

**BOROUGH OF ROSELLE  
MAYOR & COUNCIL  
MINUTES OF THE REGULAR MEETING  
AUGUST 21, 2019**

Mayor Dansereau called the Borough of Roselle, Union County, New Jersey, Mayor and Council Regular meeting of the Borough of Roselle, Union County, New Jersey, held at Borough Hall, 210 Chestnut Street, Roselle, New Jersey to order on August 21, 2019 at 6:33 p.m. The flag salute was done, and the invocation was given by Councilman Atkins.

Acting Municipal Clerk, Lydia D. Massey then read the below Statement of Compliance into Record:

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:**

Attendee Name	Title	Status	Arrived
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	

**ALSO PRESENT:**

Jack Layne, Borough Administrator; Karen Brown, Borough Attorney; Anders Hasseler, CFO and Lydia D. Massey, Acting Municipal Clerk

**PRESENTATION**

Josh Nyikita, Acacia Financial Group, gave an overview of the long-term plan to consolidate debt for the Borough. He spoke to resolution number 2019-227 to consolidate bonds. He said that what is generally happening is that the Borough would trade short-term debt for long term debt. He explained a chart of accounts, listing outstanding bonds and the ordinances that created them. He talked about NJ Bond law, pointing out the requirement to begin making minimum payments after 3 years, or permanently finance. He said that the wise course would be a multi-year phase-

in of long term notes, which would allow for more aggressive payments, which would leave room for more bonding in the future, if needed. He gave a proposed timeline for debt cycling and said that the plan was created to address the notes with the most significant pay-down amounts. He gave an amortization of the currently proposed bond issue, and said that the Borough should continue a cycle of converting short term debt to long term so as not to over-burden the Borough.

He then entertained questions from the Governing Body.

### **CERTIFICATES OF RECOGNITION**

#### **1<sup>st</sup> Annual Keep Roselle Beautiful Contest**

Mayor Dansereau presented Certificates of Recognition to the following:

- Honorable Mention: Yvonne Carnejo, Gladys Garcia, Lauren Klapfenstein, Dr. Charles C. Polk Student Body

Council President Wilkerson then presented awards to the following winners:

- 2<sup>nd</sup> Place – Larry Morgan
- 1<sup>st</sup> Place – Minerva Rosa

Honoring Crossing Guards of the Borough of Roselle – read into record by Councilman Bernier

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

Minutes of the Mayor and Council Regular Meeting – June 19, 2019

Minutes of the Mayor and Council Workshop Meeting –July 10, 2019

Minutes of the Mayor and Council Closed Executive Session – July 10, 2019

Minutes of the Mayor and Council Regular Meeting – July 17, 2019

Minutes of the Mayor and Council Closed Executive Session – July 17, 2019

Minutes of the Mayor and Council Closed Executive Session – July 18, 2019

Minutes of the Mayor and Council Special Meeting – July 24, 2019

Motion by Councilman Fortuna, seconded by Council President Wilkerson to adopt the minutes as written.

<b>Vote Record – August 21, 2019 Regular Meeting – Approval of Minutes</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				

## **COMMITTEE REPORTS**

Council President Wilkerson reported that there is still no permanent budget and that the Borough is working off of a temporary budget. She talked about the presentation from Acacia Financial and said that the financial plan put together will keep us in compliance with NJ State Bond Law. She announced the upcoming Celebrity Softball Game and Teen Night events.

Councilman Bernier talked about the resolutions on the agenda that were vetted through the Communications and Technology Community. He gave an update on the status of the Spatial Data Logic technology integration and said that the new copiers from Konica Minolta were installed. For the Planning Board, he mentioned that there was an application to approve the signage for Dollar General, but the meeting had to be rescheduled.

Councilwoman Johnson said that she met with the Police Department and talks continue surrounding new parking meters. She iterated that the Chief of Police has an open-door policy and said that there are 6 open positions in the Police Department. She also mentioned that she had spoken with the Office of Emergency Management Personnel and that there is a vacancy in the Fire Department.

Councilman Fortuna reported that the two DPW trash trucks that needed repair are back in service; and Patch Management did a free demo of a crack sealing material to fix a pothole on the Gordon Street Bridge, at no cost to the Borough. He said that DPW is re-painting the curbs in "no parking" areas. He mentioned that they are exploring the possibility of purchasing a sign to produce our own street signs.

Councilman Atkins, announced that the Health Department is working on dates for the Flu Clinic and also working with DPW on "Curb your Dog" signage. He said that there are three new establishments in the area, which have been inspected by the Health inspector; and they were all found to be satisfactory.

## **INTRODUCTION, CONSIDERATION AND PASSAGE OF ORDINANCES**

### **ORDINANCE ON SECOND READING & FINAL PASSAGE** – Ordinance 2602-19

AN ORDINANCE AMENDING CHAPTER 113 OF THE BOROUGH CODE TO DESIGNATE A HANDICAP PARKING SPACE RESERVED FOR A SPECIFIC PERSON IN FRONT OF A CERTAIN RESIDENCE – [Public Hearing August 21, 2019 pending approval]

**WHEREAS**, the Police Department has received an application for a personalized handicap parking space pursuant to N.J.S. 39:4-197.7 along with the requisite \$25.00 fee; and

**WHEREAS**, the Mayor and Council have approved said application and the Borough Clerk has collected the additional fee of \$150.00 for same prior to adoption of this ordinance.

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Roselle as follows:

1. Article III of Chapter 113 of the “Code of the Borough of Roselle” is amended by adding the following to 113-29.1 – Restricted Handicap Parking Spaces.

Chapter 113-74. Schedule XXIX – Restricted handicap parking spaces reserved for a specific person in front of a certain residence:

Address of Residence	Street	Side	Name of Person	Placard #
643 E. 3 <sup>rd</sup> Ave.	643 E. 3 <sup>rd</sup> Ave.	North side of E. 3 <sup>rd</sup> Ave.	Mirielle Toussaint	P2095845

- (1) If any person for whom a parking space has been designated pursuant to this section ceases to reside at the specified resident address, he or she (or other person authorized to act on their behalf) shall promptly notify the Borough Clerk in writing that the designated parking space is no longer required.
- (2) In the event that the person holding the designated handicapped parking permit no longer resides at the specified residence address, the designation may be terminated by resolution.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall remain valid and effective.

This ordinance shall take effect after public hearing and final adoption and publication according to law.

Mayor Dansereau read Ordinance Number 2602-19 by title and opened the Public Hearing on the Ordinance.

Seeing no-one come forward, Mayor Dansereau closed the Public Hearing on Ordinance 2609-19; and asked for a motion to approve.

Motion by Councilman Bernier, seconded by Council President Wilkerson to adopt Ordinance Number 2602-19 on Second Reading and Final Passage.

<b>Vote Record – 2<sup>nd</sup> Reading Ordinance Number 2602-19</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				

**ORDINANCE ON SECOND READING & FINAL PASSAGE** – Ordinance 2603-19

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES [Public Hearing August 21, 2019 Pending Approval]

Be it ordained and enacted by the Mayor and Council of the Borough of Roselle, County of Union, State of New Jersey, as follows:

**§ 1-6. Adoption of Code.**

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Borough of Roselle of a general and permanent nature adopted by the Mayor and Council of the Borough of Roselle, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through 715, together with an Appendix, are hereby approved, adopted, ordained and enacted as the "Code of the Borough of Roselle," hereinafter known and referred to as the "Code."

**§ 1-7. Code supersedes prior ordinances.**

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, including provisions of the 1975 Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

**§ 1-8. When effective.**

This ordinance shall take effect immediately upon passage and publication according to law.

**§ 1-9. Copy of Code on file.**

A copy of the Code in loose-leaf form has been filed in the office of the Borough Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Clerk of the Borough of Roselle by impressing thereon the Seal of the Borough, as provided by law, and such certified copy shall remain on file in the office of the Clerk of the Borough, to be made available to persons desiring to examine the same during all times while said Code is in effect.

**§ 1-10. Amendments to Code.**

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the Borough of Roselle" shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto.

**§ 1-11. Publication; filing.**

The Clerk of the Borough of Roselle, pursuant to law, shall cause this Adopting Ordinance to be published, in the manner required, in a newspaper of general circulation in the Borough. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this Adopting Ordinance, coupled with availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

**§ 1-12. Code book to be kept up-to-date.**

It shall be the duty of the Clerk or someone authorized and directed by the Clerk to keep up-to-date the certified copy of the book containing the Code required to be filed in his or her office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

**§ 1-13. Sale of Code book.**

Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee authorized by the Borough. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

**§ 1-14. Altering or tampering with Code; penalties for violation.**

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Borough of Roselle to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to one or more of the

following: a fine of not more than \$2,000, imprisonment for not more than 90 days or a period of community service not exceeding 90 days, in the discretion of the Judge imposing the same.

**§ 1-15. Severability of Code provisions.**

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**§ 1-16. Severability of ordinance provisions.**

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

**§ 1-17. Inconsistent ordinances repealed.**

- A. Except as provided in § 1-18, Ordinances saved from repeal, below, all ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Borough of Roselle which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. Repeal of specific ordinances. The Mayor and Council of the Borough of Roselle has determined that the following ordinances are no longer in effect and hereby specifically repeals the following legislation:

- (1) Ordinance No. 2243, Department of Public Works violations and penalties, adopted December 21 2005.
- (2) Ordinance No. 2244, Department of Public Works appearance in court for Department-cited violations, adopted December 21 2005.
- (3) Ordinance No. 1338, the ordinance adopting the 1975 Code (former Chapter 1, Article I, of the 1975 Code).
- (4) The following former articles of Chapter 4 of the 1975 Code: Article I, Appointive Officers; Article II, Administrator; Article III, Civil Service; Article IV, Board of Health; Article IX, Assessment Board; Article XI, Attorney; Article XIII, Court; Article XIV, Prosecutor; Article XV, Wards; Article XVI, Fees and Penalties Disposition; Article XVIII, Rental Property Registration and Inspection Department; Article XIX, Department of Engineering; Article XX, Department of Public Works.
- (5) Former Chapter 8, Bonds and Notes, of the 1975 Code.

- (6) Former Chapter 12, Ethics, Code of, of the 1975 Code.
- (7) Former Chapter 15, Fire Department, Article I, General Provisions, and Article II, Military Leaves of Absence, of the 1975 Code.
- (8) Former Chapter 19, Personnel Policies, Article I, Donated Leave Program, of the 1975 Code.
- (9) Former Chapter 21, Purchasing, of the 1975 Code.
- (10) Former Chapter 25, Salaries and Compensation, of the 1975 Code.
- (11) Former Chapter 35, Advertising Matter, Unsolicited, of the 1975 Code.
- (12) The following former article of Chapter 83 of the 1975 Code: Article I, General Provisions.
- (13) Former Chapter 88, Public Works, Department of, Article I, Violations and Penalties, and Article II, Appearance in Court for Department-Cited Violations, of the 1975 Code.
- (14) Former Chapter 127, Swimming Pools, Public, of the 1975 Code.

**§ 1-18. Ordinances saved from repeal.**

The adoption of this Code and the repeal of ordinances provided for in § 1-17 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to August 28, 2018.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.

- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the Borough's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.
- N. All currently effective ordinances pertaining to stormwater control and site plan requirements and any amendments thereto.
- O. All currently effective ordinances pertaining to flood damage prevention requirements and any amendments thereto.
- P. Ordinance No. 1310, adopted October-24, 1973, concerning "dead locks" to extent currently effective, if any.
- Q. Ordinance No. 1620, adopted March 27, 1985, concerning the Borough's performance of a governmental function to extent currently effective, if any.
- R. Any currently effective ordinance regulating traffic or parking.
- S. Any currently effective neighborhood revitalization plan or redevelopment plan and amendments thereto.

**§ 1-19. Changes in previously adopted ordinances.**

- A. In compiling and preparing the ordinances for adoption and revision as part of the Code pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in one or more of said ordinances. It is the intention of the Mayor and Council that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

This ordinance shall take effect after public hearing and final adoption and publication according to law.

Mayor Dansereau read Ordinance Number 2603-19 by title and opened the Public Hearing on the Ordinance.

**Public Hearing**

1. William Frolich, asked which ordinances have been changed and which ones have not been changed. He asked if Ordinance numbers 1, 2 and 25, 36 were still on the books. He asked if the ordinance on Parking Meters had been amended to allow for two meters on one pole. He asked if the ordinance for the creation of a new church still requires off-street parking for a certain number of vehicles.

Seeing no-one else come forward, Mayor Dansereau closed the Public Hearing on Ordinance 2609-19; and asked for a motion to approve.

Motion by Councilman Bernier, seconded by Councilman Atkins, to adopt Ordinance number 2603-19 on Second Reading and Final Passage.

<b>Vote Record – 2<sup>nd</sup> Reading Ordinance Number 2603-19</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				

**ORDINANCE ON SECOND READING & FINAL PASSAGE** – Ordinance 2604-19

ORDINANCE OF THE BOROUGH OF ROSELLE, COUNTY OF UNION AND STATE OF NEW JERSEY, REVISING, AMENDING AND/OR SUPPLEMENTING THE CODE OF THE BOROUGH OF ROSELLE BY ADDING A NEW ARTICLE III, MORSES CREEK FLOOD CONTROL COMMISSION, TO CHAPTER 14, BOARDS, COMMISSIONS, COUNCILS AND AUTHORITIES [Public Hearing August 21, 2019 Pending Approval]

**WHEREAS**, the Mayor and Council has determined it to be in the best interests of the Borough of Roselle to participate in the creation and operation of the Morses Creek Flood Control Commission, pursuant to N.J.S.A. 40:14-16 et seq.; and

**WHEREAS**, the Borough is engaged in a codification project at this time; and

**WHEREAS**, it is the opinion of the Mayor and Council that provisions regarding said creation and operation of the Morses Creek Flood Control Commission should be adopted in conjunction with the adoption of the Code of the Borough of Roselle and be designated as Article III of Chapter 14, Boards, Commissions, Councils and Authorities.

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

**SECTION I:** The following shall be adopted as Article III of Chapter 14, Boards, Commissions, Councils and Authorities, of the proposed Code of the Borough of Roselle:

### **ARTICLE III Morses Creek Flood Control Commission**

**§ 14-8. Creation and operation.**

The Borough of Roselle, County of Union, State of New Jersey, agrees to participate in the creation and operation of the Morses Creek Flood Control Commission pursuant to N.J.S.A. 40:14-16 et seq., as follows:

A. The municipalities and county invited to participate in the Commission are:

- (1) Borough of Roselle;
- (2) Borough of Roselle Park;
- (3) City of Linden;
- (4) Borough of Kenilworth;
- (5) Township of Cranford;
- (6) County of Union.

B. The Morses Creek Flood Control Commission shall be established in accordance with N.J.S.A. 40:14-16 et seq.

**§ 14-9. Duties.**

The Morses Creek Flood Control Commission shall:

- A. Collect, study and analyze data on flooding, past floods and the causes of floods in the area;
- B. Make such data and studies available to the participating members, to the Division of Water Policy and Supply, the Army Corps of Engineers, local and County Planning Boards, and officials concerned with subdivisions and development of properties within the floodway and drainage area;
- C. Keep itself informed as to the availability of state and federal funds and grants and the procedures for applying therefor and make such information available to participating members;
- D. Coordinate the activities of the participating members relating to flooding, flood prevention, brook cleaning and the like;
- E. Encourage the acquisition of lands within the floodway and low-lying areas by appropriate County Park Commissions, counties or participating municipalities;
- F. Publicize methods of flood control and flood prevention;
- G. Encourage its participating members and others to adopt appropriate ordinances and regulations relating to flood control;
- H. Encourage its participating members to support other programs designed or intended to alleviate flooding;
- I. Perform such other acts and fulfill such other functions as may be permitted by law and as determined by members, subject to the limitations in this agreement and subject to limitations as set forth in N.J.S.A. 40:14-16 et seq.

#### **§ 14-10. Meetings.**

Any number of members of the Commission shall have the right to meet at regularly scheduled meetings. Any action taken involving the expenditure of funds other than clerical and mailing connected with the usual business of the Commission shall be adopted only at a meeting at which there are at least one county representative and at least one municipal representative.

#### **§ 14-11. Withdrawal from Commission.**

Each member municipality and county reserves the right, pursuant to Section 2 of P.L. 1971, c. 316 (N.J.S.A. 40:14-17), to withdraw from the Commission; provided, however, that at least 90 days' notice of such intention is given to the Commission, and provided further that such withdrawal, after the adoption of the Commission budget for a given year, shall not abrogate the responsibility of the municipality or county to meet its responsibility and obligation under the budget for such year.

#### **§ 14-12. Appropriations and apportionments.**

- A. The general administrative and other expenses of the Commission affecting the

Commission as a whole shall be apportioned among the members as follows:

- (1) One-fourth thereof shall be borne by Union County.
  - (2) Three-fourths thereof shall be apportioned among the participating municipalities according to a formula taking into account the total area within the drainage basin, resulting in the following:
    - (a) Roselle Park: 11.29%.
    - (b) Roselle: 29.03%.
    - (c) Linden: 53.76%.
    - (d) Kenilworth: 2.69%.
    - (e) Cranford: 3.23%.
  - (3) In the event other municipalities with areas in the Morses Creek Drainage Basin decide to join the Commission, the formula used to obtain the foregoing percentages shall be reapplied to determine the apportionment among the remaining and participating municipalities.
- B. Whenever a specific project is to be undertaken involving less than the interests of all of the participating members or of special benefit to less than all of the participating members, the apportionment of the costs thereof shall be agreed upon by the participating members specially benefited thereby in advance of authorization of such project.
- C. The apportionments set forth herein may be changed by agreement among the participating municipalities and county; provided, however, that there shall be no increase in the percentage to be contributed by any participant in the expenses set forth in Subsection B above without the consent of the governing body of such participating member.
- D. The tentative annual budget for the Commission shall be adopted by the Commission no later than January 15 of each year, and such adoption shall be by a vote of at least one county representative (regardless of the total number of counties represented thereby) and at least one municipal representative (regardless of the total number of municipalities represented thereby). A copy of such tentative budget shall be sent to the governing body of each of the participating counties and municipalities within one week of the adoption thereof. Such notice shall include notification of the date fixed by the Commission for final adoption of such budget, which shall be at least three weeks after the date of tentative adoption by the Commission.

**§ 14-13. Borough members and alternates.**

- A. The Mayor shall appoint, with approval of Council, two representatives to the Commission. Either or both of the representatives may be a member of the Borough Council or other elective or appointive office in the Borough.

B. Each representative shall serve a term of five years or until his successor has been appointed and qualified, except that any appointed representative who holds other elective or appointive public office shall serve as such representative for the term of his elected or appointed office and only so long as he shall hold such elected or appointed public office, notwithstanding his term of appointment as such representative. Appointments to vacancies shall be filled for the balance of the term only.

C. Alternate representatives.

(1) In addition to such representatives, the Mayor shall appoint, with Council approval, two alternate representatives to the Commission who shall serve for the terms of one year each or until the appointment and qualification of their successors. Such alternates shall have the right to attend all meetings of the Commission and take part in all discussions. The alternates shall be designated as "first alternate" and "second alternate" and in such order may represent the Borough Council and vote in the event of the absence or disability of one or both of the representatives.

(2) No alternate representative shall automatically succeed to a representative position upon a vacancy occurring in a regular position.

## **SECTION II:**

All ordinances or parts of ordinances inconsistent with this amending ordinance shall be, and they are, hereby repealed to the extent of such inconsistencies only.

## **SECTION III:**

If any section or provision of this ordinance shall be held unconstitutional or invalid by any court, the remaining sections and provisions shall, notwithstanding such holding, remain and be in full force and effect.

## **SECTION IV:**

This ordinance shall be in effect upon passage and publication according to law  
Mayor Dansereau read Ordinance Number 2604-19 by title and asked for a motion to approve the ordinance.

Motion by Councilman Fortuna, seconded by Council President Wilkerson, to adopt Ordinance Number 2604-19 on Second Reading and Final Passage.

Mayor Dansereau then opened the Public Hearing on Ordinance Number 2604-19.

Seeing no-one come forward, Mayor Dansereau closed the Public Hearing on Ordinance 2604-19; and asked for a motion to approve.

<b>Vote Record – 2<sup>nd</sup> Reading Ordinance Number 2604-19</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				

**ORDINANCE ON INTRODUCTION & FIRST READING - Ordinance 2605-19**

ORDINANCE GRANTING MUNICIPAL CONSENT TO CROSS RIVER FIBER, INC. AND AUTHORIZING THE EXECUTION OF A RIGHTS-OF-WAY USE AGREEMENT THEREWITH [Public Hearing September 18, 2019 Pending Approval]

**WHEREAS**, Cross River Fiber LLC (“**Cross River Fiber**”) is a public utility and telecommunications carrier as defined by *N.J.S.A* 48:2-13; and

**WHEREAS**, Cross River Fiber was approved by the New Jersey Board of Public Utilities (the “**BPU**”) to provide local exchange and interexchange telecommunications services throughout the State of New Jersey by Order of Approval in Docket No. TE11050320 on July 14, 2011 and Docket No. TE12040297 on June 18, 2012 and intends to provide telecommunication services in accordance with that order and the rules and regulations of the Federal Communications Commission and the BPU; and

**WHEREAS**, pursuant to such authority granted by the BPU, Cross River Fiber may locate, place, attach, install, operate and maintain facilities within public rights-of-way for purposes of providing telecommunications services; and

**WHEREAS**, Cross River Fiber proposes to place its telecommunication facilities aerially on existing utility poles or in underground conduit in the public rights-of-way within the Borough of Roselle (the “**Borough**”) for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

**WHEREAS**, *N.J.S.A* 48:17-10 through 48:17-12 requires public utilities to secure municipal consent to install any infrastructure or facilities within the public rights-of-way and enter into a Rights-of-Way Use Agreement with such municipalities; and

**WHEREAS**, the Borough has determined that it is in the best interests of the public to grant consent to Cross River Fiber and enter into a Rights-of-Way Use Agreement with Cross River Fiber that sets forth the terms of use, occupancy and manner in which Cross River Fiber will utilize the public rights-of-way (the “**Use Agreement**”), in substantially the same form as that attached hereto; and

**WHEREAS**, the Use Agreement shall be effective for an initial twenty (20) year term and contain three (3) additional renewable ten (10) year terms; and

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Pursuant to the provisions of *N.J.S.A* 48:17-10, the Borough hereby grants consent to Cross River Fiber to install, maintain and operate its telecommunications facilities within public rights-of-way owned by the Borough for purposes of providing telecommunications services.

Section 3. The foregoing consent shall be subject to the terms of the Use Agreement and the Mayor is hereby authorized to execute the Use Agreement in substantially the same form as that attached hereto with such amendments, changes or revisions deemed necessary by the Mayor.

Section 4. The Mayor, Business Administrator and all Borough staff and professionals are hereby authorized to undertake any further actions, including the preparation and execution of any documents or agreements, in furtherance of this Ordinance.

Section 5. This Ordinance shall become effective in accordance with the provisions of applicable law.

Mayor Dansereau read Ordinance Number 2605-19 by title and asked for a motion to approve.

Motion by Council President Wilkerson, seconded by Councilman Fortuna to adopt Ordinance Number 2605-19 on First Reading and Introduction.

Vote Record – 1 <sup>st</sup> Reading Ordinance Number 2605-19				
	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				

**ORDINANCE ON INTRODUCTION & FIRST READING** - Ordinance 2606-19

ORDINANCE OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, NEW JERSEY APPROVING APPLICATION FOR, AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT [PUBLIC HEARING SEPTEMBER 18, 2019 PENDING APPROVAL]

WHEREAS, the Borough of Roselle (the "Borough") a public body corporate and politic of the State of New Jersey, is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, the Mayor and Borough Council (the "Borough Council") of the Borough adopted a resolution designating the parcels known as Block 101, Lot 1, Block 201, Lots 1, 2 & 3, Block 202, Lots 1, 2, 3 & 4, Block 203, Lot 1, Block 204, Lots 1, 2, 3 & 4, Block 205, Lots 1 & 2, Block 403, Lots 1 & 2, and Block 404, Lots 1, 2, 3, 4 & 5 (the "Redevelopment Area") as an area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, the Borough has determined to act as the "Redevelopment Entity" (as such term is defined at N.J.S.A. 40A:12A-3) for the Redevelopment Area, to exercise the powers contained in the Redevelopment Law; and

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:12A-7, the Borough Council duly adopted the "First Avenue Redevelopment Plan" (the "Redevelopment Plan") for the Redevelopment Area; and

WHEREAS, East First Avenue Storage Urban Renewal, LP (the "Entity"), an entity created under the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "Long Term Tax Exemption Law"), is the owner of Block 403, Lot 1 (the "Project Area"); and

WHEREAS, the Entity proposes to design, develop and finance the conversion of an existing building into an interior mixed-use, self-storage facility (the "Project") and has requested that the Borough consider appointing the Entity as "redeveloper" (as defined in the Redevelopment Law) of the Project Area; and

WHEREAS, by Resolution 2017-277 adopted by the Borough Council on July 12, 2017, the Borough designated the Entity, as the conditional redeveloper of the Project Area, subject to the condition that the Borough and the Entity, enter into a redevelopment agreement for the Project Area; and

WHEREAS, the Borough and the Entity will enter into a redevelopment agreement (the "Redevelopment Agreement"), pursuant to which the Entity will construct a project on the

Project Area consisting of providing for the redevelopment of the Project Area, and the construction, on the Project Area, of the Project; and

WHEREAS, pursuant to and in accordance with the provisions of the Redevelopment Law and the Long Term Tax Exemption Law, the Borough is authorized to provide for a tax exemption within a redevelopment area and for payments, by the property owner to the municipality, in lieu of taxes; and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful project, the Borough will enter into a Financial Agreement (the "Financial Agreement") with the Entity governing the payments made to the Borough in lieu of taxes on the Project pursuant to the Long Term Tax Exemption Law and the Redevelopment Law; and

WHEREAS, in accordance with the Long Term Tax Exemption Law, the Entity filed an application (the "Application") with the Borough, with a form of the Financial Agreement attached thereto, for approval of a long term tax exemption for the Project pursuant to the Long Term Tax Exemption Law, which is on file with the Borough Clerk; and

WHEREAS, the Mayor submitted the Application and Financial Agreement to the Borough Council with her recommendation for approval, a copy of which recommendation is on file with the Borough Clerk; and

WHEREAS, the Borough Council has determined that the Project represents an undertaking permitted by the Redevelopment Law.

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

Section 1. The foregoing recitals are incorporated herein as though fully set forth at length.

Section 2. The Application and Financial Agreement are hereby approved.

Section 3. The Mayor is hereby authorized to execute the Financial Agreement in substantially the same form as that on file with the Borough Clerk, with such deletions, additions and other modifications as deemed appropriate by the Mayor, upon consultation with Borough professionals and staff.

Section 4. The Clerk of the Borough is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Borough upon such document.

Section 5. This Ordinance shall take effect immediately.

Mayor Dansereau read Ordinance Number 2606-19 by title and asked for a motion to approve the ordinance.

Motion by Councilman Bernier, seconded by Council President Wilkerson to adopt Ordinance Number 2606-19 on First Reading and Introduction.

<b>Vote Record – 1<sup>st</sup> Reading Ordinance Number 2606-19</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"/> Tabled <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn				

Motion by Councilman Bernier, seconded by Councilman Fortuna, to change the order of the agenda, moving the Public Comment on Resolutions before the Closed Executive Session.

<b>Vote Record – Changing the order of the agenda</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				

**PUBLIC COMMENT (on Pending resolutions only)**

1. Archange Antoine, 195 Cavell Street, asked about resolution number 2019-230, asking what areas the plan covers; and if the Council had designated Community Members to work in tandem according to the resolution.

Mayor Dansereau responded that the grant has historically been used to make things safe for the children. She cited some uses of the grant funds, including outside security cameras for the schools.

2. Sylvia Turnage asked for clarification on the resolution for the Municipal Clerk. She said that it was a play on words that warranted explanation.

Seeing no-one else come forward, Mayor Dansereau closed the Public Comment portion on Pending Resolutions Only.

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

At 7:32 p.m., Mayor Dansereau asked for a motion to go into Closed Executive Session. Motion by Councilman Bernier seconded by Council President Wilkerson to adopt Resolution Number 2019-216 and go into Closed Executive Session.

### **RESOLUTION NUMBER 2019-216**

#### **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:
  - Potential Litigation
  - Personnel Matters
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.

I, Lydia D. Massey, Acting Municipal 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 a Workshop meeting of said Council held August 21, 2019.

<b>Vote Record – Resolution Number 2019-216</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 9:12 p.m; and Mayor Dansereau left the dais. Council President Wilkerson then took over as chair of the meeting.

## **RESOLUTIONS**

Motion by Councilman Bernier, seconded by Councilman Fortuna to pull Resolution Numbers 2019-222, 2019-224, 2019-236, 2019-237 and 2019-238 from the agenda.

### **Discussion:**

Councilwoman Shaw clarified that the resolutions are being pulled because there were errors in the way the resolutions were written, and they need to go back to committee for consideration.

Councilman Atkins stated that the same thing happened last meeting, with about 18% of the proposed resolutions being pulled from the agenda.

<b>Vote Record –Pulling Resolution Numbers 2019-222, 2019-224, 2019-236, 2019-237 and 2019-238 from the agenda</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				

Motion by Councilman Bernier, seconded by Councilman Atkins to adopt Resolution Number 2019-217.

### **RESOLUTION NUMBER 2019-217**

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, DESIGNATING EAST FIRST AVENUE STORAGE URBAN RENEWAL, LP AS REDEVELOPER OF BLOCK 403, LOT 1 ON THE TAX MAP OF THE BOROUGH AND APPROVING THE EXECUTION OF A REDEVELOPMENT AGREEMENT IN CONNECTION THEREWITH

**WHEREAS**, the Borough of Roselle (the “**Borough**”) a public body corporate and politic of the State of New Jersey, is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

**WHEREAS**, the Mayor and Borough Council (the "**Borough Council**") of the Borough adopted a resolution designating the parcels known as Block 101, Lot 1, Block 201, Lots 1, 2 & 3, Block 202, Lots 1, 2, 3 & 4, Block 203, Lot 1, Block 204, Lots 1, 2, 3 & 4, Block 205, Lots 1 & 2, Block 403, Lots 1 & 2, and Block 404, Lots 1, 2, 3, 4 & 5 (the "**Redevelopment Area**") as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-4, the Borough has determined to act as the "Redevelopment Entity" (as such term is defined at N.J.S.A. 40A:12A-3) for the Redevelopment Area, to exercise the powers contained in the Redevelopment Law; and

**WHEREAS**, in accordance with the provisions of N.J.S.A. 40A:12A-7, the Borough Council duly adopted the "First Avenue Redevelopment Plan" (the "**Redevelopment Plan**") for the Redevelopment Area; and

**WHEREAS**, East First Avenue Storage Urban Renewal, LP (the "**Entity**") is the owner of Block 403, Lot 1 (the "**Project Area**"); and

**WHEREAS**, the Entity proposes to design, develop and finance the conversion of an existing building into an interior mixed-use, self-storage facility (the "**Project**") and has requested that the Borough consider appointing the Entity as "redeveloper" (as defined in the Redevelopment Law) of the Project Area; and

**WHEREAS**, by Resolution 2017-277 adopted by the Borough Council on July 12, 2017, the Borough designated the Entity, as the conditional redeveloper of the Project Area, subject to the condition that the Borough and the Entity, enter into a redevelopment agreement for the Project Area; and

**WHEREAS**, the Borough and the Entity have negotiated a redevelopment agreement (the "**Redevelopment Agreement**") providing for the redevelopment of the Project Area, and the construction, on the Project Area, of the Project; and

**WHEREAS**, the Entity has largely completed construction of the Project; and

**WHEREAS**, the Borough now desires to authorize the execution of the Redevelopment Agreement with East First Avenue Storage Urban Renewal, to set forth the terms and conditions under the Redeveloper will effectuate the redevelopment of the Project on the Project Area; and

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

**Section 1.** The foregoing recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Mayor is hereby authorized to execute the Redevelopment Agreement in substantially the same form as that on file with the Borough Clerk, with such deletions, additions and other modifications as deemed appropriate by the Mayor, upon consultation with Borough professionals and staff.

**Section 3.** Upon execution of the Redevelopment Agreement, and so long as the Redevelopment Agreement remains in full force and effect, the Entity is hereby designated as "redeveloper" (as defined in the Redevelopment Law) of the Project Area.

**Section 4.** This Resolution shall take effect immediately.

I, Lydia 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 a Regular meeting of said Council held August 21, 2019.

<b>Vote Record – Resolution Number 2019-217</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 checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

Motion by Councilman Atkins, seconded by Councilman Fortuna, to adopt Resolution Number 2019-218.

### **RESOLUTION NUMBER 2019-218**

#### **RESOLUTION RE-APPOINTING ACTING MUNICIPAL CLERK**

**WHEREAS**, pursuant to N.J.S.A. 40A:9-133(c), the Borough Council previously appointed Lydia D. Massey to the position of Acting Municipal Clerk not to exceed one year following a vacancy created on July 31, 2018 by the resignation of the Municipal Clerk; and

**WHEREAS**, the Borough Council is desirous of re-appointing Lydia D. Massey, as Acting Municipal Clerk for a second, one-year term; and

**WHEREAS**, on August 14, 2019, permission was granted by the Director of the Division of Local Government Services to the Borough to reappoint Ms. Massey to a second, one-year term as Acting Municipal Clerk effective August 1, 2019 pursuant to N.J.S.A. 40A:9-133(c).

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle, in the County of Union, New Jersey, does hereby re-appoint Lydia D. Massey as Acting Municipal Clerk at an annual salary of \$79,180.66 for a second, one-year term.

I, Lydia D. Massey, Acting Municipal 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 a Regular meeting of said Council held August 21, 2019.

<b>Vote Record – Resolution Number 2019-218</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				

Motion by Councilman Bernier, seconded by John Fortuna, to adopt Resolution Number 2019-219.

**Discussion:**

Councilman Bernier asked for a legal explanation of Resolution Numbers 2019-219 and 2019-220.

Borough Attorney, Karen Brown, explained the process by which the position of Acting Municipal Clerk is filled and maintained. She also gave explanation of the need for the Acting Municipal Clerk to take a leave of absence from her permanent position of Deputy Municipal Clerk.

**RESOLUTION NUMBER 2019-219**

**RESOLUTION GRANTING LEAVE OF ABSENCE FROM POSITION OF DEPUTY MUNICIPAL CLERK**

**WHEREAS**, Lydia D, Massey was appointed to the position of Deputy Municipal Clerk on July 28, 2010; and

**WHEREAS**, Ms. Massey was previously granted a one-year leave of absence from the position of Deputy Municipal Clerk by the Council of the Borough of Roselle in order to serve in the position of Acting Municipal Clerk; and

**WHEREAS**, the one-year period for the prior leave of absence has expired and Ms. Massey has now requested to take another leave of absence for a one-year period so that she may continue to serve as the Acting Municipal Clerk; and

**WHEREAS**, pursuant to N.J.A.C. 4A:6-1.1(a)(2), an appointing authority may grant a permanent employee a leave of absence without pay for periods of one year.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle, in the County of Union, New Jersey, does hereby grant a leave of absence without pay to Lydia D. Massey from the position of Deputy Municipal Clerk for a period of one year commencing August 1, 2019.

I, Lydia D. Massey, Acting Municipal 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 a regular meeting of said Council held August 21, 2019.

<b>Vote Record – Resolution Number 2019-219</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				

Motion by Councilman Fortuna, seconded by Councilman Bernier, to adopt Resolution Number 2019-220.

**RESOLUTION NUMBER 2019-220**

AUTHORIZING RENEWAL OF A.B.C. LICENSES AND AUTHORIZING  
THE BOROUGH CLERK TO ISSUE SAME

**WHEREAS**, all Plenary Retail Consumption, Plenary Retail Distribution, Limited Distribution and Club Licenses will expire on June 30, 2019; and

**WHEREAS**, all A.B.C. Licenses are required by the State of New Jersey to be renewed annually by June 30th; and

**WHEREAS**, the applicant having complied, in accordance 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 in accordance with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control, and applicable thereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey that it hereby authorizes the Borough Clerk to issue the ABC license due to expire on June 30, 2019 to the following:

**PLENARY RETAIL CONSUMPTION LICENSES - \$900.00 Fee**

2014-33-021-008      Amikle Restaurant, T/A Central Park, 2401 North Wood Avenue

I, Lydia D. Massey, Acting Municipal 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 a Regular meeting of said Council held August 21, 2019.

Vote Record – Resolution Number 2019-220				
	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				

Motion by Councilman Fortuna, seconded by Councilman Bernier, to adopt Resolution Number 2019-221.

**RESOLUTION NUMBER 2019-221**

**RESOLUTION GRANTING A SPECIAL PERMIT FOR A SOCIAL  
AFFAIR AND AUTHORIZING THE BOROUGH CLERK TO  
CERTIFY SAME SPECIAL PERMIT APPLICATION**

**WHEREAS**, a complete application for a Special Permit for a Social Affair from the Concrete Rose Project has been submitted to the Borough Clerk; and

**WHEREAS**, the Roselle Chief of Police has reviewed said application and certified that there is no objection to the applicant's application; and

**WHEREAS**, the Mayor and Borough Council have reviewed said application.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey, do hereby grant a Special Permit for a Social Affair to the Concrete Rose Project, 1306 Shaffer Avenue, Roselle, NJ 07203, to hold said Social Affair on September 7, 2019 from 2:00p.m., to 9:00p.m., in the Borough Hall Parking Lot, for the purpose of the Roselle Multicultural Sweet and Savory Beer, Wine and Food Truck Festival and do hereby authorize the Borough Clerk to certify same Special Permit Application.

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 a Regular meeting of said Council held August 21, 2018.

<b>Vote Record – Resolution Number 2019-221</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				

**RESOLUTION NUMBER 2019-222 – PULLED FROM THE AGENDA**

**RESOLUTION HIRING AS A FULL-TIME KEYBOARDING CLERK 1 IN THE CODE ENFORCEMENT OFFICE AT THE ANNUAL SALARY OF \$30,808.44**

**WHEREAS**, there is a vacancy for a full-time Keyboarding Clerk 1 position in the Code Enforcement Office; and

**WHEREAS**, Leah Dimartini was interviewed and deemed to be qualified for employment in the title of full-time Keyboarding Clerk 1 in the Code Enforcement Office.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Roselle that Leah Dimartini is hereby appointed to the position of full-time Keyboarding Clerk 1 in the Code Enforcement Department in the Borough of Roselle, effective Monday, August 26, 2019, subject to the successful completion of the ninety (90) day working test period as required by Civil Service Regulations; and

**BE IT FURTHER RESOLVED**, that the annual salary for Leah Dimartini shall be \$30,808.44, prorated for calendar year 2019 pursuant to the collective negotiations agreement presently in effect between the Borough and OPEIU Local 32, White Collar Unit; and

**BE FURTHER RESOLVED**, that a waiver of the Borough's residency requirement is granted; and

**BE IT FURTHER RESOLVED**, that the hiring of Leah Dimartini is subject to the satisfactory completion of a criminal background check, the initial cost of which is to be borne by employee and will be reimbursed by the Borough so long as the check is satisfactory and employment is continued.

I, Lydia 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 a Regular meeting of said Council held August 21, 2019.

Motion by Councilman Bernier, seconded by Councilman Fortuna, to adopt Resolution Number 2019-223.

**RESOLUTION NUMBER 2019-223**

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING AND HOLD  
HARMLESS AGREEMENT WITH THE COUNTY OF UNION FOR USE OF THE  
CONSERVATION CENTER FOR LEAF DISPOSAL  
FOR THE 2019/2020 PERIOD**

**WHEREAS**, the County of Union will administer and operate the Conservation Center for the purpose of composting leaves for participating municipalities; and

**WHEREAS**, the Borough of Roselle wishes to participate in the Leaf Disposal Program utilizing the Conservation Center; and

**WHEREAS**, it is in the best interest of the Borough to approve the Memorandum of Understanding and Hold Harmless Agreement for the Borough's utilization of the Conservation Center for the Leaf Disposal Program.

**NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE  
BOROUGH OF ROSELLE as follows:**

1. The Memorandum of Understanding and the Hold Harmless Agreement relative to the use of the Conservation Center for the Leaf Disposal Program between the Borough of Roselle and the County of Union for the 2019/2020 season, in the form annexed hereto, is hereby approved.
2. The Mayor, Borough Administrator or other appropriate Borough official is hereby authorized to execute said Memorandum of Understanding and Hold Harmless Agreement, and the Municipal Clerk is hereby authorized to attest to same and affix the Borough seal thereto.
3. This Resolution shall take effect immediately.

I, Lydia 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, and State of New Jersey at a Regular meeting of said Council held August 21, 2019.

Vote Record – Resolution Number 2019-223				
	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				

**RESOLUTION NUMBER 2019-224 – PULLED FROM AGENDA**

**RESOLUTION APPOINTING 4 PART-TIME LABORERS IN THE DEPARTMENT OF  
PUBLIC WORKS AT THE SALARY OF \$13.00 PER HOUR**

**WHEREAS**, there is a need in the Borough of Roselle to fill the positions of Part-Time Laborers in the Department of Public Works; and

**WHEREAS**, the individuals listed herein were recommended by the Superintendent of Public Works and have been deemed by the Appointing Authority as qualified for employment as part-time Laborers in the Department of Public Works.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Roselle that the following individuals are hereby appointed to the position of part-time Laborer in the Department of Public Works in the Borough of Roselle, effective August 21, 2019, not to exceed twenty-nine (29) hours per week, at the salary of \$13.00 per hour, subject to the successful completion of the ninety (90) day working test period as required by Civil Service Regulations:

1. Rashawn Sully
2. Maxwell DeGuire
3. Markess Zamor
4. Ka'Shawn Green

**BE IT FURTHER RESOLVED**, that the hiring of the enumerated part-time laborers is subject to the satisfactory completion of a criminal background check, the initial cost of which is to be borne by the prospective part-time employee and will be reimbursed by the Borough so long as the check is satisfactory and employment is continued; and

**BE IT FURTHER RESOLVED**, that upon the successful completion of the ninety (90) day working test period as required by Civil Service Regulations, the enumerated individuals shall be eligible for six (6) annual vacation days, seven (7) annual sick days, three (3) annual personal days and one (1) annual floating holiday and these benefits will not increase with years of service and they shall also be eligible for the annual Borough holidays and bereavement leave as set forth in the Borough Personnel Policy Manual, as may be amended.

I, Lydia 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 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 a regular meeting of said Council held August 21, 2019.

Motion by Councilman Bernier, seconded by Councilman Atkins to adopt Resolution Numbers 2019-225 and 2019-226.

**Discussion:**

Councilman Atkins asked the Borough Administrator to give an explanation of both resolutions.

Borough Administrator, Jack Layne explained that the resolutions were presented by Maser Consulting and are related to a DOT Project for street paving. He said that it has yet to be determined which streets will be covered under this project; but once the administration makes a tentative list of those streets affected, it will be submitted to Council for approval.

Councilwoman Johnson asked if Williams Street could be made a priority in the project.

**RESOLUTION NUMBER 2019-225**

**RESOLUTION AWARDED CONSTRUCTION CONTRACT FOR THE 2018 NJDOT ROADWAY IMPROVEMENT PROJECT FUNDED BY NJDOT AND THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

**WHEREAS**, bids were received on Thursday, August 8, 2019 at 11:00 A.M. for the above referenced project; and

**WHEREAS**, there was one (1) bid received with the low bidder for the project being DLS Contracting, Inc., 271 Highway 46 W., Suite D205, Fairfield, NJ 07004, with a Base Bid Price of \$1,003,254.15, adjusted amount as per a mathematical error, the Base Bid Price is \$940,114.15; and

**WHEREAS**, Maser Consulting P.A. and other appropriate Borough Officials have reviewed the bids and recommend award of contract for this project to DLS Contracting, Inc.; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically, within bond ordinance number 2562-17 and 2586-18 for said construction services; and

**WHEREAS**, this Project is funded by multiple sources including NJDOT Fiscal Year 2018 Municipal Aid Grant funds and the Borough of Roselle; and

**WHEREAS**, this project is in the best interest of the health, safety and welfare of the general public in the Borough of Roselle.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above referenced construction project is awarded to DLS Contracting, Inc., 271 Highway 46 W., Suite D205, Fairfield, NJ 07004 in the amount of **\$940,114.15**.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is 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 a regular meeting of said Council held on August 21, 2019.

**RESOLUTION NUMBER 2019-226**

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING CONSTRUCTION  
ADMINISTRATION SERVICES IN CONNECTION WITH THE FISCAL YEAR 2018 NJDOT  
VARIOUS ROADWAY IMPROVEMENTS FUNDED BY THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION (NJDOT) LOCAL AID GRANT PROGRAM AND  
THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW  
JERSEY

**WHEREAS**, the Borough of Roselle is desirous in undertaking roadway improvements to various streets within the Borough and the improvements desired by the Borough is in the best interest of the health, safety and welfare of the general public of the Borough of Roselle; and;

**WHEREAS**, Maser Consulting P.A. is familiar with the construction administration procedures that are necessary for said improvements; and

**WHEREAS**, the improvements desired by the Borough is in the best interest of the health, safety and welfare of the general public of the Borough of Roselle; and

**Whereas**, Maser Consulting P.A. is familiar with the preparation of roadway improvement projects and have prepared same for the numerous New Jersey municipalities in prior years; and

**WHEREAS**, the Borough issued a Request for Qualifications for such services and received responses from several firms; and

**WHEREAS**, on January 16, 2019, the Borough Council, after review of the responses deemed certain firms as “Qualified” in accordance with the terms of the Request for Qualifications (Resolution No. 2019-049); and

**WHEREAS**, the Borough Council has deemed it necessary and in the best interest of the Borough to retain the services of an engineering firm for said purposes and has selected Maser Consulting P.A. from the “Qualified” firms; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically, within bond ordinance number 2562-17 and 2586-18 for said engineering services for the various roadway improvements.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer (Maser Consulting P.A.) is authorized to perform professional engineering and construction administration services in the amount of \$88,750.00 for the Fiscal Year 2018 NJDOT Various Roadway Improvements.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

I, Lydia Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is 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 a regular meeting of said Council held August 21, 2019.

Vote Record – Resolution Numbers 2019-225 and 2019-226				
	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				

Motion by Councilman Fortuna, seconded by Councilman Bernier, to adopt Resolution Number 2019-227.

**Discussion:**

Councilman Atkins asked if the CFO could explain exactly what Resolution Number 2019-227 means for the Borough.

Borough of Roselle

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CFO, Anders Hasseler, explained that the resolution consolidates a number of Bond Notes that have already been authorized and issued. HE said that notes are due on a ten year basis and this resolution will help us to stretch out the repayment term and have a lighter financial impact on the Borough.

Council President Wilkerson asked for clarification that the purpose of the resolution is not only to reduce the financial impact on the Borough; but to bring the Borough into compliance.

Councilwoman Johnson said that discussion of the resolution is re-hashing what has already been presented.

Councilman Atkins mentioned the comment that the resolution would bring the Borough into compliance; and asked if the Borough was currently out of compliance.

CFO, Anders Hasseler replied, "yes," and stated that bonds have a term of ten years, citing that one bond covered in the resolution is already past due.

#### **RESOLUTION NUMBER 2019-227**

RESOLUTION COMBINING BONDS AGGREGATING THE PRINCIPAL SUM OF \$9,695,000 AUTHORIZED BY FIVE BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE BOROUGH OF ROSELLE, COUNTY OF UNION, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE

WHEREAS, the Borough Council of the Borough of Roselle, in the County of Union, New Jersey (the "Borough"), has heretofore adopted five ordinances authorizing bonds to finance part of the cost of various general improvements in said Borough; and

WHEREAS, it is necessary to issue bonds pursuant to said ordinances in an aggregate principal amount of \$9,695,000 and it is deemed advisable and in the best interests of the Borough, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said five ordinances into one consolidated issue in the aggregate principal amount of \$9,695,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; NOW, THEREFORE,

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE IN THE COUNTY OF UNION, NEW JERSEY that:

Section 1. There shall be issued bonds of the Borough in the following principal amounts pursuant to the following bond ordinances:

A. \$453,932 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2251-06)

“BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$1,999,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$799,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 14.38 years.

B. \$3,182,396 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2297-08)

“BOND ORDINANCE PROVIDING FOR IMPROVEMENT OF WESTBROOK FLOOD CONTROL PROJECT IN AND BY THE BOROUGH OF ROSELLE IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$9,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 40 years.

C. \$2,181,522 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2478-14)

“BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$5,746,733 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,841,422 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 15.33 years.

D. \$1,399,500 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2510-14)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,750,000 FOR THE ACQUISITION AND INSTALLATION OF A COMMUNICATIONS SYSTEM FOR VARIOUS DEPARTMENTS AND AUTHORIZING THE ISSUANCE OF \$1,662,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 10 years.

E. \$2,477,650 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2519-15)

“BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$4,023,855 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,189,732 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 13.95 years.

Section 2. The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount of \$9,695,000 and are sometimes hereinafter collectively referred to as the “Bonds.” The bonds referred to in Section 1 shall each be designated “General Obligation Bonds, Series 2019” and shall be numbered with the prefix G from one consecutively upward. The bonds of said consolidated issue shall be dated the date of delivery and will be issued in fully registered form. When issued, the Bonds will be registered in the name of and held by Cede & Co., as the owner thereof and nominee for The Depository Trust Company, New York, New York (“DTC”), an automated depository for securities and clearinghouse for securities transactions.

Upon issuance, the Bonds will be delivered to DTC in single denominations for each maturity of the General Obligation Bonds, Series 2019. Individual purchases of beneficial interests in the Bonds will be made in book-entry form (without certificates) in the denomination of \$1,000 each or any integral multiple thereof.

Principal of the Bonds will be paid annually, subject to prior optional redemption, on the fifteenth day November in the following years and in the following aggregate amounts:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2020	\$340,000	2029	\$600,000
2021	340,000	2030	615,000
2022	505,000	2031	635,000
2023	515,000	2032	655,000
2024	530,000	2033	670,000
2025	540,000	2034	680,000
2026	555,000	2035	680,000
2027	570,000	2036	680,000
2028	585,000		

The Bonds maturing on or prior to November 15, \_\_\_\_ shall not be subject to redemption prior to their respective maturity dates. The Bonds maturing on or after November 15, \_\_\_\_ shall be subject to redemption prior to their respective maturity dates, on or after November 15, \_\_\_\_ at the option of the Borough, either in whole or in part at any time in any order of maturity at one hundred percent (100%) of the principal amount of the Bonds being redeemed (the "Redemption Price"), plus in each case accrued interest thereon to the date fixed for redemption.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Borough, at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. However, so long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, Notices of Redemption shall be sent to such depository and shall not be sent to the beneficial owners of the Bonds, and will be done in accordance with DTC procedures. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Borough determines to redeem a portion of the Bonds of a maturity, such Bonds shall be selected by lot. If Notice of Redemption has been given as described herein, the Bonds, or the portion thereof called for redemption, shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the Bonds redeemed.

Section 3. It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the said General Obligation Bonds, Series 2019 are to be issued, taking into consideration the amount of such General Obligation Bonds, Series 2019 to be issued for said improvements or purposes, is 22.26 years.

Section 4. The Bonds shall bear interest from their date based on their outstanding principal amount at a rate to be determined as hereinafter set forth in Section 6 of this resolution, shall be payable as to principal in lawful money of the United States of America at the administration office of the Borough in Roselle, New Jersey, payable semi-annually on the fifteenth day of May and November in each year until maturity or prior optional redemption, commencing on May 15, 2020, by check or draft mailed on such interest payment date to the owners thereof registered as such as of each next preceding May 1 and November 1. Interest on the Bonds shall be calculated on the basis of a 360-day year of twelve 30-day calendar months.

Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the DTC Letter of Representations to be executed by the Borough and DTC. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the bonds is the responsibility of the DTC participants.

Section 5. The Bonds shall be signed by the Mayor and the Borough Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the Borough shall be

affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Borough.

Section 6. The Borough Chief Financial Officer is hereby authorized and directed to take all actions necessary to offer the Bonds for public sale upon the submission of electronic proposals in accordance with all applicable statutes and to determine in his discretion the date for receipt for such proposals, all in accordance with the terms set forth in the Notice of Sale. The Borough Chief Financial Officer is further hereby authorized and delegated the authority to sell and award the Bonds in accordance with the terms of the Notice of Sale and directed to report in writing to the Borough Council at the next meeting succeeding the date when any sale or delivery of the Bonds pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser. The "Notice of Sale" shall comply in all respects with the applicable statutes relating thereto and shall be substantially in the form attached hereto as Exhibit A, with such additions, modifications or deletions as determined by the Borough Chief Financial Officer. The Notice of Sale shall be published in a newspaper published and circulated in the Borough as the Borough Chief Financial Officer may select and a summary of the Notice of Sale shall be published in The Bond Buyer at least once at least seven (7) days prior to the date of public sale. The Borough Chief Financial Officer is authorized and delegated the authority to postpone a public sale without readvertisement in accordance with all applicable statutes relating thereto.

Section 7. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

<b>Vote Record – Resolution Number 2019-227</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				

Motion by Councilman Fortuna, seconded by Councilman Bernier, to adopt Resolution Number 2019-228.

#### **RESOLUTION NUMBER 2019-228**

**RESOLUTION APPROVING THE RELEASE OF ESCROW TO 220 COLUMBUS AVE, LLC**

**WHEREAS**, 220 Columbus Ave, LLC at 220 Columbus Ave, known as Block 2901, Lot 5 on the tax map of the Borough of Roselle, has posted a professional escrow; and

**WHEREAS**, there have been no further draw downs on the escrow balance; and

**WHEREAS**, this project will not move forward; and

**WHEREAS** there remains a balance of \$1750.00 (including interest if applicable) in escrow sub-account No. 16-0000031 which the applicant has requested to be returned; and

**WHEREAS**, engineering, legal, planning, and zoning have determined there are no out-standing claims against the professional escrow and there remains no reason to maintain this escrow account;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Roselle that the Borough CFO is hereby authorized to release the remaining escrow balance of \$1750 in escrow sub-account No. 16-0000031 to 220 Columbus Ave, LLC, Roselle, NJ 07203 and close this escrow account.

Escrow (acct # 16-0000031)

I certify that the foregoing is a true and correct copy of resolution adopted by the Mayor and Council of the Borough of Roselle at a meeting held August 21, 2019.

Vote Record – Resolution Number 2019-228				
	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				

Motion by Councilman Fortuna, seconded by Councilman Bernier, to adopt Resolution Number 2019-229.

**RESOLUTION NUMBER 2019-229**  
**GREEN ACRES ENABLING RESOLUTION**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Borough of Roselle desires to further the public interest by obtaining a matching grant in the amount of \$2,100,000 to fund the Arminio Field Park Improvement #2014-12-020; and

**NOW, THEREFORE**, the governing body of the Borough of Roselle resolves that the Mayor of the Borough of Roselle or the successor to the office of Mayor is hereby authorized to:

- (a) Make application for such a grants and/or loan;
- (b) Provide additional application information and furnish such documents as may be required; and
- (c) Act as the authorized correspondent of the above named applicant; and

**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project.

**NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE BOROUGH COUNCIL OF ROSELLE, UNION COUNTY, NEW JERSEY:**

1. The Mayor of the Borough of Roselle is hereby authorized to execute grant and loan agreements and any amendments thereto with the State for the project known as the Arminio Field Park Improvement project;
2. The applicant has its matching share of the project, if a match is required, in the amount of a Green Acres loan request of \$2,100,000;
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

**CERTIFICATION**

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  
Borough of Roselle  
Minutes of the August 21, 2019 Regular Meeting

Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting held of said Council held August 21, 2019.

<b>Vote Record – Resolution Number 2019-229</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				

Motion by Councilman Atkins, seconded by Councilman Fortuna to adopt Resolution Numbers 2019-230 through 2019-232.

#### **RESOLUTION NUMBER 2019-230**

RESOLUTION AMENDING RESOLUTION 2019-030 THAT AUTHORIZED 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

**WHEREAS**, the Mayor and Council of the Borough of Roselle passed Resolution Number 2019-030 authorizing the filing of an application with the New Jersey Department of Law and Public Safety for project funding under its FY2019 Safe and Secure Communities Grant Program, which will provide \$60,000.00 for use in creating more effective crime reduction strategies; and

**WHEREAS**, the New Jersey Office of the Attorney General has requested that a change be made with respect to the language concerning the matching funds requirement originally recited in Resolution 2019-030; and

**WHEREAS**, the cash match that is required for the grant is only for the fringe benefits paid for the two (2) participating Roselle Police Officers and not the current and existing salaries of the officers as originally stated in Resolution 2019-030; and

**WHEREAS**, the Mayor and Council of the Borough of Roselle remain desirous of obtaining a New Jersey Department of Law and Public Safety FY2019 Safe and Secure Communities Grant in the amount of \$60,000.00, with a cash match of fringe benefits; and

**WHEREAS**, the Mayor and Council of the Borough of Roselle recognize and accept that the Department of Law and Public Safety may offer a greater or lesser amount in connection therewith.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL OF ROSELLE, UNION COUNTY, NEW JERSEY:**

1. Resolution Number 2019-030 is hereby amended to reflect that the cash match required for the grant is the fringe benefits paid for the two (2) participating Roselle Police Officers.
2. The Mayor and Council of the Borough of Roselle as a matter of public policy, hereby endorse, support and authorize the filing of a FY 2019 New Jersey Department of Law and Public Safety Safe and Secure Communities Grant application and will participate to the fullest extent possible with the Department of Law and Public Safety.
3. The Attorney General will receive the funds on behalf of the applicant.
4. The NJ Division of Criminal Justice shall be responsible for the receipt and review of the application for said funds.
5. The NJ Division of Criminal Justice shall initiate allocations to each applicant.
6. Upon receipt of the Grant Agreement from the New Jersey Department of Law and Public Safety, the Mayor, Borough Administrator and/or any other municipal official, or their successors whose signatures are required on the agreement, are hereby authorized to sign the agreement and any other documents necessary in connection therewith, the signatures which are hereby approved.
7. Upon receipt of the fully executed Grant Agreement from the New Jersey Department of Law and Public Safety, the expenditure of funds is hereby authorized pursuant to the terms of the agreement between the Borough of Roselle and the Department of Law and Public Safety.
8. A copy of this resolution shall be sent to the New Jersey Department of Law and Public Safety so that implementation of the grant program may be expedited.
9. No additional Borough funds other than the cash match equivalent to the current fringe benefits for the participating Roselle Police Officers, is required.
10. This Resolution shall take effect immediately.

I, Lydia 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 a Regular meeting of said Council held August 21, 2019.

**RESOLUTION NUMBER 2019-231**  
**APPOINTING SCHOOL CROSSING GUARDS**

**WHEREAS**, there is a need in the Borough of Roselle to employ School Crossing Guards; and

**WHEREAS**, *N.J.S.A. 40A:9-154.1* permits the employ of School Crossing Guards upon the recommendation of the Chief of Police for a term not to exceed one year; and

**WHEREAS**, it has been determined by the Chief of Police that the following individuals are qualified for appointment to the position of School Crossing Guard:

Allen, Charles	McArthur, Linda
Blondel, Brendalie (Alternate)	McDowell, Star
Boone, Arthur	McNeal, Hakina
Brown, Ezra	Nowlin, Michelle
Carpenter, Gerline	Pressley, James
Cokley ,Leroy	Rivera, Madelin
Delfino, Anthony	Rivera, Rafeal
Drewniany, Raymond	Rose, Veronica
Dunston, Mary	Simmons, Cerise
Emanuel, Deborah	Tirado, Lendie
Graham, Rickey	Trent, Diahann (Alternate)
Hoffman, Delcia	Williams, Lou Vata
Joyner, Linder	Alternate (To Be Hired)

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey that these persons listed above be and are hereby appointed to the position of School Crossing Guard in the Borough of Roselle, effective September 5, 2019, for a term not to exceed one year, with a salary range of \$15.53 to \$19.27 per hour as set forth in the collective negotiations agreement between the Borough and the OPEIU.

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 a regular meeting of said Council held August 21, 2019.

**RESOLUTION NUMBER 2019-232**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT  
TO SYSNET SOLUTIONS TO PROVIDE COMPUTER CONSULTING SERVICES FOR  
THE POLICE DEPARTMENT NOT TO EXCEED \$50,000.00**

**WHEREAS**, the Borough of Roselle has a need to acquire Computer Consulting Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

**WHEREAS**, the temporary purchasing agent has determined and certified in writing that the value of the services will exceed \$17,500; and

**WHEREAS**, Sysnet Solutions has submitted a proposal indicating they will provide computer consulting services to the Police Department for the period from August 22, 2019 through December 31, 2019; and

**WHEREAS**, Sysnet Solutions has completed and submitted a Business Entity Disclosure Certification which certifies that Sysnet Solutions has not made any reportable contributions to a political or candidate committee in the Borough of Roselle in the previous one year, and that the contract will prohibit Sysnet Solutions from making any reportable contributions through the term of the contract; and

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

1. That the Borough Council awards a contract to Sysnet Solutions, 746 Route 18, Suite 2B, East Brunswick, NJ 08816 to provide computer consulting services to the Police Department, at a contract amount not to exceed \$50,000.00, said contract to be for a period from August 22, 2019 through December 31, 2019.

2. That this Contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law (N.J.S.A. 40A: 11-5(1)(a)(i)).

3. That a notice in accordance with this resolution and the Local Public Contracts Law of New Jersey, shall be published in the official newspaper or newspapers of the Borough as required by law, within twenty (20) days of execution of said Contract.

4. That an executed copy of the Contract between the Borough and Sysnet Solutions, 746 Route 18, Suite 2B, East Brunswick, NJ 08816, and a copy of this resolution shall be filed in the Office of the Borough Clerk and be available there for public inspection in accordance with law.

5. All previous Resolutions and/or orders and directives of Borough employees or officials, which are contrary to or inconsistent with the terms of this instant Resolution, are hereby rescinded, repealed and otherwise deemed ineffectual, to the extent of their inconsistency.

6. That this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

I, Lydia 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 a Regular meeting of said Council held August 21, 2019.

<b>Vote Record – Resolution Numbers 2019-230 through 2019-232</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				

Motion by Councilman Atkins, seconded by Councilman Bernier to adopt Resolution Numbers 2019-233 and 2019-234.

**RESOLUTION NUMBER 2019-233**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO ALL COVERED TO PROVIDE COMPUTER CONSULTING SERVICES FOR THE BOROUGH NOT TO EXCEED \$35,000.00**

**WHEREAS**, the Borough of Roselle has a need to acquire Computer Consulting Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

**WHEREAS**, the temporary purchasing agent has determined and certified in writing that the value of the services will exceed \$17,500; and

**WHEREAS**, All Covered has submitted a proposal indicating they will provide computer consulting services to the Borough for the period from July 1, 2019 through December 31, 2019; and

**WHEREAS**, All Covered has completed and submitted a Business Entity Disclosure Certification which certifies that All Covered has not made any reportable contributions to a political or candidate committee in the Borough of Roselle in the previous one year, and that the contract will prohibit All Covered from making any reportable contributions through the term of the contract; and

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

1. That the Borough Council awards a contract to All Covered, 100 Dobbs Lane, Suite 208, Cherry Hill, NJ 08034 to provide computer consulting services to the Borough, at a contract amount not to exceed \$35,000.00, said contract to be for a period from July 1, 2019 through December 31, 2019.

2. That this Contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law (N.J.S.A. 40A: 11-5(1)(a)(i)).

3. That a notice in accordance with this resolution and the Local Public Contracts Law of New Jersey, shall be published in the official newspaper or newspapers of the Borough as required by law, within twenty (20) days of execution of said Contract.

4. That an executed copy of the Contract between the Borough and All Covered, 100 Dobbs Lane, Suite 208, Cherry Hill, NJ 08034 and a copy of this resolution shall be filed in the Office of the Borough Clerk and be available there for public inspection in accordance with law.

5. All previous Resolutions and/or orders and directives of Borough employees or officials, which are contrary to or inconsistent with the terms of this instant Resolution, are hereby rescinded, repealed and otherwise deemed ineffectual, to the extent of their inconsistency.

6. That this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

I, Lydia 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 a Regular meeting of said Council held August 21, 2019.

**RESOLUTION NUMBER 2019-234**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT  
TO JAFFE COMMUNICATIONS TO PROVIDE MEDIA/PUBLIC INFORMATION  
CONSULTING SERVICES FOR THE BOROUGH NOT TO EXCEED \$18,000.00**

**WHEREAS**, the Borough of Roselle has a need to acquire Media/Public Information Consulting Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

**WHEREAS**, the temporary purchasing agent has determined and certified in writing that the value of the services will exceed \$17,500; and

**WHEREAS**, Jaffe Communications has submitted a proposal indicating they will provide Media/Public Information consulting services to the Borough for the period from July 1, 2019 through December 31, 2019; and

**WHEREAS**, Jaffe Communications has completed and submitted a Business Entity Disclosure Certification which certifies that Jaffe Communications has not made any reportable contributions to a political or candidate committee in the Borough of Roselle in the previous one year, and that the contract will prohibit Jaffe Communications from making any reportable contributions through the term of the contract; and

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

1. That the Borough Council awards a contract to Jaffe Communications, 312 North Avenue, East, Suite 5, Cranford, NJ 07016 to provide media/public information consulting services to the Borough, at a contract amount not to exceed \$18,000.00, said contract to be for a period from July 1, 2019 through December 31, 2019.

2. That this Contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law (N.J.S.A. 40A: 11-5(1)(a)(i)).

3. That a notice in accordance with this resolution and the Local Public Contracts Law of New Jersey, shall be published in the official newspaper or newspapers of the Borough as required by law, within twenty (20) days of execution of said Contract.

4. That an executed copy of the Contract between the Borough and Jaffe Communications, 312 North Avenue, East, Suite 5, Cranford, NJ 07016, and a copy of this resolution shall be filed in the Office of the Borough Clerk and be available there for public inspection in accordance with law.

5. All previous Resolutions and/or orders and directives of Borough employees or officials, which are contrary to or inconsistent with the terms of this instant Resolution, are hereby rescinded, repealed and otherwise deemed ineffectual, to the extent of their inconsistency.

6. That this Resolution shall take effect immediately.

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

I, Lydia 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 a Regular meeting of said Council held August 21, 2019.

Vote Record – Resolution Numbers 2019-233 and 2019-234				
	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				

Motion by Councilman Atkins, seconded by Councilwoman Shaw, to adopt Resolution Number 2019-235.

### **RESOLUTION NUMBER 2019-235**

#### **ACCEPTANCE OF THE RESIGNATION OF VIVIAN J. HOFF**

**WHEREAS**, a Resolution appointed Vivian J. Hoff to the position of Court Administrator, effective February 1, 2014; and

**WHEREAS**, Vivian J. Hoff has submitted a letter of resignation, effective at the close of business September 1, 2019.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle, hereby accepts the resignation in good standing of Vivian J. Hoff, this date.

I, Lydia 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 a Regular meeting of said Council held August 21, 2019.

Vote Record – Resolution Number 2019-235				
	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				

### **RESOLUTION NUMBER 2019-236 – PULLED FROM AGENDA**

## APPOINTMENT OF ACTING COURT ADMINISTRATOR

**WHEREAS**, the position of Acting Court Administrator is required to ensure the proper operation of the Roselle Municipal Court; and

**WHEREAS**, Joanne Papa is qualified to serve in the Acting positions; and

**WHEREAS**, the appointed Court Administrator resigned this position on September 1, 2019; and

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

1. Joanne Papa is appointed as Acting Court Administrator, effective September 1, 2019 through December 31, 2019, to be compensated with a stipend in the amount of \$13,500.00 on a prorated basis.
2. The compensation listed herein for Joanne Papa is a stipend and is not to be considered pensionable or part of her annual or base salary.

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer has certified that sufficient funds are available within the CY 2019 Budget in the amount of \$13,500.00, in Account # 9-01-43-490-000-100.

I, Lydia 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 a regular meeting of said Council held August 21, 2019.

## **RESOLUTION NUMBER 2019-237 – PULLED FROM AGENDA** APPOINTMENT OF ACTING DEPUTY COURT ADMINISTRATOR

**WHEREAS**, the position of Acting Deputy Court Administrator is required to ensure the proper operation of the Roselle Municipal Court; and

**WHEREAS**, Lisa Gares is qualified to serve in the Acting position; and

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

3. Lisa Gares is appointed as Part-Time Acting Deputy Court Administrator, effective September 1, 2019 through December 31, 2019, to be compensated with a stipend in the amount of \$6,885.00, on a prorated basis.
4. The compensation listed herein for Lisa Gares is a stipend and is not to be considered pensionable or part of her annual or base salary.

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer has certified that sufficient funds are available within the CY 2019 Budget in the amount of \$6,885.00, in Account # 9-01-43-490-000-100.

I, Lydia 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 a regular meeting of said Council held August 21, 2019.

**RESOLUTION NUMBER 2019-238 – PULLED FROM AGENDA**  
**RESOLUTION HIRING A PART-TIME KEYBOARDING CLERK 1 IN THE MUNICIPAL  
COURT AT \$18.00 PER HOUR**

**WHEREAS**, there is a vacancy for a part-time Keyboarding Clerk 1 position in the Municipal Court; and

**WHEREAS**, Tia Alamo was interviewed and deemed to be qualified for employment in the title of part-time Keyboarding Clerk 1 in the Municipal Court; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Roselle that Tia Alamo is hereby appointed to the position of part-time Keyboarding Clerk 1 in the Municipal Court in the Borough of Roselle, effective Monday, September 2, 2019, subject to the successful completion of the ninety (90) day working test period as required by Civil Service Regulations.

**BE IT FURTHER RESOLVED**, that the hourly pay is \$18.00 for Tia Alamo; and

**BE FURTHER RESOLVED**, that a waiver of the Borough's residency requirement is granted; and

**BE IT FURTHER RESOLVED**, that the hiring of Tia Alamo is subject to the satisfactory completion of a criminal background check, the initial cost of which is to be borne by employee and will be reimbursed by the Borough so long as the check is satisfactory and employment is continued.

I, Lydia 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 a Regular meeting of said Council held August 21, 2019.

Motion by Councilman Atkins, seconded by Councilwoman Shaw to adopt Resolution Number 2019-239.

**RESOLUTION NUMBER 2019-239**  
**AUTHORIZING TAX TITLE LIEN REDEMPTIONS**

**WHEREAS**, at a sale of land for delinquent taxes and all liens held by the Tax Collector of Roselle Borough, Union County, various blocks and lots were sold to the below persons; and

**WHEREAS**, said property and/or liens have been redeemed by the owners thereof, and the purchasers of said property are legally entitled to a refund of monies paid at the time of redemption in the below specific amounts;

**NOW, THEREFORE, BE IT RESOLVED** that the amounts covering the certificates of sale, together with all the charges due the said individuals at the time of redemption be and the same are hereby ordered refunded to the said individuals, and the proper officials of the Borough of Roselle, Union County, New Jersey are hereby authorized and empowered to execute a voucher to the said individuals in the attached amounts.

Lienholder	Block	Lot	Qual	Certificate	Premium	Redemption	Total
ATCF II NJ LLC TAX SERV AS	7401	1	C4H02	18-00060	\$10,100.00	\$10,762.34	\$20,862.34
FNA DZ, LLC FBO WSFS	2703	5		18-00040	\$0.00	\$37,055.98	\$37,055.98
US BANK CUST FOR PC7 FIRSTRUST	2203	23		17000019	\$8,200.00	\$24,275.92	\$32,475.92
Total					\$18,300.00	\$72,094.24	\$90,394.24

Redemptions (acct#T18-56-400-000-000)

Premiums (acct#T18-56-500-000-000)

I certify that the foregoing is a true and correct copy of a resolution adopted by the Mayor and Council of the Borough of Roselle at a meeting held August 21, 2019.

Vote Record – Resolution Number 2019-239				
	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				

## **PAYMENT OF BILLS**

Motion by Councilman Atkins, seconded by Councilman Bernier, to adopt Resolution Number 2019-240.

## **Discussion:**

Councilwoman Shaw page 2 of the bill list for Acacia Financial. She said that it was her understanding that Acacia was supposed to complete two tasks per their contract, but they informed the Council that they were not able to complete one of the tasks.

CFO, Anders Hasseler, said that he would check the resolution, but that he was certain that there was an encumbrance for the second task, which is being reversed due to the inability of Acacia to deliver the service. He assured the Council that he would check the specifics of the resolution.

**RESOLUTION NUMBER 2019-240**  
**A BILL LIST DATED AUGUST 21, 2019**

RESOLVED: That the following be paid by the borough by checks drawn on TD Bank made payable to those persons for whom the warrants are drawn:

<b><u>FUND</u></b>	<b><u>AMOUNT</u></b>
ANIMAL CONTROL	489.60
CAPITAL ACCOUNT	471,746.34
CDBG TRUST	
CURRENT FUND	6,763,380.60
ESCROW TRUST	54,631.10
FSLEF	
SLEF	
GENERAL TRUST ACCOUNT	186896.28
TRUST DCA FEES	
GRANT ACCOUNT	3,981.34
JULY 19, 2019 PAYROLL	727288.99
AUGUST 2, 2019 PAYROLL	697236.43
\AUGUST 16, 2019 PAYROLL	628368.7
MANUAL CHECK	108,269.83
POAA	
REDEMPTION PREMIUM ACCOUNT	18,300.00
PUBLIC DEFENDER	
REDEMPTION TRUST	72,094.24
RESERVE FOR ESCROW	
SALARY DEDUCTION	141,782.13
 GRAND TOTAL	 <b><u>9,874,465.58</u></b>

<b>Vote Record – Resolution Number 2019-240</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				

Council President Wilkerson then declared the time for Public Comment.

### **PUBLIC COMMENT**

1. Delia Ware-Tibbs, president of the Roselle Board of Education said that she was appreciative of the development of the football field. She said that there was still a punch list of items that need to be completed before maintenance of the field can be transferred to the Board of Education. She talked about some of the things that need to be done to bring the field up to par and said that the assistance of the Council is needed in order to facilitate the completion of the project.
2. Jonathan Davis, Roselle Resident asked if the Borough Engineer could present to the site to oversee the progress of the project.

Borough Administrator, Jack Layne, responded that the bulk of the punch list items should be completed by the following week; and that he would reach out the Engineer regarding Mr. Davis's concern.

3. Garrett Smith, said that he is hoping the Council will change their by-laws to allow for the general public comment portion to take place before Executive Session because many residents had to leave without voicing their concerns, due to the length of time spent in Executive Session. He talked about the budget and said that he was bothered by the fact that he never got a straight answer about the budget.

Mr. Smith asked for an extension of time to finish his comments

Motion by Councilman Bernier, seconded by Councilwoman Johnson to extend Mr. Smith's time by 1 minute.

<b>Vote Record – To Extend Mr. Smith’s Comment Time by 1 Minute</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				

Mr. Smith went on to say that it’s not fair what is being done to taxpayers and he will fight the tax increase at every turn. He asked the Council to return the money to taxpayers.

4. Anthony Esposito, 414 E. 3<sup>rd</sup> Avenue, commented on the remarks of Mr. Smith, stating that if he was the CFO, he would have estimated on the high side as well. He lamented that at the current moment, the Council had been spending money without a budget; and said he understood why the CFO estimated the 3<sup>rd</sup> Quarter taxes the way he did. He implored the Council to pass a budget.
5. Cecilia Dallis Ricks thanked the Council Members who responded when she asked. She said that last time she was at the Council Meeting, she inquired about the Mayor’s vehicle; and that she realized that it was not fair to only inquire about the Mayor. She then decided that she should inquire about all employees who drive Borough vehicles. She said that all employees driving Borough Vehicles should be billed at the IRS rate, which should be deducted from their pay.
6. Samuel Bishop, Roselle Resident, stated that he agreed with the comments of the former Mayor regarding the budget. He said that it was incredible that there was such an incredible increase, but then a week later taxpayers were told that the yearly increase will only be \$26. He said that well over \$1 Million was set aside for the Mind and Body complex, but since the project was not completed, the money from the Mind and Body Complex needs to go back to the taxpayers.
7. Courtney Washington, announced that her foundation, BOLD has an Adaptive Wheelchair Ballroom Dancing Class coming up, beginning September 21, 2019. She asked the Council to fix her driveway, which was damaged during street paving. She said that she would really like for someone to come out and see the damage to her driveway. She said that she is still not clear as to the rationale behind the budget; and that she is glad that it’s not just being passed without negotiation. She said that those who escrow their taxes are paying extra interest because of the high estimate. She talked about open employment positions and asked if the Borough adheres to a residency requirement, as there are many Roselle Residents looking for employment.

8. William Frolich, asked about the Ordinance Codification and talked about the Gordon Street Bridge, saying that it is a potential death trap. He asked what action had been taken as a result of passing Resolution Number 2019-204.
9. Mr. Drewniany, Roselle Resident, said that his income is fixed from Social Security and he gets his Crossing Guard pay, which makes it a struggle to pay the high tax increase. He said that he was concerned about Public Safety, as no crosswalks or yellow curbs had yet been painted, with school about to start soon. He talked about cars obstructing the roads and making it hard to navigate the streets safely. He said he really hopes that these things can be addressed so that no-one has an accident that is uncalled for.
10. Maria Hegener, 920 Spruce Street, recommended that Mr. Frolich be paid for his knowledge and expertise. She said that estimated tax bills went out and were paid, yet the residents still had no budget to balance things out. She remarked that she was very upset because things were said but not done for the good of the residents. She commented that she meant it when she said that some members of the Council needed to be run out of time. She said that members of the Council should watch their words because some have implied that she is racist.
11. Sylvia Turnage, Resident of Roselle, commented on the budget, saying that she was disappointed because the budget was not passed; but that she could understand not voting on a budget that one felt was not good for the community. She asked for an explanation of the deficiencies in the resolutions that were pulled.

Seeing no-one else come forward, Council President Wilkerson closed the public comment portion of the meeting.

Councilman Atkins addressed the public, saying that the night was disheartening because the public had been overlooked. He said that it was against the law for the Borough to give the residents a 5% tax increase. He said that the Council could make it right; and he offered a resolution refunding residents the money they paid for their estimated tax bills.

Councilman Bernier called for a Point-of-Order, on the basis that the motion was being made outside of the New Business Section of the agenda.

Councilwoman Shaw seconded the motion to accept the resolution refunding residents their payments from their estimated tax bills.

Councilman Atkins asked for a legal opinion from the Borough Attorney.

Borough Attorney, Karen Brown, clarified that the by-laws do allow Council Members to make motions from the floor at any time.

Council President Wilkerson upheld the Point-of- Order made by Councilman Bernier.

CFO Anders Hasseler, read the state statute governing the calculation of 3<sup>rd</sup> Quarter Tax Bills and indicated that the resolution read into record by Councilman Atkins was erroneous.

Councilwoman Shaw commented that the tax levy was just wrong and the current resolution should be passed because it is clear that the public is hurting because of the 3<sup>rd</sup> Quarter tax bills.

Councilwoman Johnson echoed the sentiments of Councilwoman Shaw and said that there has yet to be a concession on settling the budget. She said that she emailed her suggestions to the CFO and received a response that what she suggested was not possible.

Councilman Bernier stated that he has seen taxes refunded; but that it has always been refunded to individual property owners. He said that the levy was approved by the Council and put into an estimated bill, which was paid, so there is no overpayment on the part of the taxpayers. He said he couldn't see any ability for the Council to refund all property owners en masse; and that he understood the intention of the resolution. In light of the intention of the resolution, he said that the issue of the 3<sup>rd</sup> Quarter tax bill estimate could also be solved with the passing of a budget.

Councilman Fortuna said that he was sympathetic to the intention of the resolution; but he was wondering why the resolution was not included in the workshop meeting packet. He commented that he didn't think that pulling the resolution out of one's pocket at 10:30pm was the best way to present it to the Council.

Discussion continued surrounding the proposed resolution.

<b>Vote Record – Resolution to Refund the 3<sup>rd</sup> Quarter Tax Bill Payments</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 checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

Motion by Councilman Bernier, seconded by Councilman Fortuna to adjourn the meeting.

Vote Record – Motion to Adjourn				
	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 checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

### **COUNCIL COMMENT**

Council President Wilkerson gave her condolences to the Borough Employees who had recently lost loved ones. She also commented on the resolution which was introduced by Councilman Atkins.

### **ADJOURNMENT**

On a motion by Councilwoman Shaw, seconded by Councilwoman Johnson, the meeting was duly adjourned at 11:00pm.

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Lydia D. Massey, Acting Municipal Clerk