this binding Resolution and in accordance with the Amended FHA; and,

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

**Exhibit A****of Resolution No. 209-25**

1. All of the Whereas Clauses are incorporated into the operative clauses of this Resolution as if set forth in full.
2. For the reasons set forth in this Resolution, the Mayor and Borough Council hereby commit to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 78 and the DCA Fourth Round Prospective Need (New Construction) Obligation of 75 as described in this Resolution, subject to all reservations of rights, which specifically include, without limitation, the following:
  - a) The right to adjust the Borough's fair share obligations based on a windshield survey or similar survey, a Vacant Land Adjustment, a Durational Adjustment, and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and,
  - b) The right to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and,
  - c) The right to take any contrary position, or adjust its fair share obligations, in the event of a third party challenge to the Borough's fair share obligations.
3. Pursuant to the requirements of the FHA as amended, and the Administrator of the Court's (AOC) Directive #14-24 issued on December 19, 2024, the Borough hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint, along with this Resolution and a Case Information Statement (Civil CIS), in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution, so that the Borough's Fourth Round Housing Element and Fair Share Plan can be reviewed and approved.
4. This Resolution shall take effect immediately, according to law.

**ADOPTED:** January 23, 2025

I hereby certify that the foregoing Resolution was acted upon by the governing body on January 23, 2025 with the below captioned results on a motion to adopt.

  
**Andrew J. Casais, RMC**  
**Borough Clerk**

| COUNCIL            | INTRODUCED | SECONDED | AYE  | NAY | ABSTAIN | ABSENT |
|--------------------|------------|----------|------|-----|---------|--------|
| SIGNORELLO (Mayor) |            |          |      |     |         |        |
| PETROSKY           |            |          | ✓    |     |         |        |
| JOHNSON            |            |          | ✓    |     |         |        |
| SIGNORELLO         |            |          | ✓    |     |         |        |
| ROBAINA            |            | ✓        | ✓    |     |         |        |
| LYONS              | ✓          |          | ✓    |     |         |        |
| PATEL              |            |          | ✓    |     |         | ✓      |
| ON CONSENT AGENDA  | YES        |          | ✓ NO |     |         |        |

**Exhibit A**  
**of Resolution No. 209-25**

**Exhibit A****of Resolution No. 209-25****RESOLUTION NO. 41-25****COMMITTING TO FOURTH ROUND PRESENT AND PROSPECTIVE NEED  
AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, the Borough of Roselle Park (hereinafter the “Borough” or Roselle Park”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and,

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on June 12, 2015, the Borough of Roselle Park filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine,” and,

**WHEREAS**, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits until July 1, 2025; and,

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and,

**WHEREAS**, the Amended FHA required the Department of Community Affairs (“DCA”) to provide an estimate of the Fourth Round affordable housing obligations for all municipalities on or before October 20, 2024, based upon the criteria described in the Amended FHA; and,

**WHEREAS**, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and,

**WHEREAS**, the DCA Report calculates the Borough’s Fourth Round (2025-2035) obligations as follows: a Present Need (Rehabilitation) Obligation of 78 and a Prospective Need (New Construction) Obligation of 75; and,

**WHEREAS**, the Amended FHA further provides that, irrespective of the DCA’s calculations, municipalities have the ability to either accept, or provide alternate calculations for, the DCA’s “present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025”, a deadline which was later extended to February 3, 2025 by the Administrative Office of the Courts (“AOC”) via a directive issued on December 19, 2024; and,

**WHEREAS**, this Resolution satisfies the requirements of the Amended FHA by accepting the DCA estimate of need as described in the DCA Report; and,

**WHEREAS**, Section 3 of the Amended FHA provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7” of the Amended FHA; and,

**WHEREAS**, the Borough’s acceptance of the Fourth Round obligations calculated by the DCA are entitled to a “presumption of validity” because it complies with Sections 6 and 7 of the Amended FHA; and,

**WHEREAS**, in addition to the foregoing, the Borough specifically reserves the right to adjust its



**Exhibit A****of Resolution No. 209-25**

fair share obligations in accordance with applicable Council on Affordable Housing ("COAH") regulations or other applicable law based on one or more of the foregoing adjustments if applicable: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment, whether predicated upon lack of sewer or lack of water; and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission regulations and planning documents; and,

**WHEREAS**, in addition to the foregoing, the Borough specifically reserves all rights to revoke or amend this Resolution and commitment, as may be necessary, in the event of a successful challenge to the Amended FHA in the context of the case The Borough of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and,

**WHEREAS**, in addition to the foregoing, the Borough reserves the right to take a position that its Fourth Round Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and,

**WHEREAS**, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the Borough's Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and,

**WHEREAS**, in addition to the foregoing, the Acting Administrative Director of the AOC issued Directive #14-24 on December 19, 2024; and,

**WHEREAS**, pursuant to Directive #14-24, a municipality seeking a Fourth Round Compliance Certification from the entity created by the Amended FHA known as the Affordable Housing Dispute Resolution Program (hereinafter "the Program"), shall file an action in the appropriate venue with the Program, in the form of a Declaratory Judgment Complaint within 48 hours after adoption of the municipal resolution accepting or challenging its Fourth Round fair share obligations, or by February 3, 2025, whichever is sooner; and,

**WHEREAS**, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of the AOC Directive and the Borough reserves any and all rights and remedies in relation to the AOC Directive; and,

**WHEREAS**, the Borough seeks a Compliance Certification from the Program and, therefore, wishes to file a Declaratory Judgment Complaint in the appropriate venue with the Program, along with a copy of this Resolution, within 48 hours of the adoption of this Resolution; and,

**WHEREAS**, in light of the above, the Mayor and Borough Council finds that it is in the best interest of the Borough to declare its obligations in accordance with this binding Resolution and in accordance with the Amended FHA; and,

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

**Exhibit A****of Resolution No. 209-25**

1. All of the Whereas Clauses are incorporated into the operative clauses of this Resolution as if set forth in full.
2. For the reasons set forth in this Resolution, the Mayor and Borough Council hereby commit to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 78 and the DCA Fourth Round Prospective Need (New Construction) Obligation of 75 as described in this Resolution, subject to all reservations of rights, which specifically include, without limitation, the following:
  - a) The right to adjust the Borough's fair share obligations based on a windshield survey or similar survey, a Vacant Land Adjustment, a Durational Adjustment, and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and,
  - b) The right to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and,
  - c) The right to take any contrary position, or adjust its fair share obligations, in the event of a third party challenge to the Borough's fair share obligations.
3. Pursuant to the requirements of the FHA as amended, and the Administrator of the Court's (AOC) Directive #14-24 issued on December 19, 2024, the Borough hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint, along with this Resolution and a Case Information Statement (Civil CIS), in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution, so that the Borough's Fourth Round Housing Element and Fair Share Plan can be reviewed and approved.
4. This Resolution shall take effect immediately, according to law.

**ADOPTED:** January 23, 2025

I hereby certify that the foregoing Resolution was acted upon by the governing body on January 23, 2025 with the below captioned results on a motion to adopt.

  
**Andrew J. Casais, RMC**  
 Borough Clerk

| COUNCIL            | INTRODUCED | SECONDED | AYE  | NAY | ABSTAIN | ABSENT |
|--------------------|------------|----------|------|-----|---------|--------|
| SIGNORELLO (Mayor) |            |          |      |     |         |        |
| PETROSKY           |            |          | ✓    |     |         |        |
| JOHNSON            |            |          | ✓    |     |         |        |
| SIGNORELLO         |            |          | ✓    |     |         |        |
| ROBAINA            |            | ✓        | ✓    |     |         |        |
| LYONS              | ✓          |          | ✓    |     |         |        |
| PATEL              |            |          | ✓    |     |         | ✓      |
| ON CONSENT AGENDA  | YES        |          | ✓ NO |     |         |        |



**Exhibit A**  
**of Resolution No. 209-25**

**Exhibit A**  
**of Resolution No. 209-25**

## Civil Case Information Statement

**Case Details: UNION | Civil Part Docket# L-000355-25**

**Case Caption:** IN THE MATTER OF ROSELLE PARK  
BORO

**Case Initiation Date:** 01/24/2025

**Attorney Name:** ERIK C NOLAN

**Firm Name:** SURENIAN, EDWARDS, BUZAK & NOLAN LLC

**Address:** 311 BROADWAY STE A  
POINT PLEASANT BEACH NJ 08742

**Phone:** 7326123100

**Name of Party:** PLAINTIFF : Borough of Roselle Park

**Name of Defendant's Primary Insurance Company**  
(if known): None

**Case Type:** AFFORDABLE HOUSING

**Document Type:** Complaint

**Jury Demand:** NONE

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO

**Does this case involve claims related to COVID-19?** NO

**Are sexual abuse claims alleged by: Borough of Roselle Park?** NO

**THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE**

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category: Putative Class Action?** NO **Title 59?** NO **Consumer Fraud?** NO  
**Medical Debt Claim?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

01/24/2025  
Dated

/s/ ERIK C NOLAN  
Signed

**Exhibit A**  
**of Resolution No. 209-25**

**RESOLUTION NO. 210-25**

**AUTHORIZING THE TAX COLLECTOR TO ISSUE A REDUCTION AND/OR REFUND  
TOTALING \$19,028.59 ON ONE (1) PROPERTY AS ORDER BY THE TAX COURT OF THE  
STATE OF NEW JERSEY**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey authorize the Tax Collector, per the order of the Tax Court of the State of New Jersey, to issue a reduction and/or refund totaling \$19,028.59 for an appeal granted on Block 910, Lot 1 of the municipal tax map, commonly known as 1 East Westfield Avenue, Roselle Park, New Jersey 07204, and assessed in the name of Anna Maria Realty, LLC.

| Block | Lot | Year | Original Assessment | New Assessment | Reduction x Rate         | = | Refund      |
|-------|-----|------|---------------------|----------------|--------------------------|---|-------------|
| 910   | 1   | 2023 | \$1,169,800.00      | \$1,000,000.00 | \$169,800.00 x 4.312/100 |   | \$7,321.78  |
| 910   | 1   | 2024 | \$1,169,800.00      | \$905,000.00   | \$264,800.00 x 4.421/100 |   | \$11,706.81 |

**Total: \$19,028.59**

**BE IT FURTHER RESOLVED** that the check associated with the foregoing action shall be issued to, "Michael I. Schneek, Trustee."

**RESOLUTION NO. 211-25**

**AUTHORIZING A \$20,000.00 INCREASE TO THE PROFESSIONAL SERVICES CONTRACT  
WITH THE NEGLIA GROUP FOR PROFESSIONAL ENGINEERING SERVICES FOR THE  
PROJECT, "NJDEP TIER A MS4 STORMWATER PERMIT COMPLIANCE MEASURES"  
REFLECTING A REVISED CONTRACT AMOUNT NOT TO EXCEED \$40,000.00**

**WHEREAS**, the Neglia Group was responsive to the Request for Proposals (hereinafter, "RFP") due November 28, 2023 at 10:00 a.m. for the position of 2024 Special Project Engineer; and,

**WHEREAS**, the Neglia Group was appointed as Special Projects Engineer for the Borough of Roselle Park for the year 2024 through the adoption of Resolution No. 30-24; and,

**WHEREAS**, the Neglia Group continues to perform all services as Special Projects Engineer for the Borough of Roselle Park consistent with the response submitted by said firm, including specific services authorized within Resolution No. 109-24; and,

**WHEREAS**, Resolution No. 109-24 specifically authorized a Professional Services Contract with the Neglia Group for professional engineering services for the project, "NJDEP Tier A MS4 Stormwater Permit Compliance Measures;" and,

**WHEREAS**, adjustments to the maximum contract amount authorized by Resolution No. 109-24 have been deemed necessary, as attested by the Chief Financial Officer, to ensure the continuation of services.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, in accordance with the provisions of *N.J.A.C. 5:30-11.6 et seq.*, hereby authorize a \$20,000.00 increase to the maximum contract amount awarded to the Neglia Group

pursuant to Resolution No. 109-24 with a revised maximum contract amount not to exceed \$40,000.00; 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. 212-25**

##### **AUTHORIZING A \$10,000.00 INCREASE TO THE PROFESSIONAL SERVICE CONTRACT WITH GARRUBBO & CAPECE, PC AS LABOR ATTORNEY FOR THE YEAR 2025 REFLECTING A REVISED CONTRACT AMOUNT NOT TO EXCEED \$35,000.00**

**WHEREAS**, the firm Garrubbo & Capece, PC was responsive to the Request for Proposals (hereinafter, "RFP") due November 13, 2024 at 11:00 a.m. for the position of 2025 Labor Attorney; and,

**WHEREAS**, the firm Garrubbo & Capece, PC was appointed as Labor Attorney for the Borough of Roselle Park for the year 2025 through the adoption of Resolution No. 24-25; and,

**WHEREAS**, the firm Garrubbo & Capece, PC continues to perform all services as Labor Attorney for the Borough of Roselle Park consistent with the response submitted by said firm; and,

**WHEREAS**, adjustments to the maximum contract amount authorized in Resolution No. 24-25 have been deemed necessary, as attested by the Chief Financial Officer, to ensure the continuation of services.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey, in accordance with the provisions of *N.J.A.C. 5:30-11.6 et seq.*, hereby authorize a \$10,000.00 increase to the maximum contract amount awarded to the firm Garrubbo & Capece, PC within their capacity as Labor Attorney for the Borough of Roselle Park, with a revised maximum contract amount not to exceed \$35,000.00 for year 2025; 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. 24-25.

#### **RESOLUTION NO. 213-25**

##### **AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF CLARK FOR FIRE PREVENION SERVICES**

**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 Roselle Park and the Township of Clark and have determined that sharing fire prevention services and inspections will enhance public safety and result in log-term cost savings for both municipalities; and,

**WHEREAS**, the Township of Clark has the capacity and expertise to provide fire prevention services and inspections to the Borough of Roselle Park pursuant to the Uniform Fire Safety Act and the Uniform Fire Code of New Jersey; and,

**WHEREAS**, the Borough of Roselle Park and Township of Clark have determined that it would be mutually beneficial to enter into a Shared Services Agreement whereby the Township of Clark would act as the “Lead Agency” and provide its certified personnel, their expertise, and labor to the Borough of Roselle Park to assist in fulfillment of requirements of state statute, regulation, and general need.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that is hereby authorize a Shared Services Agreement with the Township of Clark in the form of 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.

**Exhibit A**  
**of Resolution No. 213-25**

**SHARED SERVICES AGREEMENT FOR FIRE PREVENTION PERSONNEL**

**THIS AGREEMENT** is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2025, by and between the **Township of Clark**, a municipal corporation of the State of New Jersey, located at 430 Westfield Avenue, Clark NJ 07066 (hereinafter referred to as "Clark"), and the **Borough of Roselle Park**, a municipal corporation of the State of New Jersey, located at 110 East Westfield Avenue Roselle Park NJ 07204 (hereinafter referred to as "Roselle Park").

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes local units to enter into agreements for the provision of shared services; and

**WHEREAS**, Clark and Roselle Park have determined that sharing fire prevention personnel, while maintaining separate Local Enforcing Agencies ("LEAs") will enhance public safety and result in cost savings for both municipalities; and

**WHEREAS**, Clark has the capacity and expertise to provide certified fire prevention personnel to support the operation of Roselle Park's Bureau of Fire Prevention and render such services and inspections to Roselle Park as required.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants set forth herein, and for other good and valuable consideration, the parties agree as follows:

**1. SCOPE OF SERVICES**

**1.1 Services Provided:** Clark shall provide Roselle Park with certified and licensed fire prevention personnel in support of the operation of Roselle Park's Bureau of Fire Prevention as required by the Uniform Fire Safety Act and the Uniform Fire Code of New Jersey. With the support of Roselle Park's clerical personnel assigned to the Bureau of Fire Prevention, Clark's personnel shall render services pursuant to this agreement that include, but are not limited to:

- Conducting fire inspections of all applicable properties within Roselle Park within a reasonable time after being requested to do so in writing.
- Issuing permits and certificates when an applicant meets the criteria therefor as required by law.
- Enforcing fire safety regulations and ordinances.
- Maintaining records of inspections and violations.
- Providing reports as requested but no more frequently than once a month.

**1.2 Personnel:** Clark shall assign qualified personnel to perform the services outlined in this Agreement, including, but not limited to one (1) Fire Official and three (3) fire inspectors. For purposes of this Agreement, the Fire Official and Fire Inspectors are employees of Clark for

**Exhibit A**  
**of Resolution No. 213-25**

matters related to pensions, tenure, workers' compensation and other related issues. Clark is the primary employer of the above personnel, and all salaries and costs associated therewith are to be borne solely by Clark pursuant to N.J.S.A. 40A:65-6(a).

**1.3 Operational Structure:** The current structure in Roselle Park includes positions such as an Arson Investigator and a Chief Inspector. Roselle Park agrees to eliminate these positions, with the clerical role retained.

**1.4 Ordinance Updates:** Clark shall review Roselle Park's ordinances and recommend necessary revisions. The cost of this review is included in the administrative charges outlined below. Roselle Park shall draft at its own cost and expenses the ordinances effectuating such revisions.

## **2. TERM AND TERMINATION**

**2.1 Term:** This Agreement shall commence on July 1, 2025, and shall continue for a period of eighteen (18) months, unless terminated earlier as provided herein.

**2.2 Termination:** Either party may terminate this Agreement upon providing six (6) months' prior written notice to the other party.

## **3. FINANCIAL CONSIDERATIONS**

**3.1 Annual Fee:** Roselle Park shall pay Clark an annual fee of Fifty-Two Thousand Dollars (\$52,000), payable in quarterly installments of Thirteen Thousand Dollars (\$13,000) each.

**3.2 Overtime:** Any overtime required beyond the scope of this Agreement shall be subject to prior approval by Roselle Park's Business Administrator and shall be capped at Five Thousand Dollars (\$5,000) annually. These services will be in excess of one day per week or the overtime is needed to complete the inspections, reinspections or reporting such as, but not limited to, State required reporting.

**3.3 Software Integration:** Roselle Park shall pay annually for Enforsys software integration. Any sum charged by Enforsys shall be payable directly by Roselle Park to the software vendor.

**3.4 Revenue Retention:** Roselle Park shall retain jurisdiction as the Local Enforcing Agency ("LEA") and all fees collected from fire prevention services and inspections.

## **4. ADMINISTRATIVE AND OPERATIONAL EXPENSES**

**4.1 Payroll Liabilities:** Clark shall be responsible for all statutory payroll charges, including Social Security, Medicare, unemployment, disability, and pension contributions for the Clark personnel set forth in Section 1.2 hereof who are assigned to discharge Clark's responsibilities under this Agreement.



**Exhibit A**  
**of Resolution No. 213-25**

**4.2 Administrative Burden:** Clark shall oversee and manage payroll, scheduling, and operational coordination related to the services provided under this Agreement.

**4.3 Operational Expenses:** Clark shall provide the use of a Clark Fire Prevention vehicle one (1) day per week (such day being in Clark's discretion) for services in Roselle Park.

**5. INSURANCE AND LIABILITY**

**5.1 Insurance:** Roselle Park shall name Clark as an additional insured and loss payee, as is applicable, for any liability, property damage or other casualty loss occurring while Clark's personnel or Fire Prevention vehicle or other equipment are operating within Roselle Park's jurisdiction.

**IN WITNESS WHEREOF,** the parties have executed and delivered this Agreement as of the day and year first above written.

**WITNESS OR ATTEST:**

**TOWNSHIP OF CLARK**

\_\_\_\_\_  
**EDITH L. MERKEL, RMC,**  
Township Clerk

By: \_\_\_\_\_  
**ANGEL ALBANESE,**  
Mayor

**BOROUGH OF ROSELLE PARK**

\_\_\_\_\_  
**ANDREW J. CASAIS, RMC,**  
Borough Clerk

By: \_\_\_\_\_  
**JOSEPH SIGNROELLO III,**  
Mayor

**RESOLUTION NO. 214-25**

**AUTHORIZING THE BOROUGH CLERK TO AUCTION UNCLAIMED VEHICLES**

**WHEREAS**, the Borough of Roselle Park (hereinafter, the “Borough”) no longer has use for the automobiles listed herein; and,

**WHEREAS**, the Mayor and Council (hereinafter, the “Governing Body”) of the Borough believes it to be advantageous to dispose of this now surplus property; and,

**WHEREAS**, *N.J.S.A. 40A:12-13*, *N.J.S.A. 40A:12-13.1*, and various other statutes and administrative regulations of the State of New Jersey permit the Borough to dispose of surplus property no longer needed for public use by auction and to authorize such action by Resolution.

**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 sell the listed items, as is, at public auction beginning at 10:00 a.m., local prevailing time, on Thursday, July 3, 2025; and,

**BE IT FURTHER RESOLVED** that said auction will be advertised by way of the following printed and/or electronic media: The Union County Local Source; and,

**BE IT FURTHER RESOLVED** that said auction shall be conducted by the Borough Clerk or by any person so designated by him with the following explicit provisions of sale:

1. Said property is being sold “as is”.
2. All prospective purchasers are put on notice to personally inspect the property.
3. At the date, time and place of sale, a purchaser shall deposit the entire purchase price with the Borough Clerk in cash or certified check made payable to the “Borough of Roselle Park.”
4. If the purchaser fails to take title and possession within ten calendar (10) days of the date of purchase, the Governing Body of the Borough may declare the contract of sale to be terminated and may retain all monies paid there under as liquidated damages; likewise, the Borough may re-sell said property or pursue such other and further legal and equitable remedies as it may have; furthermore, if the purchaser fails to take title or possession within said ten (10) days, purchaser will be liable for reasonable storage fees.
5. If the title to this property shall prove to be unmarketable, the liability of the Borough shall be limited to the repayment of the amount of any sums paid by said purchaser to the Borough without any further costs, expense, damage, claim against or liability upon the Borough.
6. The Borough of Roselle Park reserves the right to reject bids and shall not be obligated to accept any bids.
7. All prospective purchasers are put on notice that no employee, agent, officer, body or subordinate body has any authority to waive, modify or amend any of the conditions of sale.

| Year | Make   | Model         | Identification Number | Minimum Bid | Location |
|------|--------|---------------|-----------------------|-------------|----------|
| 2007 | Dodge  | Grand Caravan | 1D8HN44H18B137722     | \$450.00    | George's |
| 2007 | Nissan | Versa         | 3N1BC13E07L416207     | \$450.00    | CES      |
| 2007 | Honda  | Odyssey       | 5FNRL38417B402550     | \$450.00    | CES      |

**RESOLUTION NO. 215-25**

**AUTHORIZING THE TAX COLLECTOR TO ISSUE A REDUCTION AND/OR REFUND ON FOUR (4) SEWER UTILITY BILLS IN THE TOTAL AMOUNT OF \$4,590.00**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that the Tax Collector is hereby authorized to issue a reduction and/or refund on four (4) sewer utility bills totaling \$4,590.20 as follows:

| Block | Lot | Address              | Original Bill | Reduction/Refund | New Bill |
|-------|-----|----------------------|---------------|------------------|----------|
| 121   | 12  | 516 Amsterdam Avenue | \$880.00      | \$319.00         | \$561.00 |
| 207   | 30  | 444 Amsterdam Avenue | \$1,060.00    | \$60.20          | \$999.80 |
| 405   | 5   | 819 Locust Street    | \$2,720.00    | \$2,239.00       | \$481.00 |
| 810   | 17  | 142 East Clay Avenue | \$2,480.00    | \$1,972.00       | \$508.00 |