

REGULAR MEETING – AUGUST 18, 2016

READ PUBLIC MEETINGS LAW ARTICLE

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

1. Request from the residents of the 400 block of Bender Avenue to hold a Block Party on Saturday, September 3, 2016 from 12:00 Noon until 10:00 p.m., with a rain date of Sunday, September 4, 2016.
2. Request from the residents of the 600 block of Ashwood Avenue to hold a Block Party on Saturday, September 3, 2016 from 12: Noon until 10:00 p.m., with a rain date of Saturday, September 10, 2016.
3. Request from the residents of the 400 block of Amsterdam Avenue to hold a Block Party on Saturday, September 3, 2016 from 12: Noon until 10:00 p.m.

*** REPORT AND RECOMMENDATIONS OF MAYOR**

CERTIFICATES/PROCLAMATIONS

Certificates

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Proclamations

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*** REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES**

*** REPORTS OF DEPARTMENTS**

- Treasurer Report for June 30, 2016
- Construction Code Enforcement Department Report for July 2016
- Municipal Court Report for July 2016

PUBLIC COMMENT

*** MINUTES TO BE APPROVED, PENDING ANY CORRECTIONS**

Special Meeting of June 8, 2016

Regular Meetings of June 18, 2016 and July 21, 2016

*** MOTION BILLS & PAYROLLS BE NOT READ**

*** MOTION BILLS & PAYROLLS BE PASSED FOR PAYMENT**

ORDINANCES FOR 2ND READING: COUNCILWOMAN STOREY

- ORD. No. 2468 AN ORDINANCE AMENDING CHAPTER X, SECTION 10-4.1 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED FEES FOR RECREATION/COMMUNITY CENTER
- ORD. No. 2469 AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-17.2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS (PINE STREET)
- ORD. No. 2470 AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-17.2 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS (WEST ROSELLE AVENUE)
- ORD. No. 2471 AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-40.1.d OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED REGULATION FOR THE MOVEMENT AND PARKING OF MOTOR VEHICLE TRAFFIC ON MUNICIPAL PROPERTY AND/OR PUBLIC STREETS

ORDINANCES FOR INTRODUCTION: COUNCILWOMAN STOREY

- ORD. No. 2472 AN ORDINANCE AMENDING CHAPTER XVI OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED BUILDING AND CONSTRUCTION
- ORD. No. 2473 AN ORDINANCE AMENDING CHAPTER XL, SECTION 40-701 OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED APPROVAL BY CERTAIN BOARDS REQUIRED

"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."

RESOLUTIONS

- * #189-16 – Accepting the resignation of Vithal Patel from the Diversity Committee
- * #190-16 – Authorizing the Tax Collector per the Tax Court of New Jersey to issue a reduction/refund in the amount of \$10,796.07 for the year 2016 on two (2) properties

- * **#191-16** – Awarding contract to Air & Gas Technologies, 42 Industrial Drive, Cliffwood Beach, New Jersey pursuant to State Contact #GS-07F-9711G in the amount of \$47,489.95
- * **#192-16** – Awarding contract to NJ Fire Equipment pursuant to State Contact #HA80961 in the amount of \$20,571.30
- * **#193-16** – Awarding contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, New Jersey 07960 pursuant to State Contact #A803013 in the amount not to exceed \$28,000.00
- * **#194-16** – Approving Conditional Lease, for parking spaces 44 thru 49 located in the Municipal Parking Lot known as Gazebo Park, between the Heart of Worship Church and the Borough of Roselle Park in the amount of \$72.00 per year for 2016 and 2017
- * **#195-16** – Authorizing the Treasurer to issue a check in the amount of \$2,764.00 for a duplicate payment of 4th quarter 2015 taxes on Block 909/Lot 8
- * **#196-16** – Authorizing the Treasurer to issue checks totaling \$2,432.61 payable to two (2) lien holders on three (3) properties and checks totaling \$3,300.00 from the Tax Collector’s Premium Account
- * **#197-16** – Accepting the donation of the “Kneeling Soldier Memorial” from Carl Hokanson
- * **#198-16** – Authorizing that the “Kneeling Soldier Memorial” be placed at the Roselle Park Memorial Veterans Library
- * **#199-16** – Denying the grievance filed by the Borough Clerk and contract provision relating to a cap on health benefits
- * **#200-16** – Approving and adopting the revised Roselle Park Governing Body Agenda

MATTERS FOR REFERRAL TO COMMITTEE OR COUNCIL

MAYOR HOKANSON

- Appointing Emil Trgala to the Roselle Park Community Garden Committee to fill the unexpired seat of Sue Grasso

CLOSED SESSION FOR THE DISCUSSION OF NEGOTIATIONS, LITIGATION AND PERSONNEL MATTERS

ADJOURNMENT

**NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL
WILL BE HELD ON SEPTEMBER 1, 2016**

ORDINANCE NO. 2468

AN ORDINANCE AMENDING CHAPTER X, SECTION 10-4.1
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
FEES FOR RECREATION/COMMUNITY CENTER

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 10-4.1 of the Borough of Roselle Park Code be and here is amended as follows:

SECTION 1: Fees Enumerated

Community Center Rental for Private Parties.

Up to and including five (5) hours- \$300.00 (which includes a \$50.00 non-refundable deposit).

Over five (5) hours- \$300.00 (which includes a \$50.00 non-refundable deposit) plus and addition \$50.00 per additional hour.

SECTION 2: 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: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

ORDINANCE NO. 2469

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-17.2
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS
(PINE STREET)

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 7-17.2 be and here is amended to add the following location as follows:

SECTION 1: 7-17.2 Preferential Parking Zones: Locations and Restrictions.

<u>Name of Street</u>	<u>Side</u>	<u>Time</u>	<u>Location</u>
Pine Street	Both	2am-5am	700 Block Between West Roselle Avenue and West Colfax Avenue.

SECTION 2: 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: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

ORDINANCE NO. 2470

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-17.2
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS
(WEST ROSELLE AVENUE)

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter 7, Section 7-17.2 be and here is amended to add the following location as follows:

SECTION 1: 7-17.2 Preferential Parking Zones: Locations and Restrictions.

<u>Name of Street</u>	<u>Side</u>	<u>Time</u>	<u>Location</u>
West Roselle Avenue	Both	2am-5am	Between Hazel Street and Larch Street.

SECTION 2: 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: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

ORDINANCE NO. 2471

AN ORDINANCE AMENDING CHAPTER VII, SECTION 7-40.1.d
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
REGULATION FOR THE MOVEMENT AND PARKING OF MOTOR VEHICLE TRAFFIC
ON MUNICIPAL PROPERTY AND/OR PUBLIC STREETS

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter 7, Section 7-40.1.d be and here is amended as follows:

d. Municipal Parking Lot #2.

1. Location—Municipal Parking Lot #2 is located on Chestnut Street between Charles Street and East Grant Avenue.

2. Maximum Time Limits—The time limit for Municipal Lot #2 is as follows:

<i>Parking Stalls</i>	<i>Hours of Enforcement</i>	<i>Maximum Time Limit</i>
1 through 43	8:00 a.m. to 6:00 p.m. Monday through Saturday	12 hours
44 through 50	Reserved for the use of employees and volunteers working at the Casano Community Center. Vehicles in the designated stalls must display a permit card issued by the Mayor and Council through the office of the Administrative Assistant.	
54 through 60	8:00 a.m. to 6:00 p.m. Monday through Saturday	12 hours

3. Snow Removal Parking Prohibited. Whenever snow has fallen and the accumulation is such that it covers the street, an emergency shall exist and no vehicle shall be parked in the Municipal Parking Lot No. 2.

4. Establishment of Preferential Parking for Senior Citizens in Lot No. 2.

(a) Authorization. The Mayor and Council finds that it is appropriate to designate parking by permits in Borough Lot No. 2 to senior citizens over the age of sixty (60).

(b) Issuance of Permits.

(1) Issuing authority, the Borough Clerk, shall issue permits for preferential parking for automobiles owned and operated by Senior Citizen residents of the Borough of Roselle Park over the age of sixty (60) in Borough Parking Lot No. 2. Applicants for such permits shall be required to present proof of residency by a valid New Jersey Drivers License and Motor Vehicle Registration.

(2) Fees. There will be no fee charged for Senior Citizen Parking Permits for Borough Lot No. 2.

(3) Duration of Permits. Permits issued pursuant to this section shall remain in effect from August 1 to July 31 of the year following the date of issuance or fraction thereof, as long as the applicant continues to reside in the Borough of Roselle Park. Renewals for permits shall be applied for and issued during the month of July preceding the period for which a renewal is sought. Each renewal shall be subject to the same conditions and restrictions as any new application.

(c) Prohibitions.

(1) It shall be unlawful for any person to sell, rent, transfer or lease, or cause to be sold, rented, transferred or leased, for any value or consideration or no value or consideration any preferential parking permit. Upon conviction for a violation of this subsection, all preferential permits issued to a senior citizen shall be void and shall be returned to the Borough Clerk's office.

(2) It shall be unlawful for any person to buy or otherwise acquire for value, or otherwise use any preferential parking permit, except as provided for in this section.

(d) Penalty for Violation. The penalty for violation of this chapter shall be a fine not exceeding one thousand (\$1,000.00) dollars or imprisonment for a period of ninety (90) days, or both, and revocation of the parking permit privilege.

(e) Preferential Parking Zone Established. Preferential Parking Zones: Locations and restrictions. The following is a designated preferential parking zone, provided space is available:

Borough Lot No. 2	East Grant Avenue and Chestnut Street (CR 627)	9:00 a.m. to 6:00 p.m., Monday to Friday
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5. Establishment of Parking Restrictions During the Roselle Park Farmers Market.

- (a) Authorization. The Mayor and Council find that it is appropriate to restrict parking in stalls 1 through 24 in Borough Lot 2 for the Roselle Park Farmers Market to operate on Wednesdays during the months of July through October.
- (b) Prohibition. No unauthorized vehicles shall park in parking stalls 1 through 24 from 8:00 p.m. until 6:00 p.m. in in Borough Lot 2 on Wednesdays during the months of July through November.
- (c) Penalty for Violation. The penalty for violation of this chapter shall be the penalty set forth in Section 7-4 of this Chapter. In addition, anyone who violates this section shall subject their vehicle to be towed at the owner's expense.

SECTION 2: 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: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

ORDINANCE NO. 2472

AN ORDINANCE AMENDING CHAPTER XVI
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
BUILDING AND CONSTRUCTION

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, and State of New Jersey that Chapter 16, be and here is amended as follows:

SECTION 1: 16-1.1 Enforcing Agency Established; Subcode Officials Designated.

a. There is hereby established in the Borough of Roselle Park a State Uniform Construction Code enforcing agency to be known as the "Building Department," consisting of a Construction Official, Building Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, Fire Protection Subcode Official, Inspectors, Technical Assistants and such other Subcode officials, Inspectors, and Technical Assistants as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the chief administrator of the enforcing agency.

b. Each official position created in paragraph a. hereof shall be filled by a person qualified for such position pursuant to N.J.S.A. 52:27D-119 et seq., as amended, and N.J.A.C. 5:23, provided that in lieu of any particular Subcode Official or Inspector, an on-site inspection agency may be retained by contract pursuant to N.J.A.C. 5:23. More than one such official position may be held by the same person, provided that such person is qualified pursuant to N.J.S.A. 52:27D-119 et seq., and N.J.A.C. 5:23 to hold each such position.

c. The public shall have the right to conduct business with the enforcing agency during the hours of operation established by the Borough of Roselle Park, except for emergencies and unforeseen circumstances. The hours of operation shall be conspicuously posted within the Municipal Building.

SECTION 2: 16-1.2 Appeals.

All appeals from decisions by the enforcing agency, shall be filed with the Union County Construction Board of Appeals in accordance with the provisions of the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq. and the regulations promulgated under N.J.A.C. 5:23.

SECTION 3: 16-1.3 Fees.

a. The fees to be charged for a construction permit shall be the sum of the below fees and shall be paid before the permit is issued. Fees may be rounded to the nearest dollar amount.

1. The Building Subcode fees shall be as follows:

- (a) For new construction and additions, the fees are based on volume in cubic feet. The fee shall be four and one-half (\$0.045) cents per cubic foot for use Groups R-3 and R-5 and five and one-half (\$0.055) cents per cubic foot for all other Use Groups. The minimum fee shall be Three Hundred (\$300.00) Dollars for use groups R-3 and R-5 and Five Hundred (\$500.00) Dollars for all other use groups.
- (b) For renovations, alterations and repairs, the fees shall be based on estimated cost of the work, except that the minimum fee shall be Ninety (\$90.00) Dollars for use groups R-3 and R-5 and One Hundred Fifty (\$150.00) Dollars for all use groups other than R-3 and R-5. The fee shall be calculated at a rate of Thirty Dollars (\$30.00) per One (\$1,000.00) Thousand Dollars of construction value.
- (c) Plan Review. The fee for plan review shall be twenty percent (20%) of the amount charged for the construction permit. The amount of this fee shall be deducted from the amount of the fee due for a construction permit. Plan review fees are not refundable.
- (d) Demolition Fees:
 - (i) Demolition of a one or two family residence shall be One Thousand (\$1,000.00) Dollars;
 - (ii) All other use groups shall be Two Thousand Five Hundred (\$2,500.00) Dollars;
 - (iii) Residential accessory structures shall be Seventy-Five (\$75.00) Dollars;
 - (iv) Sewer and water capping associated with a demolition permit (Plumbing Subcode) shall be Two Hundred (\$200.00) Dollars each.
- (e) Roofing and Siding:
 - (i) The fees for roofing and siding work completed on structures in use groups R-3 and R-5 shall be Two Hundred (\$200.00) Dollars when the cost of work is less than Six Thousand (\$6,000.00) Dollars and Two

Hundred Fifty Dollars (\$250.00) when the cost of work exceeds Six Thousand (\$6,000.00) or more.

- (ii) Roofing and siding of an accessory structure (ex: garage) will be Seventy-Five (\$75.00) Dollars.
- (iii) Roofing and siding for all other use groups shall be priced as rehabilitation. The fee shall be calculated at a rate of Twenty-Six (\$26.00) Dollars per One Thousand (\$1,000) Dollars of construction value.

(f) Elevator Fees:

The fees shall be as set forth in N.J.A.C. 5:23-12.

(g) Sign Fees:

The fee for a permit to construct a sign shall be in the amount of Five (\$5.00) Dollars per square foot surface of the sign, computed on one side only for double faced signs. The minimum fee shall be One Hundred Twenty-Five (\$125.00) Dollars.

(h) Certificate of Occupancy Fees, New Construction or Alterations:

- (i) The fee for use group R-5 reconstructions and additions shall be 10% of the total cost of the permit with a minimum of fee of Two Hundred Fifty (\$250.00) Dollars.
 - (a) The fee for new construction R-5 shall be the greater of 10% of the total cost of the permit or a minimum fee of Four Hundred (\$400.00) Dollars.
 - (b) The fee for a certificate of occupancy issued for decks and pools, both in ground and above ground and accessory structures, shall be Seventy-Five (\$75.00) Dollars.
- (ii) The fee for all use groups other than R-5 shall be the greater of 10% of the total cost of the permit or a minimum fee of Four Hundred (\$400.00) Dollars.
- (iii) The fee for a Certificate of Occupancy granted pursuant to a change of use shall be Four Hundred (\$400.00) Dollars.
- (iv) The fee for a Certificate of Continued Occupancy shall be Four Hundred (\$400.00) Dollars.
- (v) The fee for a Temporary Certificate of Occupancy certifying that work was done under a construction permit and complies with DCA bulletin (01-2) or its successor shall be One Hundred Twenty-Five (\$125.00)

Dollars for use group R-5 and (ii) Two Hundred Fifty (\$250.00) Dollars for all use groups other than R-5.

(i) Asbestos Abatement Fees.

An administrative fee of Two Hundred Fifty (\$250.00) Dollars shall be charged for an asbestos abatement project.

(j) Variation Fees.

The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be five hundred (\$500.00) dollars for Class I structures and One Hundred Fifty (\$150.00) Dollars for Class II and Class III structures.

(k) Swimming Pools:

(i) The fee for an aboveground swimming pool shall be One Hundred Fifty (\$150.00) Dollars

(ii) The fee for an in-ground swimming pool shall be Eight Hundred (\$800.00) Dollars.

(iii) The fee for a fence as part of a pool enclosure shall be Seventy-Five (\$75.00) Dollars.

(l) Lead Abatement:

(i) The fee for a permit for lead abatement work shall be One Hundred Fifty (\$150.00) Dollars.

(ii) The fee for a lead abatement clearance certificate shall be Thirty (\$30.00) Dollars.

(m) Storage tanks, installation and removal per tank:

(i) Tanks unregulated as per DCA Bulletin 95-1B or its successor: One Hundred (\$100.00) Dollars.

(ii) Regulated tanks as per DCA Bulletin 95-1D or its successor: One Thousand Five Hundred (\$1,500.00) Dollars.

2. The Plumbing Subcode fees shall be as follows:

- (a) All plumbing fixtures, stacks and vents, including but not limited to all sinks, urinals, water closets, bathtubs, fountains, dishwashers, garbage disposals, clothes washers, floor drains, roof drains including roof leaders, or similar devices: Thirty (\$30.00) Dollars per fixture; minimum fee of Ninety (\$90.00) Dollars.

- (b) Special devices, grease traps, oil, sewage ejectors, separators, water-cooled air-conditioning, utility service connections (sewer or water), not limited to sump pump, water softener, gas pipe, waterlines: One Hundred (\$100.00) Dollars per unit
 - (i) Sewer capping, water line capping Two Hundred (\$200.00) Dollars each.
 - (ii) Condensate pumps A/C: Thirty (\$30.00) Dollars.
 - (iii) Back wash discharge & pool heaters all pools: Ninety (\$90.00) Dollars.

- (c) Boilers, furnaces and hot air furnace replacements including AC condenser unit replacements *in the same location*: Two Hundred Twenty-Five (\$225.00) Dollars per unit; steam or hot water boiler: need backflow preventer.
 - (i) Unit heaters One Hundred Fifty (\$150.00) Dollars;
 - (ii) Hot air furnace with A/C (New, or relocated within the structure) Ninety (\$90.00) Dollars
 - (iii) Gas air test six (6) month shut off only Ninety (\$90.00) Dollars.

- (d) Hot water heaters:
 - (i) Seventy-Five (\$75.00) Dollars per unit for use groups R-3 or R-5.
 - (ii) One Hundred Twenty-Five (\$125.00) Dollars for all other use groups.

- (e) Backflow and pressure-reducing devices:
 - (i) Backflow preventer for residential home only: Thirty-Five (\$35.00) Dollars;
 - (ii) Industrial backflow preventer: Ninety (\$90.00) Dollars;
 - (iii) Backflow preventer lawn sprinkler: Seventy-Five (\$75.00) Dollars;
 - (iv) Backflow preventer yearly test: One Hundred (\$100) Dollars;

- (f) Oil tank piping:
 - (i) 1 gal – 550 gal: Seventy-Five (\$75.00) Dollars;
 - (ii) Oil Tank piping for tanks above 550 gal: One Hundred (\$100.00) Dollars;

(iii) Oil storage tank with double wall containment: One Hundred Twenty-Five (\$125.00) Dollars.

3. The Electrical Subcode fees shall be as follows:

(a) Receptacles and fixtures including smoke detectors, heat detectors, intercom devices, and burglar alarms.

(i) One (1) to fifty (50): Ninety (\$90.00) Dollars

(ii) Each additional twenty-five (25) fixtures Forty (\$40.00) Dollars

(iii) Parking lot light standards, each: Fifty (\$50.00) Dollars.

(b) Motors and electrical devices.

(i) One (1/2) horsepower to ten (10) horsepower: Fifty (\$50.00) Dollars;

(ii) Ten and one-tenth (10.1) horsepower to Twenty-Five (25) horsepower: Ninety (\$90.00) Dollars;

(iii) Twenty-five and one-tenth (25.1) horsepower to fifty (50) horsepower: One Hundred Fifty (\$150.00) Dollars;

(iv) Fifty and one-tenth (50.1) horsepower to seventy-five (75) Horsepower: One Hundred Seventy-Five (\$175.00) Dollars;

(v) Seventy-five one-tenth (75.1) horsepower to one hundred (100) Horsepower: One Hundred Seventy-Five (\$175.00) Dollars;

(vi) One hundred one tenth (100.1) horsepower and larger: Five Hundred (\$ 500.00) dollars.

(c) Transformers and generators.

(i) One (1) kilowatt to ten (10) kilowatts: Fifty (\$50.00) Dollars;

(ii) Ten and one-tenth (10.1) kilowatts to fifty (50) kilowatts: One Hundred Twenty-Five (\$125.00) Dollars;

(iii) Fifty and one-tenth (50.1) kilowatts to one hundred twelve and a half (112.5) kilowatts: One Hundred Seventy-Five (\$175.00) Dollars;

- (iv) One hundred twelve and six-tenths (112.6) kilowatts and larger:
Five Hundred (\$500.00) Dollars.
- (d) Service equipment, including service panel, service entrance, sub-panel and automatic transfer switches.
 - (i) Zero (0) to one forty-nine & nine tenths (149.9) amperes: Ninety (\$90.00) Dollars;
 - (ii) One hundred fifty (150) to two hundred ninety-nine (299) amperes:
One Hundred Fifty (\$150.00) Dollars;
 - (iii) Three hundred (300) amperes to four hundred fifty (450) amperes
Three Hundred (\$300.00) Dollars;
 - (iv) Four hundred fifty-one (451) amperes to six hundred forty-nine
Amperes (649) Four Hundred (\$400.00) Dollars;
 - (v) Six hundred fifty amperes and larger One Thousand (\$1,000.00)
Dollars.
- (e) Other electrical items including gas-pipe bonding: Ninety (\$90.00) Dollars.
- (f) Minimum electrical permit fee (including permit updates): Ninety (\$90.00)
Dollars.
- (g) Low Voltage Service Equipment:
 - (i) Low voltage fees:
 - (a) Alarms R-3 & R-5 use groups: Ninety (\$90.00) Dollars.
 - (b) Alarms all other use groups: Two Hundred (\$200.00)
Dollars up to 25 contacts, additional contacts shall be
charged out at a rate of Ninety (\$90.00) Dollars for each
additional 25 contacts or fraction thereof.
 - (c) Data: 1 to 50: Two Hundred (\$200.00) Dollars; each
additional 25 connections or fraction thereof, Ninety
(\$90.00) Dollars.
 - (d) Telephone: 1 to 50: One Hundred Fifty (\$150.00) Dollars;
each additional 25 connections or fraction thereof: Ninety
(\$90.00) dollars.
 - (ii) High Voltage Service-minimum fee: One Thousand Five Hundred
(\$1,500.00) Dollars.

(h) Swimming pools.

- (i) Permit fee:
 - (1) Above-ground: One Hundred Twenty-Five Five (\$125.00) dollars
 - (2) In-ground: Five Hundred (\$500.00) Dollars.
- (ii) Pumps, bonding, convenience outlets, lights, sweepers and other accessories: At the rates set forth in other section of this ordinance or at published rates. For in ground pool the fee shall be Ninety (\$90.00) Dollars.
- (iii) Annual inspection fee. All pools other than private pools, which are accessory to one and two family homes, are subject to an annual electrical inspection. The fee shall be Three Hundred (\$300.00) Dollars.
- (iv) Pool bonding certification for in-ground public pools shall be One Hundred Twenty-Five (\$125.00) Dollars.

(i) Solar Equipment.

- (i) Less than 10 KW, Ninety (\$90.00) Dollars.
- (ii) From 10 to 20 KW, One Hundred-Fifty (\$150.00) Dollars.
- (iii) From 20.1 to 50 KW, Two Hundred (\$200.00) Dollars.
- (iv) From 50.1 to 100 KW, Two Hundred fifty (\$250.00) Dollars.
- (v) Over 100.1 KW, Five hundred (\$500.00) Dollars.

4. The Fire Subcode fees shall be as follows:

- (a) Sprinkler, wet and dry, based upon the number of heads being installed:

Number of Heads	Fee
(i) 1 to 20	\$200.00.
(ii) 21 to 100	\$400.00.
(iii) 101 to 200	\$600.00.
(iv) 201 to 400	\$900.00
(v) 401 to 1,000	\$1,400.00.
(vi) Over 1,000.	\$1,600.00

- (b) Smoke and heat detectors, horns, strobes, bells, tempers, pull stations, water flow alarms, and similar devices, all use groups.
 - (i) 1 to 8 \$90.00
 - (ii) Each additional 8 \$40.00
- (c) Pre-engineered systems:
 - (i) CO (2) Suppression: Two Hundred (\$200.00) Dollars.
 - (ii) Halon Suppression: Two Hundred (\$200.00) Dollars.
 - (iii) Foam Suppression: Two Hundred (\$200.00) Dollars.
 - (iv) Dry Chemicals: Two Hundred (\$200.00) Dollars.
 - (v) Wet Chemicals: Two Hundred (\$200.00) Dollars.
- (d) Standpipe: Three Hundred (\$300.00) Dollars.
- (e) Kitchen hood exhaust systems: Two Hundred (\$200.00) Dollars.
(Excludes R-2, R-3, & R-5 Residential Use Groups)
- (f) Incinerators: Five Hundred (\$500.00) Dollars.
- (g) Crematoriums: One Thousand (\$1,000.00) Dollars.
- (h) Gas or oil-filled appliances including chimney liners: Ninety (\$90.00) Dollars.
- (i) Exit and emergency lights (including exit discharge lights):
 - (i) 1-5: Ninety (90.00) Dollars;
 - (ii) Each additional 5: Forty (\$40.00) Dollars.
- (j) The fee for each standalone sprinkler system water main shall be Two Hundred (\$200.00) Dollars. (Designed under NFPA 13)
- (k) Tank installations:
 - (i) Unregulated tanks: One Hundred (\$100.00) Dollars installed under DCA Bulletin 95-1A;
 - (ii) Regulated tanks: One Thousand (\$1,000.00) Dollars installed under DCA Bulletin 95-1C;
 - (iii) Emergency shut-off device and gasoline dispensers: One Hundred-Fifty (\$150.00) Dollars per device.
- (l) The minimum fee for Fire Subcode is Ninety (\$90.00) Dollars.

(5) General provisions.

- (a) Receipt of a fully completed application for a permit, signed by the applicant, is a prerequisite for conducting inspections and issuing permits.
- (b) All fees set forth herein shall cover the costs of two (2) inspections made on any one (1) application.
- (c) Each additional inspection on any one (1) application shall require a minimum re-inspection fee of Ninety (\$90.00) Dollars.
- (d) An authorized representative of the applicant, as well as the licensed contractor's representative (all Subcodes) shall be present at the work site for each inspection to be made.
- (e) After-working hours or Saturday inspections may be scheduled at the discretion of the Construction Code Official. The charge shall be Two Hundred (\$200.00) Dollars per hour with a two (2) hour minimum in addition to the fees set forth in this ordinance.
- (f) The estimated cost (value) of work for any Subcode shall include all costs associated with the project, (N.J.A.C. 5:23-2.14) the costs shall include all labor, materials, and contractor's profit. The amounts entered on the permit application forms are subject to review by the Construction Official, who may approve or modify them as necessary using the latest addition of the Means Cost Data guide. A copy of the contract, contractor's proposal, or an estimate submitted by a New Jersey Licensed Design Professional or licensed contractor is required.
- (g) Non-Use; Lapse of Permits:
 - (i) In the event that a permit once issued and paid for shall not be exercised or constructed, the permittee shall be entitled to a refund in the amount of the fee paid upon a written application therefore and return of the permit issued less the twenty (20%) percent designated as plan review.
 - (ii) In the event a permit shall lapse by reason of time, the fee upon application for renewal shall be the full price of the permit as calculated by the most currently adopted fees as listed in this ordinance.
 - (iii) The fee for a charge of contractor shall be Ninety (\$90.00) Dollars per Subcode (Minimum Fee).

(6) Waiver of enforcing fees for the following:

- (a) Construction performed by or on behalf of the Borough of Roselle Park;
- (b) Construction to a public building owned by the County of Union or the Roselle Park Board of Education;
- (c) Houses of Worship within the Borough of Roselle Park when they "own the land and improvements" where they conduct services; and

(d) Federal 501(c)(3) Organizations within the Borough of Roselle Park when they “own the land and improvements.”

SECTION 4: Fire Limits.

a. The following fire limits are established pursuant to N.J.A.C. 5:23:

1. Westfield Avenue from the City line of Elizabeth to the Township line of Cranford one hundred fifty (150) feet on the north side and the entire area from Westfield Avenue to the Central Railroad of New Jersey on the south side, or a greater distance if required by the business zoning section of the Zoning Ordinance.

2. Chestnut Street from Westfield Avenue to the southerly right-of-way of the Lehigh Valley Railroad and two hundred (200) feet on each side thereof.

b. The Construction Official shall prepare and submit to the Mayor and Council biannually a report reevaluating the delineation of the fire limits. This report shall indicate the recommendations of the Construction Official, the Building Subcode Official and the Fire Subcode Official regarding those areas which should be designated as within fire limits, with the reasons therefor.

SECTION 5: 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 6: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 7: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

ORDINANCE NO. 2473

AN ORDINANCE AMENDING CHAPTER XL SECTION 40-701
OF THE CODE OF THE BOROUGH OF ROSELLE PARK ENTITLED
APPROVAL BY CERTAIN BOARDS REQUIRED.

SECTION 1:

- A. Pursuant to the provisions of N.J.S.A. 40:55D-37, approval by subdivision plats by resolution of the Planning Board shall be required as a condition precedent for the filing of such plats with the Union County Register's office. Approval of site plans by resolution of the Planning Board shall be required as a condition precedent to the issuance of a building permit, zoning permit or certificate of occupancy for any alterations, additions or change in use of any existing structures or construction of new structures or construction, alteration, addition or commencement of or to a conditional use, provided that the resolution of the Board of Adjustment shall substitute for that of the Planning Board whenever the Board of Adjustment has jurisdiction over a subdivision or site plan pursuant to Section 40-211B.
- B. Subdivisions for individual lot applications for detached one- or two-dwelling-unit buildings shall be exempt from site plan review and approval.
- C. The Zoning Officer may issue a zoning permit and waive site plan review and approval for alterations to existing buildings where the alteration will not change exterior building dimensions, the use is permitted in the zone district, the alterations will not increase the parking requirements and/or the changes do not cause any other more stringent conditions to

be imposed. The Zoning Officer, in order to make such determinations, may require the submission of any proofs, documentation, plans and the like which he deems necessary to determine compliance with these conditions. If the Zoning Officer is not satisfied as to an applicant's fulfillment of such conditions or if he should determine that site plan review and approval is necessary, he shall not grant a waiver of site plan requirements.

(1980 Code § 128-39; amended by Ord. No. 1113; Ord. No. 1348; Ord. No. 2232 § I)

SECTION 2: 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: All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4: This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

RESOLUTION NO. 189-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby accept the resignation of Vithal Patel from the Diversity Committee effective immediately.

RESOLUTION NO. 190-16

BE IT RESOLVED that the Tax Collector is hereby authorized per the State Tax Court of New Jersey to issue a reduction and/or refund totaling \$10,796.07 for appeals issued on two (2) properties assessed in the name of NJ Developers, LLC located at 10 Westfield Ave., W. Roselle Park, N.J.

<u>Block/Lot</u>	<u>Year</u>	<u>Original Assessment</u>	<u>New Assessment</u>	<u>Reduction</u>	<u>x Rate</u>	<u>=</u>	<u>Refund</u>
610/1	2016	252,500.	245,000.	7,500.	3.811	\$	285.83
610/3	2016	1,954,100.	1,678,300.	275,800.	3.811		\$10,510.24

Check to be issued to: McKirdy & Riskin, P.A.

RESOLUTION NO. 191-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract to Air & Gas Technologies, 42 Industrial Drive, Cliffwood Beach, NJ pursuant to state contact #GS-07F-9711G in the amount of \$47,489.95 for the purchase of 1 Bauer Air Compressor.

RESOLUTION NO. 192-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract to NJ Fire Equipment pursuant to state contact #HA80961 in the amount of \$20,571.30 for the purchase of nine (9) Scott air pack masks and three (3) Scott air packs.

RESOLUTION NO. 193-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby award a contract Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07960 pursuant to state contact #A803013 in the amount not to exceed \$28,000.00 for the purchase of one (1) 2017 Ford Explorer.

RESOLUTION NO. 194-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, hereby approve a Conditional Lease, for parking spaces 44 thru 49 located in the Municipal Parking Lot known as Gazebo

Park, between the Heart of Worship Church and the Borough of Roselle Park in the amount of \$72.00 per year for 2016 and 2017, subject to the terms and condition of said conditional lease.

RESOLUTION NO. 195-16

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Tax Collector hereby authorizes the Treasurer to issue a check in the amount of \$2,764.00 payable to Ellen Lee, LLC for a duplicate payment made on 4th quarter 2015 taxes on Block 909/ Lot 8 (otherwise known as 14 Charles St., Roselle Park, N.J.) and assessed in the name of Ellen Lee, LLC. Double payment made by Title Company due to sale, to be returned to original owner.

RESOLUTION NO. 196-16

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that the Tax Collector hereby authorizes the Treasurer to issue multiple checks totaling \$2,432.61 payable to two (2) lien holders on three (3) properties (paperwork available in the Tax Office); and

BE IT FURTHER RESOLVED to issue checks totaling \$3,300.00 from the Tax Collector's Premium Account.

RESOLUTION NO. 197-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, hereby accepts the donation of the "Kneeling Soldier Memorial" from Carl Hokanson.

RESOLUTION NO. 198-16

BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, hereby authorizes that the "Kneeling Soldier Memorial" be placed at the Roselle Park Memorial Veteran's Library.

RESOLUTION NO. 199-16

WHEREAS, the Borough of Roselle Park like all public agencies has faced significant increases in health costs, and

WHEREAS, the Borough Clerk filed a grievance against the Borough of Roselle Park regarding her requirement to contribute to the increase in health benefits, and

WHEREAS, while acknowledging that the Borough Clerk was not a member of a collective bargaining unit, with a contractual right to file a grievance, due to the significance of the issue, the Mayor permitted the grievance process to continue, and

WHEREAS, the Governing Body considered an existing contract brought forth by counsel to the Borough Clerk, and

WHEREAS, the Governing Body also considered subsequent changes to state law on the subject health contributions, and

WHEREAS, the Governing Body further considered the series of local government finance notices prepared by the Department of Community Affairs on the subject of payment for rising health care costs, and

WHEREAS, the Governing Body further considered the impact of reduced healthcare costs for the clerk would have on bargaining units as well as comparable employees within the Borough of Roselle Park, and

WHEREAS, the Governing Body concluded the contract presented by the Borough Clerk is not valid in terms of enforcement of provisions relating to health costs.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Governing Body of the Borough of Roselle Park after due deliberation and consideration, the grievance, filed by the Borough Clerk, Doreen Cali, is hereby denied, and the contract provision relating to a cap on health benefits is found to be unenforceable.

RESOLUTION NO. 200-16

WHEREAS, the Agenda Committee has conducted a comprehensive review of the Roselle Park Governing Body Agenda, to determine whether any existing provisions should be updated or revised; and

WHEREAS, the Agenda Committee has prepared and presented verbal reports to the Governing Body describing the issues it considered and the changes it recommends; and

WHEREAS, the Governing Body has suggested certain additional changes and revisions;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park, hereby approve and adopt the revised Agenda, which is attached hereto and incorporated by reference into this Resolution.

BOROUGH OF ROSELLE PARK AGENDA

JANUARY 1, 2016

– EXAMPLE AGENDA WITH DESCRIPTIONS

This Regular Meeting of the Mayor and Council of the Borough of Roselle Park is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice has been provided by transmitting the Resolution of Annual Meetings to the (name of the official newspapers), by posting it in the Borough Hall on a bulletin board reserved for such announcements, and by posting it on the official website of the borough. This agenda is complete to the extent known and formal action will be taken.

1. Read Public Meetings Law Article

- *Standard Open Public Meetings Language*

2. Roll Call

- *Roll call by clerk*

3. Moment of Silence/Prayer

- *Prayer read by Mayor or designee*

4. Pledge of Allegiance

- *Member leads in Pledge*

5. Proclamations & Presentations

Jim Dunn – 100th Birthday (example)

- *This portion of the meeting would be dedicated to recognition of individuals, groups or presentation of proclamations*

6. Approval of Meeting Minutes

Regular Meeting Minutes – (DATE)

- *Minutes presented for approval would be listed here and voted upon members.*

7. Motion Bills & Payrolls Be Not Read/ Motions Bills & Payrolls Be Passed for Payment

- Standard language from current agenda listed here after all other resolution are listed and voted upon.

8. Public Portion

Limited To Agenda Items Only (Time Limit of 5 Minutes)

-*this would be the first Public Portion of the meeting and would be dedicated specifically for items listed on the agenda. As always, ordinances for second reading would have their own separate public portion. Public comment on matters not listed on the agenda would be discussed towards the end of the meeting. While currently public portion is listed for 7 minutes, in this agenda sample, there would be two 5 minute public portion opportunities.*

9. Workshop Discussion

- This would be the working part of each meeting. It is sometimes called the executive session of the meeting and items are listed for discussion. Sometimes items are listed that were discussed at a council committee or previous council meeting. Sometimes it can be a presentation requested by the Mayor or majority of Council. The goals are:

- to make the public aware that a discussion of an item is taking place
- to document that the Governing Body has discussed an item and placed it on the record.
- to determine at the end of the discussion if further research and investigation is warranted or if action is needed to take place.

Items listed here are those requested by the Mayor, a member of Council, professionals, or other requests made to the Mayor and listed for discussion. From time to time, there will be a need to list an item for discussion that was not placed on the agenda. These items are usually as a result of an emergency or are uncontroversial, necessary or routine. If an item is in need of discussion, but is not listed on the agenda, it may be placed on the agenda for discussion.

Item A: Presentation by Department Heads and Acceptance of Reports

Item B: Use of Borough Property

- Roselle Park Pop Warner – October 1st Back up date of Nov. 1
- Annual Bender Avenue Halloween – Oct. 31, 2-7 pm

Item B: COAH Update

Item C: An Area in Need of Redevelopment - Update

Item D: Discussion regarding Parking Meters in Downtown Area

Item E: Presentation of Public Staff Mobile Application.

Item F: Best Practices report

10. Consent Agenda *

- This is the part of the meeting where the Mayor and Council take action on items listed. It is sometimes referred to as the Regular portion of the meeting since the business of the Borough is voted upon. Items listed from hereon, for the most part, were previously discussed by the Governing Body and now the Mayor and Council will act upon it. Some of the items are those requested by professionals and are considered necessary and routine, such as redemption of tax sale certificates, transfer resolutions, etc.

"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."

Resolutions:

150-2016 Refund Tax Lien Redemption – Smith

151-2016 Refund Tax Lien Premium – Smith

152-2016 Appointing Part Time Dispatcher – O'Toole

153-2016 Accepting Resignation from Public Works – Tom Jones

154-2016 Award of Contract to ABC Company

- Resolutions are conducted in the same manner as it is currently listed on the agenda. Items not listed on the agenda at the time of release by the clerk's office, cannot be placed on the agenda unless it is requested as noted in #9 above.

11. Ordinances – Second Reading

2197-16 - Amending Parking Restrictions on Cherry Street. (example)

12. Ordinances – First Reading

2198-16 – Bond Ordinance for Police Equipment (example)

13. Mayor and Council Members’ Committee Reports

- This is the portion of the meeting where the Mayor and Council Members report on their committee liaison assignments. It is also an opportunity to present items for discussion at a future meeting, referral to the Mayor, Councilmember, Committee or professional staff. Here the Governing Body member discloses to the public an item that may be discussed at a future time.

14. Public Portion

On any subject (Time Limit 5 Minutes)

-by this time, the public has had an opportunity to discuss matters listed on the agenda noted in #8. Here, the public can speak on any matter as required by the Open Public Meetings Act (OPMA). This portion keeps the Borough in compliance with OPMA.

15. Executive (Closed) Session

- Matters for closed session recognized here are those where action is not expected to take place. Closed session items should be listed on the agenda upon the release of the agenda to the public and to the Governing Body. This provides public disclosure and disclosure to council members. Therefore, requests for closed session items from Borough professionals or council should be sent to the Mayor and council for consideration and the Mayor to send to the clerk for listing. If an item is not listed in this section upon the release of the agenda, the request for the item to be placed shall be announced in #9

16. Adjournment

NEXT REGULAR SCHEDULED MEETING OF THE MAYOR AND COUNCIL WILL BE HELD ON JANUARY 16, 2016