

**BOROUGH OF ROSELLE  
MAYOR & COUNCIL  
MINUTES OF REGULAR MEETING  
AUGUST 19, 2020**

Mayor Atkins 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 19, 2020 at 6:31 p.m. The flag salute was done, and the invocation was given by Mayor Atkins.

Acting Municipal Clerk, Lydia 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 2020 to the Union County Local Source and The Home News Tribune in 2019, by posting on the Borough of Roselle website, and by filing said notice in the Office of the Municipal Clerk.

**ROLL CALL:**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Denise Wilkerson	Councilwoman	P	
Brandon Bernier	Councilman	P	
Cindy Thomas	Councilwoman	P	
Isabel Sousa	Councilwoman	P	
John Fortuna	Councilman	P	
Cynthia Johnson	Councilwoman	Excused	
Reginald Atkins	Mayor	P	

**ALSO PRESENT:**

Jack Layne, Borough Administrator; Everett Falt, Assistant Borough Administrator; Mohamed Jalloh, Borough Attorney; Lydia D. Massey, Acting Municipal Clerk

**PROCLAMATION**

Black Lives Matter was read by Mayor Atkins

**CERTIFICATE OF RECOGNITION**

Veterans Advocate Janna Williams was read by Mayor Atkins

Mayor Atkins asked Mrs. Williams if she had any remarks and she thanked the Mayor and Council for the proclamation.

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

Minutes of the Mayor and Council Workshop Meeting – July 8, 2020

Minutes of the Mayor and Council Closed Executive Session – July 8, 2020

Minutes of the Mayor and Council Regular Meeting – July 15, 2020

Motion by Councilman Fortuna, seconded by Council President Wilkerson to approve the minutes of meetings.

<b>Vote Record – Approval of Minutes</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson				x
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

### **COMMITTEE REPORTS**

Councilman Fortuna commended the DPW for the work done after the storm and said the residents were appreciative, and the storm cleanup should be done by early Fall. He announced that the County will pave 1<sup>st</sup> Avenue and St. George Avenue through Roselle and the Wood Avenue paving could be start in October or November. He also reported that the sidewalk project is looking good and encouraged residents to schedule metal pickup by 12 Noon the Wednesday before the scheduled Thursday pickup.

Council President Wilkerson reported that the Governance Committee discussed policy enhancements. She also talked about training, performance appraisals, and the Health Official deeming it safe for all staff to return to work. She discussed shared services opportunities and building and office space adjustments in Borough Hall. She announced that the Westbrook flood map was updated and letters were mailed out to approximately 150 homes based on the updated maps She also reported that a portal was rolled out to track and address complaints and the data will show how well residents are being serviced.

Councilman Bernier reported that Finance Committee met in the last couple of months and is primarily following up on the Cares Act reimbursement monies and that the Borough submitted requests to the County for COVID-19 related expenses. He talked about FEMA monies the Borough is entitled to dating back to Hurricane Sandy and he reported that a consultant saved the Borough from paying approximately \$90K that FEMA wanted the Borough to pay back. He talked about grant resolutions on the agenda and the Board of Education payment. He also advised that the 2021 departmental budget requests will go out to department heads for discussion and consideration with the CFO and Finance. He talked about the approval of a State Health benefits plan that could save the Borough millions of dollars help keep the taxes stable into the future. He announced that the Planning Board has not met as of yet since the Corona Virus pandemic.

Mayor Atkins remarked that he would like to hear more about shared services and asked that in the spirit of transparency, notes and minutes from the various committees be disseminated to Mayor and members of the governing body.

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

### **ORDINANCE ON SECOND READING & FINAL PASSAGE** – Ordinance 2628-20

AN ORDINANCE TO REPEAL AND REPLACE BOROUGH CODE CHAPTER 295, NOISE CONTROL [Proposed Public Hearing – August 19, 2020 Pending Approval]  
AN ORDINANCE TO REPEAL AND REPLACE BOROUGH CODE CHAPTER 295, NOISE CONTROL [Proposed Public Hearing – August 19, 2020 Pending Approval]  
**WHEREAS**, the Borough of Roselle endeavors to simplify Chapter 295 of the Borough Code and revise the Noise Control ordinances of the Borough in accordance with the New Jersey Noise Control Act, N.J.S.A. 13:1G-1, *et seq.*

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and the Borough Council of the Borough of Roselle that Chapter 295 of the Borough Code shall be repealed and replaced with the following:

#### **Article I. Restrictions**

##### **§ 295-1. Noise Prohibited.**

It shall be unlawful for a person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which does or is likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.

##### **§ 295-2. Permit(s) Required for Loudspeakers and Sound Amplifiers.**

Any person, firm or corporation residing in or doing business in the Borough of Roselle may apply for permission to operate a loudspeaker or sound amplifier with the Borough Clerk upon forty-eight (48) hours' notice of the date on which the use of the loudspeaker or other sound amplifier is intended to be used. Application information can be found at § 295-13 of this Code.

**§ 295-3. Location and Time of Loudspeaker and/or Sound Amplifier Use Restricted.**

- a. No person shall use or operate a Loudspeaker or Sound Amplifier within the Borough of Roselle, except weekdays between 10:00 a.m. and 5:30 p.m., prevailing time, nor within a radius of five hundred (500) feet of any house of worship while funeral services are being held there;
- b. This section shall not apply to charitable, political or civic organizations of the Borough of Roselle, nor shall it apply to radios in homes or private pleasure vehicles when the same are operated in such as manner as not to be audible at a distance of fifty (50) feet from such vehicle nor to noise devices, bands or other musical devised used in any public parade or procession which is operated under a permit in accordance with the ordinances of the Borough of Roselle.

**§ 295-4. Motor Vehicles and Motorcycles.**

- a. The making, creating or permitting of any noise of such character, intensity or duration from a motor vehicle and/or motorcycle as to be detrimental to the life, health or welfare of any individual or which either steadily or intermittently annoys, disturbs, injures or endangers the comfort, repose, peace or safety of any individual or which creates a noise disturbance outside the vehicle as to be plainly audible at a distance of fifty (50) feet is hereby prohibited.
- b. The sounding of any horn or other auditory signaling device in any motor vehicle or motorcycle on any public right-of-way or public space—except as a warning of danger or where the motor vehicle statutes of New Jersey require the sounding of such horn or signaling device is hereby prohibited.
- c. The sounding of any horn or other auditory signaling device from any motor vehicle or motorcycle that produces a sound level that is plainly audible at a distance of fifty (50) feet or more is hereby prohibited.
- d. No person shall cause, suffer, allow or permit the operation of any motor vehicle or motorcycle not equipped with original muffler or equivalent replacement in good working order and in constant operation.
- e. No person shall remove or render inoperative or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair or replacement, any muffler on a motor vehicle or motorcycle.

**§ 295-5. Time Restrictions for Use of Domestic Power Tools, Lawn Mowers, Automobile Tools and Agricultural Equipment When Operated with a Muffler.**

Use of domestic power tools, lawn mowers, automobile tools and agricultural equipment when operated with a muffler, shall be restricted to the hours between 7:00 a.m. and 8:00 p.m. on weekdays (excluding legal holidays), and shall be restricted to the hours between 8:30 a.m. and 8:00 p.m. on weekends and legal holidays.

**§295-6. Animals.**

Owning, possessing or harboring any animal or bird that frequently or for a continuous duration makes a sound that creates a noise disturbance as defined in § 295-10 of this Code is hereby prohibited.

**§295-7. Explosives, Firearms, Fireworks and Similar Devices.**

- a. "Dangerous fireworks," as defined in N.J.S.A. 21:2-3 are strictly prohibited.

- b. No person shall use or fire explosives, firearms, fireworks or similar devices which create impulsive sound so as to cause a noise disturbance as defined in § 295-9 of this Code, without first obtaining a permit issued pursuant to § 295-13 of this chapter.
- c. Sparkling devices and novelties are authorized for use by persons sixteen (16) years of age or older at all hours on January 1<sup>st</sup> and July 4<sup>th</sup>, but the use of the same is restricted to the hours between 6:00 p.m. and 11:00 p.m. (local time) for all other dates. No permit shall be required for the use of sparkling devices and novelties. Sparkling devices and novelties as set forth in N.J.S.A. 21:3-2, shall include:
  - (1) Wood sticks or wire sparklers of not more than 100 grams of pyrotechnic mixture per item;
  - (2) Hand held or ground-based sparkling devices which are non-explosive and non-aerial, which may produce a crackling or whistling effect, and contain 75 grams or less of pyrotechnic composition per tube or a total of 500 grams or less for multiple tubes; and
  - (3) Snakes and glow worms, smoke devices, and trick noisemakers, which include party poppers, snappers, and drop pops, each consisting of 25/100 grains or less of explosive mixture.

**§ 295-8. Testing and maintenance of Emergency Signaling Devices.**

Testing of any emergency signaling device shall take place at the same time of the day for each test and shall be performed during the hours between 10:00 a.m. and 5:30 p.m. and shall not exceed thirty (30) seconds. Emergency warning/signaling devices shall be maintained in good repair to prevent repeated accidental alarms.

**Article II. Definitions.**

**§ 295-9. Noise.**

Without intending to limit the generality of § 295-1, the following acts are hereby declared to be examples of loud, disturbing, and unnecessary noise in violation of § 295-1:

- a. The playing use or operation of any radio receiving set, television, musical instrument, phonograph, stereo, or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants or with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle or chamber in which the machine or device is operated and who are voluntary listeners. The operation of such a set, instrument, phonograph, machine or device so that it is clearly audible at a distance of one hundred (100') feet from the building, structure, or vehicle in which the sound originates shall be prima facie evidence of a violation of § 295-1.
- b. Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place which annoys or disturbs the quiet, comfort or repose of any persons in any office, dwelling, hotel, motel or other type of residence or of any persons in the vicinity.
- c. The keeping of animals or birds which, by causing frequent or long-continued noise, disturbs the comfort or repose of any person in the vicinity; but nothing herein contained is intended to apply to a dog pound or kennel licensed in accordance with applicable law and regulations.
- d. No person shall sound a horn, warning or signaling device on any vehicle, residence or structure which emits an unreasonably loud or harsh sound for an unnecessary or

unreasonable period of time. Provisions shall be made by the owner of an emergency warning/signaling device for that device to be turned off in a timely manner after the device has served its purpose of signaling an emergency.

### **Article III. Exceptions**

#### **§295-10. General Exceptions.**

The provisions of Chapter 295, Article I shall not apply to:

- A. The emission of sound from any loudspeaker or similar device for the purpose of conducting a party, BBQ or other social event outside of a quiet zone between the hours of 12:00 p.m. and 10:00 p.m. on weekdays and Sundays and 11:00 a.m. and 11:00 p.m. of Saturdays throughout the spring and summer months beginning on the Saturday immediately preceding Memorial Day through the last Sunday in September.
- B. Any public performance, concert, gathering, rally revival, parade or other outdoor activity for which a permit has been obtained from the Borough of Roselle or to any block event or neighborhood activity for which approval has been obtained from the Borough of Roselle.
- C. Any event sponsored or conducted by the Borough of Roselle, the County, the State of New Jersey, or any of their governmental agencies.
- D. Any performance, concert practice, athletic game or public activity sponsored or conducted by the Roselle School District.
- E. Any public performance, concert, gathering, parade or other outdoor activity sponsored or conducted by the Borough of Roselle, its agents, boards or commissions.
- F. Church bells and church chimes.
- G. Noise from approved construction activity.
- H. Noise from air-conditioning and air-handling devices.
- I. Noise from snow blowers, snow throwers and snowplows when operated with a muffler for the purpose of snow removal.

#### **§ 295-11. Emergency Exceptions and Variances.**

- A. Emergency Exceptions. The provisions of this article shall not apply to:
  - (1) The emission of sound for the purpose of alerting persons to the existence of an emergency.
  - (2) The emission of sound in the performance of emergency work.
- B. Special Variances.
  - (1) The Mayor and Council shall have the authority, consistent with this section, to grant special variances which may be requested for good cause shown.
  - (2) Any person seeking a special variance pursuant to this section shall file an application with the appropriate department within the Borough. The application shall contain information which demonstrates that bringing the source of sound or activity for which the special variance is sought into compliance with this article would constitute an unreasonable hardship on the applicant, on the community or on other persons. Any individual who claims to be adversely affected by allowance of the special variance may file a statement with the department containing any information to support his or her claim. If the department head finds that a sufficient controversy exists regarding an application, such department head may recommend that appropriate action be taken by Mayor and Council.

- (3) In determining whether to grant or deny the application, the Mayor and Council shall balance the hardship to the applicant, the community and other persons, the special health, safety and welfare of persons affected, the adverse impact on property affected and any other adverse impact in granting the special variance. Applicants for special variances may be required to submit any information the reviewing department or Directors may reasonably require. In granting or denying an application, the Mayor and Council shall maintain copy of the decision and reasons for granting or denying the special variance, in accordance with the State law.
- (4) Variances in time to comply shall be granted to the applicant containing all necessary conditions, including a schedule for achieving compliance. The variance in time to comply shall not become effective until all conditions are agreed to by the applicant. Noncompliance with any condition of the variance shall terminate the variance and subject the person or entity holding it to those provisions of this Chapter for which the variance was granted.
- (5) Application for extension of time limits specified in variances in time to comply or for modification of other substantial conditions shall be treated like applications for initial variances under this section, except that the Mayor and Council must find that the need for extension or modification clearly outweighs any adverse impact of granting the extension or modification.
- (6) The department head may issue guidelines defining the procedures to be followed in applying for a variance in time to comply and the criteria to be considered in deciding whether a variance will be recommended to the Mayor and Council.

**§295-12. Loudspeaker and/or Sound Amplifier Permit.**

- A. Application information. The application for a Permit to operate a loudspeaker or other sound amplifying device within the Borough of Roselle must be submitted, in writing, to the Borough Clerk. Said application shall contain the name and address of the applicant, the name and address of the owner of the loudspeaker and/or sound amplifier, the date on which said device is intended to be used and the purpose of the use of the same.
- B. Issuance of Permit. Upon receipt of the foregoing information and after a routine police check to satisfy the requirements of this Chapter, the Borough Clerk, following approval by the Mayor and Council, shall issue a permit for the use of the loudspeaker or sound amplifier.

**§ 295-13. Permits for Explosives, Firearms, Fireworks or Other Impulsive Devices.**

- A. Permits for the use and/or detonation of explosives or fireworks which violate § 295-9 shall be obtained prior to the use and/or detonation of the same; however, under no circumstances shall a permit be issued for the use and/or detonation of dangerous fireworks, as defined in N.J.S.A. 21:2-3.
- B. A completed application shall be submitted to the Roselle Fire Department with an application fee of \$500 no less than forty-five (45) days prior to the event or a late charge shall be assessed as follows:
  - (1) 31 to 44 days prior to the event: \$50.00
  - (2) 16 to 30 days prior to the event: \$100.00
  - (3) 10 to 15 days prior to the event: \$150.00
  - (4) Less than 10 days prior to the event: \$250.00

- C: Application requirements. All applications for permits in accordance with this section shall set forth the following:
- (1) The date, time and place of making such display or discharge;
  - (2) The name, address, telephone number, ID or social security number of any person making the display and/or in charge of igniting, firing, setting-off, exploding or causing to be exploded such fireworks or explosives;
  - (3) The experience of any person making the display and/or in charge of igniting, firing, setting-off, exploding or causing to be exploded such fireworks or explosives, including references.
  - (4) Whether any person making the display and/or in charge of igniting, firing, setting-off, exploding or causing to be exploded such fireworks, has ever been convicted of a crime, indicating the date and type of conviction (if any); and
  - (5) A list of fireworks and/or explosives to be displayed or discharged, and where same are to be stored prior to the display or discharge.
  - (6) Applications for a permit under this section will be considered incomplete unless the following has been submitted:
    - a. Site plan;
    - b. Surety in the form of a certified check or money order payable to the Roselle Fire Department in the sum of (\$2,500.00) conditioned for payment of all damages to persons or property by reason of the event.
    - c. Certification of insurance naming the Borough of Roselle as co-insured stating that the insured shall indemnify the Borough of Roselle and hold the Borough of Roselle harmless in the amount of one million (\$1,000,000.00) dollars.
    - d. A copy of the explosives/fireworks vendor's "Permit to Manufacture Explosives" and/or "Permit to Use Explosives."
- D. Permit Issuance. A resolution authorizing a permit shall be obtained from the Borough of Roselle prior to the sale, display or discharge of any fireworks within the Borough of Roselle.
- (1) Permit Fee. The fee for such permit is \$300.00, which shall be payable upon approval of a completed application under this section but in any event must be paid prior to the first day of the event/display for which the applicant applied.
  - (2) Conditions for Issuance. The display and/or discharge of fireworks and explosives shall be handled by a competent operator approved by the Chiefs of the Police and Fire Department of the Borough of Roselle. Such display shall be of such a character, and so located, discharged, or fired, as in the opinion of the Chiefs of Police and Fire Department, after proper inspection, shall not be hazardous to property or endanger any person(s). The location of the storage place of the fireworks or explosives shall be subject to the approval of the Chief of the Fire Department. Prior to the issuance of a permit, the application for same, including the Certificate of Insurance must be reviewed and approved by designated legal counsel for the Borough of Roselle. The sale, possession, use and distribution of fireworks for such display shall be lawful under the terms and conditions approved with the permit and for that purpose only. No permit issued hereunder shall be transferable.



Upon issuance of the permit, the Roselle Fire Department shall immediately notify the Police Department of the same.

#### **Article IV. Enforcement.**

**§ 295-14. Designated Enforcement Authorities.** This Chapter shall be enforced by the Board of Health, the Department of Engineering, Codes and the Police Department. The provisions of this Chapter affecting motor vehicles shall be enforced solely by the Police Department.

**§ 295-15. Notice of Violation.** Violations of any provisions of this Chapter shall be cause for a notice of violation to be issued by an authority identified in § 295-14 of this Article.

**§ 295-16. Abatement Orders and Impoundment.**

- A. In conjunction with the issuance of a notice of violation, the relevant department head(s) shall issue an order requiring abatement of any source of sound alleged to be in violation of this chapter within a reasonable time period and according to the guidelines which the department heads may prescribe.
- B. An abatement order shall not be issued:
  - (1) For any willful or knowing violation of this chapter.
  - (2) If the department heads have reason to believe that there will be no compliance with the abatement order.
- C. Any motor vehicle found to be operated in violation of this chapter shall be impounded forthwith by the Police Department. The operator of said motor vehicle shall be issued a summons that shall inform him or her of their right to a hearing regarding the violation of this chapter and in regard to the obligation to pay any towing and impoundment charges that accrue as a result of said violation.
- D. Any person who violates § 295-3 of this chapter shall:
  - (1) Have the noise-producing equipment impounded by the Roselle Police Department; and
  - (2) Be subject to the issuance of a summons by the Roselle Police mandating a court appearance by the violator in order to retrieve said impounded equipment.

**§ 295-18. Violations and Penalties.**

- A. Any person who violates the provisions contained in Article I of this chapter shall be fined \$100 for the first offense, \$300 for the second offense and \$500 for the third and subsequent offenses, upon conviction.
- B. Any person who willfully or knowingly violates any provision of this Chapter shall, upon conviction be fined for each offense not less than \$100 and not more than \$500.
- C. Each day of a violation of any provision of this chapter shall constitute a separate offense.
- D. Any violation of the conditions for approval of a permit under § 295-14 will result in the seizure and removal of all stocks of fireworks and/or explosives at the expense of the owner. Any person violating any of the provisions of § 295-14 shall be subject to penalties as set forth in N.J.S.A. 21:3-8.

All Ordinances and parts of Ordinances inconsistent with the terms hereof are hereby repealed to the extent that same are inconsistent herewith.

If any part, sections, provisions, or the total of any of the above-mentioned publications are held to be invalid by any court, the finding or judgements of which court are applicable in the State of New

Jersey, that the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Borough of Roselle.

**THIS ORDINANCE** shall take effect in the time and manner prescribed by law.

Mayor Atkins read Ordinance Number 2628-20 by title and opened the public hearing on the Ordinance.

1. Susan Smith said there was a lot of noise in the 1<sup>st</sup> Ward around the 4<sup>th</sup> of July and she called the police a number of times and they did not respond, and she questioned if the police will be notified of the ordinance.

**Discussion:** Attorney Jalloh said the purpose of the ordinance is to enable the police to crack down on noise violations and it replaces the previous ordinance which required the police to have a device to monitor decibels of noise.

2. Lindy Forman echoed the sentiment of Mrs. Smith and said the noise is getting increasingly louder over the past 7 years and often times goes on until 2am and she hopes the ordinance will address those issues because residents have many parties in the 1<sup>st</sup> Ward.

Seeing no one else come forward, Mayor Atkins closed the public hearing on the ordinance and asked for a motion to adopt.

Motion by Councilman Fortuna, seconded by Councilwoman Sousa to adopt Ordinance Number 2628-20.

**Discussion:** Councilman Fortuna said that the ordinance will address Ms. Forman's concerns.

<b>Vote Record – Ordinance Number 2628-20 – Second Reading &amp; Final Passage</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson				x
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

**ORDINANCE ON INTRODUCTION AND FIRST READING** – Ordinance 2629-20

**AN ORDINANCE AMENDING CHAPTER 126 “ALCOHOLIC BEVERAGES” OF THE CODE OF THE BOROUGH OF ROSELLE BY INCREASING LIQUOR LICENSE FEES**

**WHEREAS**, N.J.S.A. 33:1-12 grants each municipality the authority to fix the annual fee for certain liquor licenses in the municipality, within given ranges; and

**WHEREAS**, a review of other local municipal fees for licenses for the sale of alcoholic beverages showed that the Borough of Roselle is charging significantly less than surrounding municipalities; and

**WHEREAS**, N.J.S.A. 33:1-12 limits municipalities from increasing plenary retail consumption and distribution license fees by more than 20% in any given year, requiring that the Borough implement a phased increase of said fees; and

**WHEREAS**, the Mayor and Council believe it is in the best interest of the Borough and its citizens to increase said license fees such that they are comparable to those of surrounding municipalities.

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

**Section 1. Amendment**

Chapter 126 “Alcoholic Beverages,” Article I “Licensing” of the Code of the Borough of Roselle is hereby amended to read as follows:

**§ 126-1 Licenses: classification, number, fee.**

- A.** The following is the classification of, limitation on the number of, and annual fee for licenses for the sale of alcoholic beverages within the Borough:

<b>Classification</b>	<b>Limitation</b>	<b>Fee</b>
Plenary retail consumption license	12	\$1,050
Plenary retail distribution license	12	\$720
Club license	5	\$150

- B.** The aforesaid limitation on the number of licenses in each classification shall not prevent the renewal of licenses outstanding, nor the transfer of such licenses and the renewal of licenses so transferred.
- C.** The aforesaid annual fees for plenary retail consumption licenses and plenary retail distribution licenses shall further increase according to the following schedule:

<b>Year</b>	<b>Plenary Retail Consumption License</b>	<b>Plenary Retail Distribution License</b>
2022	\$1,250	\$860

2023	\$1,500	\$1,025
2024	\$1,800	\$1,225
2025	\$2,150	\$1,470
2026	\$2,500	\$1,750
2027	\$2,500	\$2,100
2028	\$2,500	\$2,500

### Section 2. Severability

If any section, subsection, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall continue in full force and effect, and to this end the provisions of this ordinance are hereby declared to be severable.

### Section 3. Effective Date

This ordinance shall take effect in the manner prescribed by law but no sooner than October 1, 2020.

Mayor Atkins read Ordinance Number 2629-20 by title and then asked for a motion to adopt the ordinance on introduction and announced the public hearing will be held on September 16, 2020.

Motion by Councilman Bernier, seconded by Councilwoman Thomas to adopt Ordinance Number 2629-20.

**Discussion:** Councilman Bernier spoke to the current license renewal fees which have been much less than other municipalities and haven't been raised since 1995, and he said that the step to increase the fees will be in line with other municipalities making the fees current in 2020.

<b>Vote Record – Ordinance Number 2629-20 – Introduction &amp; First Reading</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson				x
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

### **ORDINANCE ON INTRODUCTION AND FIRST READING – Ordinance 2630-20**

**AN ORDINANCE AMENDING CHAPTER 100, SECTION 3, PARAGRAPH H, SUBPARAGRAPH 12 OF THE BOROUGH CODE REGARDING STAFFING LEVELS FOR SCHOOL CROSSING GUARDS (PART TIME)**

**WHEREAS**, the Mayor and Council desire to increase the staffing levels of School Crossing Guards to accurately reflect the manpower necessary to cover the relevant intersections within the Borough of Roselle to ensure the safety of residents and students;

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

1. Section 100-3, paragraph H, subparagraph 12 of Chapter 100 of the “Code of the Borough of Roselle” is amended as follows:  
H. Police department  
(12) School Crossing Guards (PT) (not more than 23).

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this 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 Atkins read Ordinance Number 2630-20 by title and then asked for a motion to adopt the ordinance on introduction and announced the public hearing will be held on September 16, 2020.

Motion by Councilman Bernier, seconded by Council President Wilkerson to adopt Ordinance Number 2630-20.

<b>Vote Record – Ordinance Number 2630-20 – Introduction &amp; First Reading</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson				x
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

**ORDINANCE ON INTRODUCTION AND FIRST READING – Ordinance 2631-20**

**ORDINANCE OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, NEW JERSEY APPROVING APPLICATION FOR, AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT**

**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 Atkins read Ordinance Number 2631-20 by title and then asked for a motion to adopt the ordinance on introduction and announced the public hearing will be held on September 16, 2020.

Motion by Councilwoman Thomas, seconded by Councilman Fortuna to adopt Ordinance Number 2631-20.

<b>Vote Record – Ordinance Number 2631-20 – Introduction &amp; First Reading</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			

Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson				x
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

Mayor Atkins opened up the public comment portion of the meeting for resolutions only.

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

1. Archange Antoine, 195 Cavell Street, commented on the Borough's support of the Black Lives Matter movement, and he talked about use of force reports throughout Police departments in NJ, and said Roselle was ranked 18 out of 400; he spoke about transparency in obtaining police reports and said people should be able to file a complaint on the Borough website like Bloomfield, NJ. He commented that safety does not just include increase in officers. He spoke about gun violence in Roselle, hiring of young people to combat unemployment, increased mental health services, and an increase in the recreational budget to invest in the kids. He also said that the Black Lives Matter movement is calling for transparency, and he asked the governing body to make a motion on the floor for the Borough Administrator to work with the Chief of Police to gather information, for the governing body to continue to stand for people and move things in the right direction.

Seeing no one else come forward, Mayor Atkins closed the public comment on the resolutions.

Motion by Council President Wilkerson, seconded by Councilman Bernier to adopt the Consent Agenda as written and presented.

<b>Vote Record – To Adopt the Consent Agenda</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson				x
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				



## **CONSENT AGENDA**

### **RESOLUTION NUMBER 2020-226**

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

**WHEREAS**, the Division of Alcohol Beverage Control entered an order extending the 2020-2021 license term of all municipal and State licenses and State Issued Permits until September 30, 2020; and

**WHEREAS**, all Plenary Retail Consumption, Plenary Retail Distribution, Limited Distribution and Club Licenses must complete the renewal process on or before September 30, 2020; and

**WHEREAS**, the Applicants 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 licenses to the following:

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

2014-33-006-010	Ceilo Management T/A Villa Tequila Lounge, 1305 Wood Avenue
2014-33-018-008	Hamilton's Tavern, 639 West First Avenue
2014-33-008-004	Vasgaz, LLC T/A Garibaldi Tequila Bar, 105 Linden Road

#### **PLENARY RETAIL DISTRIBUTION LICENSES - \$600.00 Fee**

2014-44-014-006	ASGP Enterprises, Inc., T/A Crown Liquors, LLC, 711 East 1st Ave.
2014-44-016-014	Jayaraj, Inc., dba Alman Liquors, 111 East Second Avenue
2014-44-002-006	Krishma Liquors, Inc., T/A Prince Liquor Store, 310 Amsterdam Avenue
2014-44-023-008	Roselle Beverage, Inc., T/A T&J Liquors, 1201 St. Georges 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 19, 2020.

### **RESOLUTION NUMBER 2020-227**

#### **AUTHORIZING RENEWAL OF A.B.C. LICENSE AND AUTHORIZING THE MUNICIPAL CLERK TO ISSUE SAME – A SPECIAL RULING**

**PURSUANT TO N.J.S.A. 33:1-12.39**

**WHEREAS**, the Division of Alcohol Beverage Control entered an order extending the 2020-2021 license term of all municipal and State licenses and State Issued Permits until September 30, 2020; and

**WHEREAS**, the Director of A.B.C. granted a Special Ruling pursuant to N.J.S.A. 33:1-12.39 for the 2019-2020, 2020-2021 License Term; and

**WHEREAS**, all Plenary Retail Consumption, Plenary Retail Distribution, Limited Distribution and Club Licenses must complete the renewal process on or before September 30, 2020; and

**WHEREAS**, the Applicants 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 Municipal Clerk to renew the ABC license with "pocket status" due to expire on June 30, 2018 to the following:

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

2014-33-019-002      Enterprise Management Company, LLC

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 19, 2020.

**RESOLUTION NUMBER 2020-228**

**A RESOLUTION TO AUTHORIZE THE DISPOSITION OF ELECTRONIC MEDIA**

**WHEREAS**, the Borough of Roselle is in possession of electronic media that has been determined to be unusable and therefore no longer needed for government use; and

**WHEREAS**, it is estimated that this unusable electronic media has no monetary value; and

**WHEREAS**, the disposition of unusable electronic media that is not needed for a Borough purposes is permissible under N.J.S.A. 40A:11-36, et al.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough New Jersey that in accordance with the provisions of N.J.S.A. 40A:11-36 et al., the disposition of the below electronic media is hereby approved.

<b>Borough Hall</b>
Outdated Computer (CPUs)
<b>Total Number of Pieces = 15</b>

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 19, 2020.

**RESOLUTION NUMBER 2020-229**

**RESOLUTION APPOINTING WALTER WIMBUSH AS A FULL-TIME CODE ENFORCEMENT OFFICER IN THE BOROUGH OF ROSELLE AT THE ANNUAL SALARY OF \$40,800.00**

**WHEREAS**, there is a need in the Borough of Roselle to fill the position of full-time Code Enforcement Officer, and

**WHEREAS**, Walter Wimbush has been a Code Enforcement Trainee for 1 year and deemed qualified for employment under Civil Service regulations in the title of full-time Code Enforcement Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Roselle that Walter Wimbush is hereby appointed to the position of full-time Code Enforcement Officer in the Borough of Roselle, effective July 17, 2020, to be assigned in the Borough as the Borough Administrator determines is appropriate for the Borough's daily operations; and

**BE IT FURTHER RESOLVED**, that the annual salary for Mr. Wimbush shall be \$40,800.00, prorated for calendar year 2020, and retroactive to July 17, 2020; and

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 meeting of said Council held August 19, 2020.

**RESOLUTION NUMBER 2020-230**

**RESOLUTION INCREASING THE SALARY OF CODE ENFORCEMENT OFFICER VALERIE WATSON**

**WHEREAS**, Valerie Watson was previously appointed to the position of Code Enforcement Officer; and

**WHEREAS**, Valerie Watson has consistently demonstrated excellent proficiency in her position.

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

1. The compensation of Valerie Watson shall be \$40,800.00 effective July 17, 2020, in accordance with the salary guidelines for the position of Code Enforcement Officer as set forth in the Borough's Salary Ordinance.
2. The provisions of this resolution are severable. To any extent that any clause, phase, sentence, paragraph, or provision of the Resolution shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

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 19, 2020.

**RESOLUTION NUMBER 2020-231**

**ACCEPTANCE OF THE RESIGNATION OF LINDA HENDERSON**

**WHEREAS**, a Resolution appointed Linda Henderson, to the position of Sanitation Inspector, effective March 04, 2013; and

**WHEREAS**, Linda Henderson began her employment with the Borough as a part-time Sanitation Inspector; and

**WHEREAS**, Linda Henderson has submitted a letter of resignation, effective at close of business August 28, 2020.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle hereby accepts the resignation in good standing of Linda Henderson, 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 19, 2020.

**RESOLUTION NUMBER 2020-232**

**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 2020/2021 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 2020/2021 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 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, and State of New Jersey at a Regular meeting of said Council held August 19, 2020.

**RESOLUTION NUMBER 2020-233**

**RESOLUTION OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION,  
NEW JERSEY, AUTHORIZING TRANSFER OF REDEVELOPMENT AGREEMENT  
AND FINANCIAL AGREEMENT RELATING TO BLOCK 2604, LOTS 1-10**

**WHEREAS**, on November 10, 2015, the Borough Council adopted Resolution No. 2015-464 ("Designation of Redeveloper" attached hereto as **Exhibit D**), designating 2016 Frank Roselle Urban Renewal Entity ("Redeveloper") as an appropriate Redeveloper of certain property(BLOCK 2604, LOTS 1-10), which was part of the Redevelopment Area, and further directed the Borough Attorney to negotiate a form of Redevelopment Agreement with

Redeveloper consistent therewith and said Designation of Redeveloper was further extended by Resolution Number 2016-171, dated April 20, 2016; and

**WHEREAS**, on May 11, 2016, the Borough Council adopted a Resolution consistent with the foregoing ("**Redeveloper Resolution**") and which directed and authorized the appropriate Borough officials to execute a Redevelopment Agreement; and

**WHEREAS**, on June 23, 2016, the Borough and 2016 Frank Roselle Urban Renewal Entity, LLC (the "**Transferor**") entered into a Financial Agreement (the "**Financial Agreement**") providing for the tax exemption, under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 *et seq.*, of a project consisting of a 4,670 square foot Wawa convenience store with 12 fueling positions, 50+/- parking spaces and associated site improvements (the "**Project**") on the property designated as Block 2604, Lots 1-10 along with the Rivington Street roadway bed/right of way bounded by Blocks 2604 and 2605 between St. George Street and Twelfth Avenue, on the Borough's tax maps (collectively the "**Project Area**"); and

**WHEREAS**, the Transferor desires to transfer its interest in the Project and the Project Area, and to assign its interest in the Financial Agreement to 2020 Hillary Park Roselle, Urban Renewal Entity, LLC (the "**Transferee**"), and the Transferee desires to acquire the Transferor's interest in the Project and the Project Area, and to assume the obligations of the Transferor, under the Financial Agreement; and

**WHEREAS**, under Section 8 of the Financial Agreement, the Borough desires to express its approval of the above-described transfer, provided the Transferee executes an Assignment and Assumption Agreement or similar instrument, pursuant to which the Transferee assumes the obligations of the Transferor under the Financial Agreement.

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

**Section 1.** The Recitals are incorporated by reference as if set forth at length herein.

**Section 2.** The Borough hereby approves the transfer of the Transferor's interest in the Project, the Project Area, the Redevelopment Agreement and the Financial Agreement to the Transferee, and the Mayor is authorized to execute any agreements or documents necessary to complete the transfer described herein, including an Assignment and Assumption Agreement evidencing the Borough's consent to the herein described transfer.

**Section 3.** 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 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 Special meeting held of said Council held August 19, 2020.

**RESOLUTION NUMBER 2020-234**

**RESOLUTION FOR A CHANGE ORDER AMENDMENT TO THE CONTRACT FOR  
AMERICAN ASPHALT & MILLING SERVICES, LLC. REGARDING ADDITIONAL  
SITE WORK FOR THE COMPLETION OF THE NJDOT FY 2019 CHANDLER  
AVENUE IMPROVEMENTS PROJECT**

**WHEREAS**, American Asphalt & Milling Services, LLC, 96 Midland Avenue, Kearny, NJ 07032 was previously awarded a contract for the above-referenced project in the amount of \$533,223.70 by way of Resolution Number 2019-270; and

**WHEREAS**, additional funds are required to complete the project due to unforeseen underground conditions as listed in the Maser Consulting correspondence dated August 6, 2020; and

**WHEREAS**, the Borough Engineer has reviewed the request and has recommended to the Borough Administrator, Borough CFO and Borough Finance Office an increase in the total contract amount and not to exceed \$86,045.73; 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 Bond Ordinance 2601-19.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced increase in project scope is authorized to American Asphalt & Milling Services, LLC as per the Maser Consulting correspondence dated August 6, 2020 and the following breakdown:

<b>Contract Amount</b>	<b>\$ 533,223.70</b>
<b>Change Order</b>	<b>\$ 86,045.73</b>
<b>Adjusted Contract Amount</b>	<b>\$619,269.43</b>

**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 19, 2020.

**RESOLUTION NUMBER 2020-235**

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN  
SERVICES IN CONNECTION WITH THE NJDOT FISCAL YEAR 2020 VARIOUS  
STREETS IMPROVEMENTS FUNDED BY 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 design procedures that are necessary for said improvements and shall perform the tasks as delineated in the July 24, 2020 correspondence; 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 3, 2020, 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. 2020-021) and also the Borough Council subsequently awarded the Borough Engineering Contract (Resolution No. 2020-041); 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 2627-20 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 design services in the amount of \$49,500.00 for the Fiscal Year 2020 NJDOT Various Streets 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 19, 2020.

**RESOLUTION NUMBER 2020-236**

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN  
SERVICES IN CONNECTION WITH THE 2020 TRAFFIC SAFETY IMPROVEMENTS  
FUNDED BY 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 design procedures that are necessary for said improvements and shall perform the tasks as delineated in the July 23, 2020 correspondence; 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 3, 2020, 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. 2020-021) and also the Borough Council subsequently awarded the Borough Engineering Contract (Resolution No. 2020-041); 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 2627-20 for said engineering services for the traffic safety 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 design services in the amount of \$38,750.00 for the 2020 Traffic Safety 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 19, 2020.

#### **RESOLUTION NUMBER 2020-237**

#### **RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE 2020 ROAD IMPROVEMENTS PROGRAM FUNDED BY 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 design procedures that are necessary for said improvements and shall perform the tasks as delineated in the July 27, 2020 correspondence; 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 3, 2020, 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. 2020-021) and also the Borough Council subsequently awarded the Borough Engineering Contract (Resolution No. 2020-041); 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 2627-20 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 design services in the amount of \$29,500.00 for the 2020 Road Improvement Program

**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 19, 2020.

**RESOLUTION NUMBER 2020-238**

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN  
SERVICES IN CONNECTION WITH THE CDBG YEAR 46 – ROSELLE STREET  
IMPROVEMENT PROJECT FUNDED BY THE UNION COUNTY COMMUNITY**

**DEVELOPMENT BLOCK GRANT (CDBG) 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; and

**WHEREAS**, Maser Consulting P.A. is familiar with the design procedures that is necessary for said improvements and shall perform the tasks as delineated in the July 27, 2020 correspondence; 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 CDBG 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 3, 2020, 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. 2020-021) and also the Borough Council subsequently awarded the Borough Engineering Contract (Resolution No. 2020-041); 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 Business Administrator and/or Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically within existing bond ordinance 2627-20 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 is authorized to perform professional engineering design services in the amount of \$29,500.00 for the CDBG Year 46 – Roselle Street Improvement Project.

**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 19, 2020.

**RESOLUTION NUMBER 2020-239**

**RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF  
REVENUES AND APPROPRIATIONS IN THE 2020 MUNICIPAL BUDGET,  
PURSUANT TO N.J.S.A. 40A:4-87**

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

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Roselle in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$7085.08 as a result of a wire in this amount having been received by the Borough of Roselle from the State of New Jersey, Judiciary, for an Alcohol Education Rehabilitation DWI Grant.

**BE IT FURTHER RESOLVED**, that the like sum of \$7085.08 be appropriated under the caption:

Revenue: Alcohol Education Rehabilitation DWI Grant - 2020

Appropriations: Alcohol Education Rehabilitation DWI Grant – 2020

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 19, 2020.

**RESOLUTION NUMBER 2020-240**

**RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF  
REVENUES AND APPROPRIATIONS IN THE 2020 MUNICIPAL BUDGET,  
PURSUANT TO N.J.S.A. 40A:4-87**

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

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Roselle in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$5,777.92 as a result of a letter from the Bureau of Justice Assistance informing the Borough of Roselle of such award for bulletproof vests for the Roselle Police Department.

**BE IT FURTHER RESOLVED**, that the like sum of \$5,777.92 be appropriated under the caption:

Revenue: Body Armor Grant - 2020

Appropriations: Body Armor Grant – 2020

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 19, 2020.

#### **RESOLUTION NUMBER 2020-241**

#### **RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE 2020 MUNICIPAL BUDGET, PURSUANT TO N.J.S.A. 40A:4-87**

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

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Roselle in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$4,508.64 as a result of a letter from the Bureau of Justice Assistance informing the Borough of Roselle of such award for bulletproof vests for the Roselle Police Department.

**BE IT FURTHER RESOLVED**, that the like sum of \$4,508.64 be appropriated under the caption:

Revenue: Bulletproof Vest Grant - 2020

Appropriations: Bulletproof Vest Grant – 2020

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 19, 2020.

**RESOLUTION NUMBER 2020-242**

**RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE 2020 MUNICIPAL BUDGET, PURSUANT TO N.J.S.A. 40A:4-87**

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

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Roselle in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$33,047.67 as a result of a wire in this amount having been received by the Borough of Roselle from the State of New Jersey, Solid Waste Administration for a Clean Communities Grant.

**BE IT FURTHER RESOLVED**, that the like sum of \$33,047.67 be appropriated under the caption:

Revenue: Clean Communities Grant - 2020

Appropriations: Clean Communities Grant – 2020

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 19, 2020.

**RESOLUTION NUMBER 2020-243**

**ACCEPTANCE OF THE RETIREMENT OF HEALTH OFFICIAL CHARLES GLAGOLA**

**WHEREAS**, Charles Glagola has notified the Borough that she will be retiring from the Board of Health; and

**WHEREAS**, Charles Glagola has been a Heath Board Official in good standing over twenty-five (25) years.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle hereby accept the retirement of Charles Glagola, with an effective retirement date of August 31, 2020; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council thank Charles Glagola for his service to the Borough and wish him luck in his future endeavors.

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 19, 2020.

#### **RESOLUTION NUMBER 2020-244**

##### **APPOINTING SECRETARY TO EMERGENCY MANAGEMENT OFFICE**

**WHEREAS**, there is a need in the Borough of Roselle for a Secretary to Emergency Management; and

**WHEREAS** the Borough Administrator has recommended Shirley Davis- Taylor as Secretary to Emergency Management, which appointment requires the advice and consent of Council.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey that Shirley Davis- Taylor be appointed as the Secretary to Emergency Management effective August 1, 2020 with compensation in the amount of \$2,500.00 annually, prorated for 2020, to be paid in equal installments pursuant to the Borough's payroll system. This compensation is a stipend and is in addition to Mrs. Taylor's regular salary.

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 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 19, 2020.

#### **RESOLUTION NUMBER 2020-245**

## **ACCEPTANCE OF THE RESIGNATION OF DONALD SHAW**

**WHEREAS**, a Resolution appointed Donald Shaw, to the position of Recreation Leader, effective February 23, 2012; and

**WHEREAS**, Donald Shaw began his employment with the Borough as a full-time Recreation Leader; and

**WHEREAS**, Donald Shaw has submitted a letter of resignation, effective at close of business August 14, 2020.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle hereby accepts the resignation in good standing of Donald Shaw, 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 19, 2020.

## **RESOLUTION NUMBER 2020-246**

### **AUTHORIZE 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 attached 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 attached 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
ECHO LAKE ENTERPRISES LLC	2302	5		17000021	\$15,300.00	\$43,185.88	\$58,485.88
FNA DZ, LLC	1202	12		17000010	\$21,300.00	\$65,841.38	\$87,141.38
MTAG ASCUST FOR ATCF II NJ, LLC	6201	1		16-00054	\$39,000.00	\$128,453.14	\$167,453.14
TFS CUST FOR FIG CAP INV NJ13	2901	2		17000027	\$0.00	\$67,822.90	\$67,822.90
US BANK CUST FOR PRO CAP 8	2401	7		19-00017	\$29,500.00	\$14,425.29	\$43,925.29
<b>TOTAL</b>					<b>\$105,100.00</b>	<b>\$319,728.59</b>	<b>\$424,828.59</b>

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 resolution adopted by the Mayor and Council of the Borough of Roselle at a meeting held August 19, 2020.

### **RESOLUTION NUMBER 2020-247**

#### **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:

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

**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 14, 2020 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 19, 2020.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 19<sup>th</sup> day of August 2020.

Motion by Councilman Bernier, seconded by Councilman Fortuna to adopt Resolution Number 2020-247.

<b>Vote Record – Resolution 2020-247</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson				x
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

### **RESOLUTION NUMBER 2020-248**

#### **RESOLUTION OF THE BOROUGH OF ROSELLE DESIGNATING REDEVELOPER AND AUTHORIZING EXECUTION OF THE REDEVELOPMENT AGREEMENT WITH ROSE HOMES LLC**

**WHEREAS**, the Borough Council (the “**Borough Council**”) of the Borough of Roselle (the “**Borough**”) adopted a Resolution on September 19, 2007, requesting the Planning Board of the Borough (the “**Planning Board**”) review a resolution designating the Borough as an area in need of rehabilitation in accordance with *N.J.S.A. 40A:12-14*; and

**WHEREAS**, the Planning Board received a report from the Borough Engineer that within the Borough, the water and sewer lines are at least 50 years old and are in need of

substantial maintenance, and that the designation of the Borough as an area in need of rehabilitation is necessary to prevent further deterioration and to promote the overall development of the Borough (the “**Report**”); and

**WHEREAS**, based on the Borough Engineer’s Report, and after holding hearings, the Planning Board found that the Borough satisfied the statutory criteria to be designated as an area in need of rehabilitation; and

**WHEREAS**, the Planning Board reviewed the recommendation its adoption and designation of the entire Rehabilitation Area in need of rehabilitation in accordance with *N.J.S.A. 40A:12A-14* (the “**Rehabilitation Area**”); and

**WHEREAS**, the Borough Council reviewed the recommendation of the Planning Board and Adopted a Resolution on October 11, 2007, directed the Planning Board to develop a redevelopment plan for certain parcels located in the Rehabilitation Area in accordance with *N.J.S.A. 40A:12A-7(f)*; and

**WHEREAS**, the Planning Board prepared a redevelopment plan pursuant to *N.J.S.A. 40A:12A-7* for an area bounded as follows:

Beginning at the corner of Chestnut Street and St. George Avenue north on Chestnut Street to Eighth Avenue, east on Eighth Avenue to Spruce Street, north on Spruce Street to Seventh Avenue, east on Seventh Avenue to Chandler Avenue, south on Chandler Avenue to Morris Place, east on Morris Place to Harrison Avenue, south on Harrison Avenue to Georges Place, east on Georges Place to the western border of Warinanco Part, south along the eastern border of Blocks 1402 and 1404 to St. George, and St. George Avenue west to Chestnut Avenue, (hereinafter the “**Central Roselle Revitalization Area**”) entitled the Central Roselle Revitalization Plan (the “**Initial Redevelopment Plan**”); and

**WHEREAS**, the Planning Board forwarded the Initial Redevelopment Plan to the Borough Council for review and adoption pursuant to *N.J.S.A. 40A:12A-7* by Resolution dated October 11, 2007; and

**WHEREAS**, the Borough Council reviewed the Initial Redevelopment Plan and approved the Initial Redevelopment Plan as recommended by the Planning Board, with one modification thereto (the Initial Redevelopment Plan with the Borough Council’s amendment hereafter being referred to as the “**Redevelopment Plan**”); and

**WHEREAS**, the Borough Council adopted the Redevelopment Plan by Ordinance dated December 19, 2007, finding among other things, it was substantially consistent with the Master Plan of the Borough; 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 Rehabilitation Area to exercise the powers contained in the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Act**”); and

**WHEREAS**, the Borough is the owner of certain parcels of real property within the Rehabilitation Area which includes the entire Borough as set forth in **Exhibit A**, attached hereto and made part hereof, the (“**Project Parcels**”); and

**WHEREAS**, three of the four parcels are within the Central Roselle Rehabilitation Area and one is not; and

**WHEREAS**, the Borough has determined that Project Parcels are no longer needed for public use, and that the redevelopment thereof in accordance with the applicable provision of the

Redevelopment Plan will contribute to the rehabilitation and reinvigoration of the Borough and to the social and economic improvement of the Borough in accordance with the legislative intent, goals and objectives of the Act; and

**WHEREAS**, Rose Homes, LLC (referred to herein as “**Redeveloper**”) has expressed a desire to redevelop the Project Parcels with the construction of residential properties thereon; and

**WHEREAS**, Redeveloper has previously purchased from the Borough forty-four parcels and completed forty-four single family homes creating approximately \$450,000 per annum in new taxes; and

**WHEREAS**, the four parcels can become five possible building lots subject to the Boards actions; and

**WHEREA**, the Borough and Redeveloper have negotiated the terms and conditions of a redevelopment agreement governing the Redeveloper’s redevelopment of the Project Parcels(the “**Redevelopment Agreement**”), (a copy of which is attached hereto as **Exhibit B** and made a part hereof); and

**WHEREAS**, the Borough has determined that it is in the best interest of the Borough to enter into the Redevelopment Agreement with the Redeveloper for the redevelopment of the Project Parcels and to authorize the execution of the Redevelopment Agreement.

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

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

Section 2. The Redeveloper is hereby designated as the redeveloper of the Project Parcels, subject to the execution of the Redevelopment Agreement.

Section 3. The Mayor is authorized to execute a Redevelopment Agreement with the Redeveloper in substantially the same form as the Redevelopment Agreement attached hereto as Exhibit B, with such additions deletions and modification as the Mayor may determine necessary upon consultation with counsel and the Redeveloper.

Section 4. A copy of this Resolution shall be filed in the Office of the Borough Clerk.

Section 5. This Resolution shall take effect immediately.

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 on August 19, 2020.

Motion by Councilman Fortuna, seconded by Councilman Bernier to adopt Resolution Number 2020-248.

**Discussion:** Councilman Bernier explained that the resolution is an agreement to sell Rose Homes, LLC, three lots at approximately \$30K per lot and will provide for additional tax revenue for the Borough. Mayor Atkins commented that it’s a great example of redevelopment and good business.

<b>Vote Record – Resolution 2020-248</b>
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	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson				x
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

### **RESOLUTION NUMBER 2020-249**

#### **RESOLUTION AUTHORIZING PARTICIPATION IN THE UNION COUNTY CARES ACT CORONA VIRUS RELIEF FUNDS MUNICIPAL REIMBURSEMENT GRANT PROGRAM**

**WHEREAS**, the County of Union has received funds from FEMA to reimburse its municipalities for unforeseen expenses, costs and employee overtime expenditures incurred because of the COVID-19 pandemic; and

**WHEREAS**, the Union County Board of Chosen Freeholders has established the CARES Act Corona Virus Relief Funds Municipal Reimbursement Program to financially assist its municipalities with the unforeseen expenses, costs and employee overtime expenditures caused by the COVID-19 pandemic; and

**WHEREAS**, the Borough of Roselle has incurred substantial public safety costs and expenses responding to the COVID-19 pandemic in order to protect and assist its residents and facilities; and

**WHEREAS**, to date the Borough has incurred and submitted in excess of \$194,380 to the Union County CARES Act Corona Virus Relief Funds Municipal Reimbursement Program; and

**WHEREAS**, the Borough of Roselle will continue to incur additional public safety costs and expenses in order to protect and assist its residents and facilities before the Union County CARES Act Corona Virus Relief Funds Municipal Reimbursement Program terminates on December 15, 2020.

**NOW, THEREFORE, BE IT RESOLVED** that the Municipal Council of the Borough of Roselle hereby requests and will accept all funding received from the Union County Board of Chosen Freeholders CARES Act Corona Virus Relief Funds Municipal Reimbursement Program, which will be used for the unforeseen expenses, costs and employee overtime expenditures caused by the COVID-19 pandemic.

**BE IT FURTHER RESOLVED**, that the Union County Board of Chosen Freeholders is commended for establishing this important program.

**BE IT FURTHER RESOLVED**, that the signatures of the Mayor, Borough Administrator and/or any other municipal official, or their successors in said titles, which are required on any Municipal Intake Forms, applications and agreements, and any other documents necessary in connection therewith, is hereby authorized.

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

### **CERTIFICATION**

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 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 held of said Council on August 19, 2020.

Motion by Councilman Bernier, seconded by Councilwoman Thomas to adopt Resolution Number 2020-249.

<b>Vote Record – Resolution 2020-249</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson				x
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

### **RESOLUTION# 2020-250**

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:

### **BILL LIST 19-Aug-20**

### **FUND**

### **AMOUNT**

ANIMAL CONTROL		
CAPITAL ACCOUNT	\$	295,504.83
CDBG TRUST		
CURRENT FUND	\$	9,239,826.32
ESCROW TRUST	\$	25829.33
FSLEF	\$	85.45
SLEF		
GENERAL TRUST	\$	10,148.55
ACCOUNT		
TRUST DCA FEES		
GRANT ACCOUNT	\$	38,255.46
JULY 17, 2020	\$	666,591.83
PAYROLL		
JULY 31, 2020	\$	620,448.90
PAYROLL		
AUGUST 14, 2020	\$	632,962.88
PAYROLL		
MANUAL CHECK	\$	8,763.77
POAA		
REDEMPTION PREMIUM	\$	105,100.00
ACCOUNT		
PUBLIC DEFENDER		
REDEMPTION	\$	319,728.59
TRUST		
RESERVE FOR		
ESCROW		
SALARY		
DEDUCTION		
SUI		
GRAND TOTAL		\$11,963,245.91

Motion by Councilman Bernier, seconded by Council President Wilkerson to adopt Resolution Number 2020-250.

<b>Vote Record – Resolution 2020-250</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			

Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson				x
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

Mayor Atkins opened up the public comment portion of the meeting.

### **PUBLIC COMMENT**

1. Kason Little, NJ Statewide Justice League Chapter, echoed the sentiment of Archange Antoine and said they have been visiting municipalities to ensure people understand the Black Lives Matter movement. He talked about police departments being overfunded and recreational and youth budgets not being funded at all. He spoke about diversity and inclusion allowing the community's voices to be valued and heard. He called for continued support of legislators and said it is a continuous struggle for black and brown people all over the country.
2. Charlene Walker, Executive Director of Faith in New Jersey, spoke about social injustice and systemic racism as it relates to how neighborhoods are policed, and that Roselle hasn't addressed how Roselle was ranked 18 out of 468 police departments for excessive use of force; she asked the governing body to establish policies to deal with racists actions of police officers and requested data for the last 10 years regarding police misconduct, police lawsuits and settlements, use of force data. She echoed the demands of the Black Lives Matter movement stated by Archange Antonine and Kason Little for change and urged the Council to listen to their constituents.
3. Stacey Greg, Rockaway, NJ, echoed support for Charlene Walker, Archange Antoine and others who spoke about the Black Lives Matter Movement; she said hate groups are growing and systemic racism is taking over police departments; she urged Council to look up incidents where black police officers have been victims of racism, and said no lives matter until black lives matter in this country. She spoke about the blue line and she is getting calls about racism in Roselle and that Roselle is on the lower tier as it relates to use of force, and feels that the Black Lives Matter written on the street is not just symbolic and report things to the anti-defamation league.
4. Rachman Muhammed, 441 Dietz Street, commented that he received a letter from the Borough regarding the flood project and when he sent it to his mortgage company, they said his address wasn't on it, and he requested that Borough could send letters out again stating in the letter the address that is no longer in the flood zone.

Seeing no one else come forward Mayor Atkins closed the public comment portion of the meeting.

Mayor Atkins then asked if the Council wanted to address any of the questions that came up during public comment.



Councilwoman Sousa responded to Mrs. Smith and Mrs. Lindy by thanking them for speaking about the noise disturbances in the 1<sup>st</sup> Ward. She also thanked the DPW staff for a job well done with the storm. She responded to statements about the Black Lives Matter movement, and said the mural on Chestnut Street is an awesome symbol of the Borough's unity and commitment, even though there is more to do as a Borough.

Council President Wilkerson commented on the flood letter request and said that supporting documentation is needed and that she and Administration Department are willing to talk to people to assist. She thanked the Mayor for the Black Lives Matters proclamation and gave her support to the movement as Council is looking to make systemic changes. She spoke to the adoption of Bill ACR 145 which is also a part of the movement for justice. She spoke about the use of force data and said more recreational activities are needed for the children and believes that funding is important in the right places.

Councilman Bernier spoke about the use of force data and said there is a lot to be learned from it to get to the root of the data. He said for a year now, he's been working to obtain current use of force data. He said the 2012 to 2016 contains red flags, and he also looking for a well-reasoned explanation as to why Roselle was ranked 18 out of 450 departments. He said it will be a collaborative effort between the Council, the Police Chief and Police Department, and he received a bit of data from the Police Chief to review. He said he appreciates what the Chief of Police is trying to do to improve things. He spoke about the 2020 budget cuts which included the Police Department and how the Borough is working to allocate funds where they are most needed in the Borough.

Mayor Atkins said that everyone is working together to ensure success, and he spoke about the use of force data from 2012 to 2016 and said the dynamic has changed over the course of years. He also said there is no need to pass a resolution because the Borough is working with the Police Chief and Administration. He said great strides have been made and successes need to be celebrated while other areas need to improve. He commented that Roselle hired its first African American Chief of Police in 2018 which was historical and shows improvements. He shared that he marched in several Black Lives Matters movements throughout the country and is proud of the mural in front of Borough Hall which shows that Borough is striving to do better with an open mind.

### **COUNCIL COMMENT**

Councilwoman Sousa congratulated everyone who was appointed and recognized and congratulated Mr. Glagola on his retirement.

Councilman Bernier thanked the DPW, Police and Fire Departments for their efforts concerning the tropical storm and aftermath cleanup, and commended them on how they ensured there was no loss of life in the Borough. He announced that the 2<sup>nd</sup> Ward residents were able to meet last month, but that the upcoming meeting in August will be moved to a Zoom meeting to keep in line with the Governors restrictions of indoor gatherings. He gave his contact information and encouraged people to call him.

Councilwoman Thomas gave her condolences to Councilwoman Johnson and her family. She spoke to the Census and said the numbers need to go up. She thanked the DPW, Police, Fire, and OEM on the cleanup on the aftermath of the storm, and said she appreciates the comments from Mr. Antoine, Ms. Walker, Mr. Little, and Ms. Gray and said she would like to see current data and offered to help the Public Safety Committee in that area. She gave her contact information.

Councilman Fortuna thanked the Police, Fire and OEM Departments for their assistance to the DPW regarding the tropical storm and the aftermath, and he said it was very much appreciated. He said he is happy with the noise ordinance which has more teeth than what was replaced. He congratulated Charles Glagola on his retirement, and spoke to the West Brook flood map, the Nicest Lawn contest, and Little Free Libraries and said he is looking for volunteers to sort books. He encouraged residents to contact him directly for information. He said he admires the passion and resolve for the Black Lives Matters movement and stated actions are louder than words. He echoed the sentiment of Councilman Bernier and Mayor Atkins that things are moving in the right direction.

Council President Wilkerson gave prayers to Councilwoman Johnson and her family, and addressed the 1<sup>st</sup> Ward residents about the noise issue and said they are trying to find ways to improve. She congratulated the newly sworn in residents who were appointed on Boards. She also congratulated Mr. Glagola on his retirement and the work services he provided to the residents. She congratulated Janna Williams for her service and also thanked the Borough's COVID-19 team for making sure the staff and the residents are safe; she thanked the DPW, and the OEM volunteers for their assistance with the storm; she gave her contact number for people to call her about the flood letters. She spoke to the Census and encouraged everyone to fill out the census and thanked the residents for participating in the Zoom meeting.

### **MAYOR'S COMMENTS**

Mayor Atkins congratulated Mr. Glagola on his retirement and thanked him for everything he provided to the Borough. He also congratulated Linda Henderson on her retirement, and thanked Donald Shaw, former Recreation Director, for his service to the Borough and his support of youth, seniors, and others through recreation programs and events. He encouraged the residents to support local Roselle businesses that are open and he spoke to businesses that were forced to close due to the COVID-19 restrictions and loss of revenues. He thanked former Mayor Christine Dansereau for her partnership with the Chestnut Street Community Church who assisted her in establishing a food relief program for residents. He also thanked the New Destiny Church for their food distribution efforts. He spoke about the tropical storm and how there were 1,650 homes without power. He said he drove around the Borough and saw downed trees and damages to homes and vehicles, and thanked the DPW, Fire, Police and OEM for their hard work and efforts during and after the storm. He also thanked the Council members who were active during the storm, and that he hit the ground running and looks forward to working with the Council and professionals. He also spoke to Black Lives Matter movement and expressed his continued support.

Following this, the Mayor asked for a motion to go into Closed Executive Session.

At 8:29 p.m., on a motion by Councilman Fortuna, seconded by Councilman Bernier, to adopt Resolution Number 2020-251 and go into Closed Executive Session. All were in favor, none opposed and the governing body went into the Closed Executive Session.

**RESOLUTION NUMBER 2020-251**

**RESOLUTION AUTHORIZING A CLOSED (EXECUTIVE SESSION)**

**WHEREAS**, Section 8 of the Open Public Meeting 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:
  - Contract Negotiations
  - Matters Falling Within Attorney Client Privilege
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.

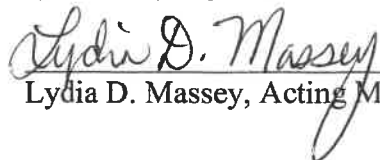
This resolution shall take effect immediately.

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 Regular meeting of said Council held August 19, 2020.

At 8:40 p.m., the Governing Body came out of the Closed Executive Session.

**ADJOURNMENT**

On a motion by Councilman Bernier, seconded by Councilwoman Thomas, all were in favor, none were opposed and the Workshop meeting was duly adjourned at 8:42 p.m.

  
Lydia D. Massey, Acting Municipal Clerk