

**BOROUGH OF ROSELLE  
MAYOR & COUNCIL  
WORKSHOP MEETING MINUTES  
JANUARY 9, 2019 at 6:30 PM**

Mayor Dansereau called the Workshop Meeting of the Mayor and Council of the Borough of Roselle, Union County, New Jersey, held at Borough Hall, 210 Chestnut Street, Roselle, New Jersey to order on January 9, 2019 at 6:30 P.M. The flag salute was done and the invocation was given by Councilman Atkins.

The Acting Municipal Clerk, Ms. Massey, read the “Open Public Meetings Act” compliance statement.

**STATEMENT OF COMPLIANCE**

This is to state for the record that this meeting is being held according to the requirements of the Open Public Meetings Act, Section 5, Chapter 231, P.L. 1975, by posting and maintaining the annual notice of regular and workshop meetings on the Borough Hall Bulletin Board, by emailing the Annual Notice of Regular and Workshop meetings for 2019 to the Union County Local Source and The Home News Tribune in 2019, by posting on the Borough of Roselle website, and by filing said notice in the Office of the Municipal Clerk.

**ROLL CALL:**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Reginald Atkins	Councilman	P	
Kim Shaw	Councilwoman	P	
Cynthia Johnson	Councilwoman	P	
Brandon Bernier	Councilman	P	
John Fortuna	Councilman	P	
Denise Wilkerson	Councilwoman	P	
Christine Dansereau	Mayor	P	

**SPECIAL COMMUNICATIONS/PRESENTATIONS**

Council President Wilkerson announced that she wanted to speak about Committees and Liaisons to Boards and a new initiative that she wants to put in place. To eliminate any conflict of interest, she moved Councilman Brandon Bernier from the DPW Committee to the Public Safety Committee, and she added herself as a member to the DPW Committee; she appointed Councilman Reginald Atkins as Liaison to the Board of Health; and she appointed herself as Library Board Liaison; she then appointed Councilman Brandon Bernier as the Planning Board Liaison and appointed Councilwoman Kim Shaw as and Board of Education Liaison.

Council President Wilkerson then spoke to a new initiative which was is an Ad hoc Governance Committee to improve how they operate as a governing body and focus on the refinement and/or

establishment of policies and procedures regarding Borough Council operations. This includes Council communication, community groups and public engagement and government practices. In addition the committees will recommend changes to the Bylaws of the Mayor and Council; it is a temporary Ad hoc Committee for 2019 and the members include: Councilwoman Kim Shaw, Councilman Brandon Bernier, Chair, and herself with the guidance and involvement of Borough Attorney Karen Brown.

**Discussion:** Councilman Atkins commented that it would have been nice if Council President Wilkerson called to let them know what Committees she was going to put them on because he had no idea she was going to make him the Liaison to the Board of Health. Councilwoman Shaw commented on the change that was made to remove Councilman Bernier from DPW and to add him to the Public Safety Committee, and she advised that there would be more than three members on Public Safety. Council President Wilkerson advised that she would send the amended Committee list to the Clerk for distribution which would reflect the correct changes to Standing Committees.

**NEW VOTING BUSINESS:**

Motion by Council President Wilkerson; seconded by Councilman Fortuna to adopt Resolution Number 2019-017.

**Discussion:** Councilwoman Shaw questioned why the prior resolution is being rescinded and changing the name and what the vetting process was done outside of the RFQ process. She also asked if anyone could state what they know about the disciplinary action in 2015 against the person who is presented tonight. Mayor Dansereau spoke to the prior appointment as written in the resolution and she said there was a clerical error on her part and she said that she has appointment power for the prosecutor and stated that Ms. McGhee is more than qualified as prosecutor. Councilwoman Shaw asked if the Council was aware of disciplinary action against Ms. McGhee; Mayor Dansereau asked for the advice of the Borough Attorney Brown regarding any further discussion about disciplinary actions against Ms. McGhee and Attorney Brown advised that Ms. McGhee has to be afforded a Rice Notice to allow for such discussion and therefore no discussion could take at this time. Councilman Atkins commented that it was presented very messy. Discussion ensued.

Motion by Councilman Atkins; seconded by Councilwoman Shaw to table Resolution Number 2019-017 until the person can be Riced appropriately.

**RESOLUTION NUMBER 2019-017**  
**RESOLUTION RESCINDING RESOLUTION NUMBER 2019-011 AND APPOINTING  
PROSECUTOR OF MUNICIPAL COURT**

**WHEREAS**, the Mayor and Council of the Borough of Roselle adopted Resolution Number 2019-011 during the Reorganization Meeting held on January 2, 2019, appointing Carolyn Sullivan as Municipal Prosecutor for the Municipal Court of the Borough of Roselle; and

**WHEREAS**, Carolyn Sullivan is unable to fully commit to the obligations of the position; and

**WHEREAS**, the Mayor and Council wishes to rescind the appointment of Carolyn Sullivan as Municipal Prosecutor; and

**WHEREAS**, pursuant to N.J.S.A. 2B:25-4, there is a need to appoint a Municipal Prosecutor for the Borough of Roselle; and

**WHEREAS**, Connie Bentley McGhee, Esq., is an attorney at law of the State of New Jersey and is qualified to perform the duties of Municipal Prosecutor for the Borough of Roselle.

**NOW, THEREFORE, BE IT RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE:**

1. Resolution Number 2019-011 is hereby rescinded.
2. Connie Bentley McGhee, Esq. is hereby appointed as Prosecutor for the Municipal Court of the Borough of Roselle for a period of one year, effective immediately.
3. Connie Bentley McGhee, Esq. shall be compensated in accordance with the salary for said position as set forth in the Borough's Salary Ordinance at \$27,000.00 for CY2019 and waiver of the Borough's residency requirement is granted. This salary is contingent upon the availability of funds in the 2019 budget.
4. The Borough Clerk shall promptly, and in no case later than 5 business days from the date hereof, cause a copy of this Resolution to be served upon Connie Bentley McGhee, Esq.

I, Lydia D. Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at regular meeting of said Council held January 16, 2019.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 16<sup>th</sup> day of January 2019.

<b>Vote Record - To Table Resolution 2019-017</b>				
	Ayes	Nays	Abstain	Absent
Councilman Atkins	x			
Councilwoman Shaw	x			
Councilwoman Johnson	x			
Councilman Bernier	x			
Councilman Fortuna	x			
Councilwoman Wilkerson		x		

Adopted  Adopted as Amended  Defeated  Tabled  Withdrawn

**DEPARTMENT AND OFFICIAL'S REPORTS**

1. Police Chief Brian Barnes, Roselle Police Department gave the Mayor and Council a detailed description of how and why Use of Force Reports are generated, and he showed techniques on one of his officers on how a report can constitute use of force reports. He also spoke to his encounter with a newspaper reporter who stated that Roselle’s Use of Force is higher than other municipalities. He said that Roselle is very transparent as it relates to use of force incidents and reports accordingly, and that every officer is to file a report. Mayor Dansereau thanked Police Chief Barnes for his report.

**COMMENTS AND REPORTS BY ADMINISTRATOR**

Borough Administrator Russell reported that interviews for a Tax Collector and CFO were still ongoing; and he gave a detailed explanation of Resolution numbers 1 through 11 which are on the agenda for consideration. He also announced that there will be a presentation at the Workshop meeting in February about the Golf Course Project. He then reported that he checked into the email system and it did not have a hack or a virus; new passwords were issued, and he will make sure that passwords are updated on a regular basis.

Mayor Dansereau then asked if anyone had questions on any of the Draft Agenda items, and Councilman Bernier asked what the amendment was for Resolution # 17, the Amendment to the Golf Course Redevelopment Plan. Mayor Dansereau spoke to the amendment and said it was related to lot sizes and it’s a standard process and nothing beyond that.

Borough Attorney Brown questioned if Resolution 2019-017 will be tabled until the January 16<sup>th</sup> meeting, because she needs a date so that Ms. McGhee can be properly riced; therefore the Council had to make a motion to amend the motion to table the resolution.

Motion by Councilman Atkins, seconded by Council President Wilkerson to table Resolution 2019-017 to the January 16, 2019 Regular meeting.

<b>Vote Record - To Table Resolution 2019-017 to January 16, 2019 Regular Mtg.</b>				
	Ayes	Nays	Abstain	Absent
Councilman Atkins	x			
Councilwoman Shaw	x			
Councilwoman Johnson	x			
Councilman Bernier	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input checked="" type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

Mayor Dansereau asked if the governing body wanted to make a consent agenda as it pertains to Resolutions as listed on the Draft Meeting agenda, and what if any would go on non-consent. Councilman Bernier made a motion to include all resolutions that are on the agenda as a Consent Agenda. The motion was not seconded. Discussion ensued about creating a consent agenda; ultimately, no consent agenda was created and the resolutions would go on the agenda to be voted on separately. Councilman Bernier then removed his motion to vote on creating a consent agenda.

Discussion ensued between the members of the governing body, and no consent agenda was made at this time. Mayor Dansereau remarked that the topic could be further discussed during the Ad hoc Committee meeting.

## **REVIEW OF DRAFT JANUARY 16, 2019 REGULAR MEETING AGENDA**

### **CERTIFICATE OF RECOGNITION**

Charles Glagola – Health Official

### **CORRESPONDENCE / APPOINTMENTS**

Direct Appointment from Mayor to Planning Board

### **APPROVAL OF MINUTES OF MEETINGS**

Minutes of the Mayor and Council Workshop – December 12, 2018

Minutes of the Mayor and Council Closed Executive Session – December 12, 2018

Minutes of the Mayor and Council Regular Meeting – December 19, 2018

### **RESOLUTIONS**

#### **Mayor**

1. Resolution Appointing One Member and One Alternate to the Union County Transportation Advisory Committee

#### **Borough Administrator**

2. Resolution Declaring Surplus for Sale or Disposition Not Needed for Government Use
3. Resolution Authorizing the Borough of Roselle to Enter an Agreement With the Houston-Galveston Area Council Pricing System for the Purchase of Work, Materials and Supplies
4. Resolution Authorizing the Borough of Roselle to Enter an Agreement With the Morris County Cooperative Pricing Council(MCCPC) for the Purchase of Work, Materials and Supplies Five Years
5. Resolution Authorizing the Borough of Roselle to Enter an Agreement With the National Cooperative Purchasing Alliance Pricing System for the Purchase of

Work, Materials and Supplies

6. Resolution Authorizing the Borough of Roselle to Enter an Agreement With Sourcewell Formerly the National Joint Powers Alliance (NJPA) for the Purchase of Work, Materials and Supplies
7. A Resolution Authorizing the Borough of Roselle to Enter Into an Agreement With The U.S. Communities Cooperative Pricing System for the Year 2019
8. Resolution Authorizing the Borough of Roselle to Enter an Agreement With the County of Somerset Cooperative Pricing System for the Purchase of Work, Materials And Supplies
9. Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N. J. S. A. 40A: 11-12A
10. Resolution Authorizing the Borough of Roselle to Enter an Agreement With the Educational Services Commission of New Jersey Cooperative Pricing Council (ESCNJ) for the Purchase of Work, Materials and Supplies
11. Resolution Authorizing the Borough of Roselle To Enter an Agreement With the County of Union Cooperative Pricing System for the Purchase of Work, Materials And Supplies

**Grant Writer**

12. Resolution Authorizing the Filing of an Application With the New Jersey Department of Law And Public Safety Under Its FY 2019 Safe and Secure Communities Grant Program

**Health Department**

13. Resolution Authorizing Shared Services Agreement For Animal Control Services With Associated Humane Societies, Inc. for 2019
14. Resolution Authorizing Pediatrician Services: Roselle Board of Health for 2019
15. Resolution Authorizing Sexually Transmitted Disease (STD) Services With the City of Elizabeth Department of Health And Human Services For 2019

**Police Department**

16. Resolution Authorizing A Contract With Archonix Public Safety Software Exceed \$28,074.00

**Economic Development**

17. Resolution Directing an Amendment to the Roselle Golf Course Redevelopment Plan

**Finance / Tax Collector**

18. Resolution Authorizing the Refund of an Overpayment for Block 2203, Lot 31, Block 2203, Lot 28, Block 2201, Lot 18
19. Authorizing Refunds of Tax Overpayment for the Year 2018 by the Tax Collector of the Borough of Roselle, Due to Overpayment of Taxes
20. Authorizing Redemption of Tax Sale Certificate 18-00057, Block 6301 Lot 7, Qual., in the Amount of \$2,176.72
21. Authorizing Redemption of Tax Sale Certificate 18-00056, Block 6301 Lot 6, Qual., in the Amount of \$848.88

**Purchasing Agent**

22. Resolution Appointing Brown & Brown/Dellavecchia Group As Insurance Brokers Of Record For The Borough Of Roselle For Health Insurance
23. Resolution Appointing Acting Prosecutor For The Municipal Court Not To Exceed \$900.00 – The Aloia Law Firm
24. Resolution Appointing Acting Prosecutor For The Municipal Court Not To Exceed \$900.00 – Carolyn Sullivan of the Law Offices of Norman W. Albert
25. Resolution Appointing Acting Public Defender For The Municipal Court Not To Exceed \$900.00 - Michelle D. Welsh of Lubiner, Schmidt & Palumbo
26. Resolution To Award A Contract To Revenue Guard As Ambulance Billing Services For The Borough
27. Resolution Awarding A Contract To Appraisal Consultants Corp., As The Borough Appraisal Consultant Not To Exceed \$75,000.00
28. Resolution Awarding A Contract To DMR Architects As Architects For The Borough Not To Exceed \$25,000.00
29. Resolution Awarding A Contract To Suplee, Clooney & Company, As Borough Auditor Not To Exceed \$78,350.00
30. Resolution Awarding A Contract to Gibbons P.C. As Bond Counsel Not To Exceed \$20,000.00
31. Resolution Awarding A Contract To Maser Consulting P.A. As Borough Engineer Of Record Not To Exceed \$90,000
32. Resolution Awarding Contract To GLD Associates As Grant Writer For The Borough Not To Exceed \$60,000.00
33. Resolution Appointing Hub International Brokers Of Record For The Borough of Roselle For Property And Casualty Insurance
34. Resolution Appointing Weiner Law Group, LLP As Labor Counsel For The Borough Not To Exceed \$35,000.00
35. Resolution Appointing Antonelli Kantor As Litigation Defense Counsel Not To Exceed \$15,000.00
36. Resolution Appointing Antonelli Kantor, P.C. As Special Counsel – Labor For The Borough Not To Exceed \$15,000.00
37. Resolution Appointing Antonelli Kantor, P.C. As Special Counsel For The Borough Not To Exceed \$15,000.00
38. Resolution Appointing Jalloh & Jalloh, LLC As Litigation Defense Counsel Services Not To Exceed \$15,000.00
39. Resolution Appointing Jalloh & Jalloh, LLC As Special Counsel For The Borough Not To Exceed \$15,000.00
40. Resolution Appointing Jalloh & Jalloh, LLC As Special Counsel – Labor For The Borough Not To Exceed \$15,000.00
41. Resolution Appointing Rogut Mccarthy LLC, As Redevelopment Counsel Not To Exceed \$10,000.00
42. Resolution Appointing McManimon Scotland & Bauman As Redevelopment Counsel Not To Exceed \$40,000.00
43. Resolution Appointing Garrubbo & Capece P.C. As Special Counsel – Labor For The Borough Not To Exceed \$15,000.00



44. Resolution Appointing Florio Perrucci Steinhardt & Fader, LLC As Special Counsel For The Borough Not To Exceed \$35,000.00
45. Resolution Awarding A Contract To Palumbo, Renaud & Deappolonio, LLC As Tax Appeal Counsel Not To Exceed \$90,000.00
46. Resolution Awarding A Contract To Eric M. Bernstein & Associates As Tax Foreclosures Counsel Not To Exceed \$20,000.00
47. Resolution Authorizing A Contract With Visiting Nurse & Health Services, Inc., d/b/a Holy Redeemer Home Care-NJ Not To Exceed \$56,453.00
48. Resolution Awarding A Contract To Alpha Dog Solutions, Inc. To Provide Website Design & Social Media Text Messaging Services For The Borough Not To Exceed \$35,760.00
49. Resolution Appointing MD Urgent Care Medical Center For Medical Services for The Borough Not To Exceed \$20,000.00

### **PAYMENT OF BILLS**

50. A Bill List Dated January 16, 2019

### **PUBLIC COMMENT**

1. Ms. Connie Bentley McGhee thanked the Mayor and Council for considering her as Prosecutor and she said she remains willing and able to discuss whatever they want to discuss at an appropriate time.
2. Cecilia Ricks, 2019-017 asked if it would have been easier to make the resolution into two Resolutions as opposed to one; she also commented that she received a notice from PSE&G about a change and that the municipality was changing the carrier, and she asked for the Borough to look into it. She also reported that the Borough parking lot is overgrown with weeds and she indicated before that it should be kept up.
3. Courtney Washington reported that she just had her driveway done and someone cracked her brand new driveway and someone told her that it would be fixed; she also said someone knocked on her door about PSE&G and that they had solicitors permits. She said she spoke to the project manager about her driveway who has not come back to fix her driveway.
4. Sylvia Turnage remarked that the Borough Attorney should have been included before the bylaws were put out by the person who made changes. She also said the Chair is trying to defend what she doesn't understand; Council has to do better and be fair; she said a senior Councilperson should be on the Ad Hoc governance committee. She said the creating of the consent agenda by the Clerk is to help everything flow smoothly at the meeting, and that research on the bylaws should have been done and vetted by the Borough attorney so that the verbiage used could be in line with Robert's Rules of Order; she reiterated that they have to do better.
5. Anthony Esposito, 414 E. 3<sup>rd</sup> Avenue, said it was good to see government at work and debating whether there should be a consent agenda. He said that next week, there is nothing to stop the Council from voting on resolutions in a block; he commented on Resolution # 3 and said it's a ways to go to get pricing; he then remarked that he hopes they are not renegotiating the pilot agreement pertaining to Resolution #17.

6. Garrett Smith remarked that there are people who are very intelligent and aware of their work, but hopes that they allow the professionals to do their job; he was concerned that the attorney was not a part of the bylaw process and that there's a way to do handle them without causing so much confusion, and reiterated that Attorney is there to protect them from liability. He commented on voting taking place at the Workshop meeting, and asked if the bylaws allow for it. Mayor Dansereau said yes for time sensitive items only. He also spoke to the multiple attorney's listed on the agenda for consideration and wants an explanation of why it's necessary; he also spoke to the auditors and hopes there is due diligence done in that area.

Seeing no one else come forward, Mayor Dansereau closed the Public Comment portion of the meeting.

### **COUNCIL COMMENT**

Council President Wilkerson remarked that every member of the Council is a part of the Standing Committees and that senior members are on both the Ad hoc Committee as well as the Human Resources/Finance Committee and she said it will work as long as they work together and everyone is committed to the process.

Councilman Bernier thanked everyone for coming out to the meeting; he echoed the sentiment of Mr. Esposito about what governance looks like; he said workshop is where they may have discussion and disagreements to get where they need to; he said he is not supposed to go to individual council members and seek their support on an item because it is illegal because it is a rolling quorum; he said they meet as Committees who make recommendations to improve the Borough and then bring the changes to Council to discuss it. He said the Bylaw changes were put in to protect the minority; and he spoke to not having a consent agenda and said that is the way it's working; he feels they are discussing Borough business in a way that it's not been done in a long time.

Councilwoman Johnson said good evening, Happy New Year and be blessed to everyone.

Councilwoman Shaw remarked that she appreciated that people came to the meeting and was glad to hear a change of tone in the room; she spoke about her displeasure and felling that she was attacked for her remarks; now that she's been added to an Ad hoc Committee, she hopes to be able to look at some of the issues that come up tonight; she said as a senior member on Council, she is not chairing any committees and doesn't think it is in the best interest of them working together, and will continue to voice her concerns and opinions.

Councilman Fortuna asked Ms. Washington to send her information to him so that he can speak to her about the issue with her driveway; he spoke to the concept of working together and he said this is what it looks like an everyone doesn't always walk away happy; he said it could be ugly and unpleasant at times but hopefully they get closer to the base line; he said if they are talking how can that be negative and is a good sign. He said Mr. Lawson requested that Code

Enforcement be a part of the DPW Committee, and Mr. Fortuna said he spoke to Councilwoman Johnson and they will meet with Mr. Lawson and Mr. Patterson next week.

Council At-Large Atkins spoke to things that have been added or amended in the Bylaws; and he said there should be discussion and it's important to respect one another; he said it should not be a bullying type of things and he hopes in the future. He also said that he believes they were supposed to have public comment prior to any resolutions; he commented that there is a trust issue and no one touched on it; he spoke about the Committees and that a senior person was not made chair on any committee; and he is not chairing anything; he feels there will be a gap and challenges in the Committee and are losing experienced people. He said he looks forward to working with everyone and thanked everyone for coming out to the meeting.

### **MAYOR'S COMMENTS**

Mayor Dansereau spoke to statements made by Mr. Esposito regarding the Park Apartments, and said it had nothing to do with the pilot agreement; she said they came before the Development Review Committee (DRC) and are in the process of separating the phases in to divisional lots; she spoke to her appointment powers and asked Councilwoman Johnson and Fortuna to join in on interviews concerning the appointment of a DPW Superintendent; she also had Councilwoman Shaw join in on the appointment of a Borough Attorney; She spoke to the Bylaws and the responses that she received; she also said they were sent to the Borough Attorney; and that she asked Mr. Bernier to make the changes to the bylaws while she was sick; she feels the Ad hoc Committee will resolve a lot of the issues and improve the Bylaws; she spoke to professional services contracts that were on the agenda.

### **CLOSED (EXECUTIVE) SESSION**

At 8:56 p.m., Mayor Dansereau asked for a motion to go into Closed Executive Session. Motion by Councilman Bernier, seconded by Councilwoman Wilkerson to move Resolution Number 2019-018.

### **RESOLUTION NUMBER 2019-018 RESOLUTION AUTHORIZING A CLOSED (EXECUTIVE) SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussions of and action hereinafter specified as:
  - Personnel Matters
  - Matters Falling Within Attorney-Client Privilege

- Litigation Update: AST vs. Borough of Roselle; Mid-American Salt vs. Borough of Roselle; Esposito vs. Borough of Roselle and George Phipps vs. Borough of Roselle
2. It is anticipated at this time the above stated subject matters will be made public when it is determined that the need for confidentiality no longer exists.

This resolution shall take effect immediately.

<b>Vote Record - Resolution 2019-018</b>				
	Ayes	Nays	Abstain	Absent
Councilman Atkins	x			
Councilwoman Shaw	x			
Councilwoman Johnson	x			
Councilman Bernier	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

The governing body came out of Closed Executive Session at 9:13 p.m.

**ADJOURNMENT**

On a motion by Councilman Atkins, seconded by Councilwoman Wilkerson. All were in favor; none were opposed, and the meeting was duly adjourned at 9:14 p.m.

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Lydia D. Massey, Acting Municipal Clerk