

**BOROUGH OF ROSELLE
MAYOR & COUNCIL
MINUTES OF REGULAR MEETING
SEPTEMBER 16, 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 September 16, 2020 at 6:33 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:

| Attendee Name | Title | Status | Arrived |
|----------------------|--------------|---------------|----------------|
| Denise Wilkerson | Councilwoman | P | |
| Brandon Bernier | Councilman | P | |
| Cindy Thomas | Councilwoman | P | |
| Isabel Sousa | Councilwoman | P | |
| John Fortuna | Councilman | P | |
| Cynthia Johnson | Councilwoman | P | |
| 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

Mayor Atkins advised the governing body that a walk-on resolution was submitted to be considered as a walk on resolution concerning the 2020 Kids Recreation Trust Fund Grant Program which is time-sensitive, and he also said there will be correspondence read into the record. Following this, Mayor Atkins

PROCLAMATIONS

September 11th 2020 - National Day of Service and Remembrance was read into the record by Councilman Fortuna

National Library Card Sign Up Month was read into the record by Councilwoman Thomas

National Sickle Cell Disease Awareness Month, 2020 was read into the record by Council President Wilkerson

Turn the Towns Teal was read into the record by Mayor Atkins

APPROVAL OF MINUTES OF MEETINGS

Minutes of the Mayor and Council Special Meeting – July 30, 2020

Minutes of the Mayor and Council Closed Executive Session – July 30, 2020

Minutes of the Mayor and Council Workshop Meeting – August 12, 2020

Minutes of the Mayor and Council Closed Executive Session – August 12, 2020

Minutes of the Mayor and Council Regular Meeting – August 19, 2020

Minutes of the Mayor and Council Closed Executive Session – August 19, 2020

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

| Vote Record – Approval of Minutes | | | | |
|---|------|------|---|--------|
| | Ayes | Nays | Abstain | Absent |
| Councilwoman Wilkerson | x | | | |
| Councilman Bernier | x | | | |
| Councilwoman Thomas | x | | | |
| Councilwoman Sousa | x | | | |
| Councilman Fortuna | x | | | |
| Councilman Johnson | x | | 8/12/20 Workshop Mtg., 8/12/20 Closed Exec. Session, 8/19/20 Regular Mtg, and 8/19/20 Exec. Session | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | | |

Following this, Mayor Atkins read the following Library Board Appointment letter into the record:

September 16, 2020

Lydia D. Massey, Acting Municipal Clerk
Borough of Roselle
210 Chestnut Street
Roselle, NJ 07203

Dear Ms. Massey:

I hereby appoint the following:

Library Board (Mayor's Alternate)

Term of Appointment: 1/1/20 to 12/31/20 (1 year)

Eugenia Simms, Roselle Resident

(Filling the unexpired term of Kathy Lloyd)

Library Board Member

Term of Appointment: 1/1/18 to 12/31/22 (5 years)

Georgette Bradshaw, Roselle Resident

(Filling the unexpired term of Elaine Rittinger)

Sincerely,

Reginald Atkins, Mayor

Borough of Roselle

After this, Mayor Atkins asked for members of the Council to give their committee reports

COMMITTEE REPORTS

Councilman Fortuna gave a DPW report as follows: Residents may pick up leaf bags from the Department of Public Works, and he gave instructions on how to pick them up during COVID-19; the drainage project on Brooklawn Avenue is still being worked on, the tree truck machine is being repaired, and paving on North Wood Avenue is scheduled for April, May of 2021 due to delays caused by COVID-19.

Council President Wilkerson gave a Governance Committee report as follows: The Department Heads completed their annual employee performance reviews and provided them to the Borough Administrator; the requirements to move to the State Health Insurance plan were completed by the Assistant Borough Administrator with the assistance of staff, and the Department Heads are doing their budget planning requests for 2021.

Councilwoman Johnson gave a Public Safety Committee report as follows: The number of calls for service in June was 2095, 2321 in July, and 2291 in August; the number of park and walks in June was 303, 262 in July, and 274 in August 274; the MV accidents in June was 48, 60 in July and 65 in August; there were no summons issued in June, but 221 were issued in July and 194 in August. Use of force for June was 5; there was 1 in July and 2 in August; she talked about solar panels for parking meters, hiring more police officers; and said the Police Dept, Fire Department and Office of Emergency Management are doing well; Use of Force reports that were provided by the Chief of Police are available for review and can be discussed with the Police Chief.

Councilman Bernier gave a Finance Committee report as follows: The budget request process for 2021 will start soon with Department Heads and the CFO as well as capital budget requests; the Resolution on the agenda to consolidate over \$9 Million dollars of previous debt will help the

Borough forecast and plan better in the long term; the rates are at an all-time low due to the pandemic; the revenues have been good considering the impact of COVID-19, and the departments have done a good job in keeping overtime and any unnecessary expenses down; the finance will continue to be monitored until the end of the year; the Borough stands to save over \$2 million dollars by moving to the State Health Benefits Plan in 2021, and can ultimately give residents relief; the pilot program review is on-going and collections are up in terms of pilot monies due the Borough. The Planning Board has not met since the pandemic hit and he will continue to keep everyone updated.

Mayor Atkins stated that the various committees are working hard and that if anyone has questions and wants to be more involved to reach out to them for additional information.

INTRODUCTION, CONSIDERATION AND PASSAGE OF ORDINANCES

ORDINANCE ON SECOND READING & FINAL PASSAGE – 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:

| Classification | Limitation | Fee |
|-------------------------------------|-------------------|------------|
| 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:

| Year | Plenary Retail Consumption License | Plenary Retail Distribution License |
|------|------------------------------------|-------------------------------------|
| 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 opened the public hearing on the Ordinance. Seeing no one come forward, Mayor Atkins closed the public hearing portion of the ordinance.

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

| Vote Record – Ordinance Number 2629-20 – Second Reading & Final Passage | | | | |
|---|------|------|---------|--------|
| | 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"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | | |

ORDINANCE ON SECOND READING & FINAL PASSAGE– Ordinance 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 opened the public hearing on the Ordinance. Seeing no one come forward, Mayor Atkins closed the public hearing portion of the ordinance.

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

| Vote Record – Ordinance Number 2630-20 – Second Reading & Final Passage | | | | |
|---|------|------|---------|--------|
| | 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"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | | |

ORDINANCE ON SECOND READING & FINAL PASSAGE – Ordinance 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. Councilman Bernier made a motion to carry the ordinance over to the October Regular meeting; it was seconded by Councilwoman Thomas, and Councilman Bernier remarked that moving it was discussed at the Workshop meeting as there were questions that needed to be answered about the ordinance. There was no further discussion on the ordinance.

| Vote Record on Ordinance Number 2631-20 – To Move it to the October 2020 Regular Meeting for Second Reading & Final Passage | | | | |
|---|------|------|---------|--------|
| | 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"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | | |

ORDINANCE ON INTRODUCTION & FIRST READING – Ordinance 2632-20

AN ORDINANCE OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, STATE OF NEW JERSEY, PERMITTING THE BOROUGH OF ROSELLE TO REMOVE OBSTRUCTIONS TO PUBLIC ROAD ACCESS CAUSED BY EMERGENCY WEATHER EVENTS

WHEREAS, the Borough Council of the Borough of Roselle has recognized numerous emergency weather events, resulting in fallen trees which cause serious impediment to pedestrian and vehicular traffic of Borough of Roselle residents; and

WHEREAS, the Borough Council of the Borough of Roselle recognizes that most residents do not have the resources available to remove obstructions resulting from an emergency weather event in a timely fashion, and that moreover, the removal of said obstructions may pose a serious risk of danger to the resident and others during the emergency weather event; and

WHEREAS, the Borough Council finds and determines that for the welfare of its citizens, it is necessary and advisable to establish regulations and provide for the enforcement of such regulations within the Borough that improve the quality of life for residents by removing substantial dangers and impediments to pedestrian and vehicular traffic resulting from emergency weather events.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, NEW JERSEY, AS FOLLOWS:
SECTION 1. Chapter 400 Streets and Sidewalks of the Code of the Borough of Roselle shall be amended by the addition of the following article:

Article VIII Obstructions Caused by Emergency Weather Events

§ 400-51 Definitions.

As used in this article, the following terms shall have the meanings indicated:

EMERGENCY WEATHER EVENT

A State of Emergency, as declared by the Governor, related to severe weather.

§ 400-52 Removal of trees and similar large obstructions.

- A. While it remains the responsibility of each property owner to remove or cause for the removal of any trees or similarly large objects from said property that may obstruct pedestrian and/or vehicular traffic, in the event of an emergency weather event, the Borough of Roselle, at the direction of the Borough Administrator or appropriate designee, may undertake the removal of such tree or other large obstruction which substantially impedes residents' ability to safely access public or private roads and sidewalks.
- B. The cost of such removal shall be certified to the Borough Council by the Superintendent of Public Works. The Borough Council shall examine the certificate, and if found to be correct, shall cause the cost to be billed to the owner of such a property for which the tree or obstruction removal work has been performed by the Borough, as the owner appears on the latest Borough tax records. Unless promptly paid, such cost shall be charged against the premises and be added to and be part of real estate taxes, and the amount so charged shall thereupon become a lien and tax upon such real estate and be added to and be part of the taxes next to be levied and assessed thereon, and enforced and collected with interest by the Tax Collector in the same manner as other taxes are assessed and collected in the Borough of Roselle.

SECTION 2. In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

SECTION 3. All ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

SECTION 4. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

Mayor Atkins read Ordinance Number 2632-20 by title and then asked for a motion to adopt the ordinance on introduction and announced the public hearing will be held on October 21, 2020.

Motion by Councilman Fortuna, seconded by Councilman Bernier to adopt Ordinance Number 2632-20.

| Vote Record – Ordinance Number 2632-20 – Introduction & First Reading | | | | |
|---|------|------|---------|--------|
| | Ayes | Nays | Abstain | Absent |
| Councilwoman Wilkerson | x | | | |
| Councilman Bernier | x | | | |
| Councilwoman Thomas | x | | | |
| Councilwoman Sousa | x | | | |
| Councilman Fortuna | x | | | |
| Councilman Johnson | x | | | x |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | | |

ORDINANCE ON INTRODUCTION & FIRST READING – Ordinance 2633-20

ORDINANCE OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, STATE OF NEW JERSEY, CREATING A RESIDENTIAL OVERNIGHT PARKING PERMIT FOR RESIDENTS OF GALVIN AVENUE IN THE BOROUGH OF ROSELLE

WHEREAS, the Borough Council of the Borough of Roselle has recognized the need to limit parking and to establish regulations and control parking on Galvin Avenue between the hours of 12:00 p.m. and 6:00 a.m.; and

WHEREAS, the Borough Council finds and determines that for the welfare of its citizens, it is necessary and advisable to establish regulations and provide for the enforcement of parking regulations within the Borough that improve the quality of life for residents;

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, NEW JERSEY, AS FOLLOWS:

SECTION 1. The Code of the Borough of Roselle shall be amended by the addition of the following chapter entitled “Galvin Avenue Area- Resident Parking Permit” as follows:

A. Definition and word usage. As used in this section, the following terms shall have the meanings indicated:

BOROUGH

The Borough of Roselle.

MOTOR VEHICLE or VEHICLE

Includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks and motorized bicycles, as defined in N.J.S.A. 39:1-1 et seq.

GALVIN AVENUE AREA

The 700 Block of Galvin Avenue that is within the confines of the Borough of Roselle Property Tax Map.

B. Issuance of parking permit.

(1) Every resident who resides in the Galvin Avenue Area of the Borough shall be provided an annual parking permit for each vehicle registered at such address by the Roselle Police Department which permit shall be placed conspicuously on the vehicle's front driver's dashboard (if a placard) or driver side rear window (if a sticker). The permits shall be numbered such that each permit may be associated with the resident who resides in the Galvin Avenue Area to whom it was issued. The permits shall be mailed by the Borough to the address provided by the resident as reflected in the application provided for in Subsection D hereof.

(2) Every resident who resides in the Galvin Avenue Area of the Borough may apply, not more than four (4) times per month, to the Roselle Police Department for up to ten (10) daily guest parking permits per household. The daily guest parking permit shall be placed conspicuously on the vehicle's front drivers' dashboard. The daily guest parking permit shall indicate the date for which it is valid (e.g., 8:00 p.m. Monday until 6:00 a.m. Tuesday), and identify the residence it is associated with in the Galvin Avenue Area. A resident may apply for additional guest parking permits, and upon a showing of good cause, the Police Department, may issue additional permits. The daily guest parking permit shall be in such form as adopted by the Police Department.

C. Parking restriction. Parking in the Galvin Avenue Area shall be restricted to those licensed, registered and insured vehicles displaying a valid parking permit between the hours of 12:00p.m. and 6:00 a.m., in front of each home on Galvin Avenue.

D. Permits for residents. Any resident who desires a parking permit to enable them to park a vehicle in non-metered spaces in the Galvin Avenue Area during the restricted period may apply for a parking permit under this section by completing a form, to be provided by the Borough, detailing the applicant's name and address, insurance, and the registration number of the motor vehicle for which the applicant desires a parking permit. Residents may obtain a parking permit for each vehicle registered to such resident.

E. Placement of signs. Signs posted to indicate the requirements imposed by this section shall be placed in the Galvin Avenue Area in accordance with existing rules and regulations of the State of New Jersey.

F. Duration, restrictions and prohibitions.

- (1) Each permit shall be issued upon request of any resident of the Galvin Avenue Area, on an annual basis commencing on January 3 of each year. There shall be no proration if less than the full relevant period remains at the time an application for a permit is submitted.
- (2) Parking permission is subject to:

- (a) The parking permit shall be and remain in effect throughout the calendar year issued unless surrendered or revoked prior thereto;
 - (b) The issuance of a parking permit shall not obligate the Borough to furnish parking facilities to the holder of said parking permit.
 - (3) Permission to park may be revoked for any of the following:
 - (a) Falsely representing the ownership of a vehicle or the residence of the owner;
 - (b) The commission, by the holder of a parking permit, of any unlawful act prohibited by the laws of the State of New Jersey or for any act in violation of the provisions of this ordinance or contrary to any regulation of the Borough pertaining to the use and occupation of any parking area while entering, parking or leaving such parking area, as set forth in this section.
 - (4) Reproduction of any parking permit is prohibited:
 - (a) No person shall:
 - [1] Copy, reproduce, or otherwise create a parking permit authorized pursuant to this section;
 - [2] Create a facsimile or counterfeit parking permit;
 - [3] Display or use a parking permit knowing the same to have been copied, reproduced or otherwise crafted in violation of this section.
 - (b) No person shall furnish false information or fraudulent documents in connection with an application for a parking permit.
 - (c) Any person found violating the provisions of this Section F shall be subject to a fine not to exceed two thousand (\$2,000) dollars and/or imprisonment for not more than ten (10) days and shall forfeit the right to receive or use a parking permit under this section for a period of three (3) years.
 - (d) No parking permit may be issued to a person with three (3) or more outstanding summonses for violation of any of the provisions of Section 6 of this ordinance. Further, the Borough may provide for the removal of any vehicle which is allowed to stand or be parked in any parking area in violation of the provisions of Section F of this ordinance. The owner of such vehicle shall bear the reasonable cost of removal and storage that may result from such removal before regaining possession of the vehicle.
 - (5) Any violations under Section F of this Ordinance that are disputed by the resident to whom the parking permit was issued will be adjudicated in the Municipal Court of the Borough.
- G. Proper signs shall be erected by the Borough pursuant to law (N.J.S.A. 39:4-198).
- H. Violations and penalties. Any person, association or corporation who violates the provisions of this ordinance shall, upon conviction, be subject to a fine of not less than \$150 per violation. The fine prescribed for a person, association or corporation wishing to admit the commission of the parking offense with no court appearance required shall be \$183.

- I. This Ordinance shall not affect, repeal or revise Borough Ordinance 523-124, governing no parking during certain hours, and/or Borough Ordinance 523-29, prohibiting parking of trucks or buses within the Borough between the hours of 11:00 p.m. and 6:00 a.m.

SECTION 2. In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

SECTION 3. All ordinances or parts thereof, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

SECTION 4. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

Mayor Atkins read Ordinance Number 2633-20 by title and then asked for a motion to adopt the ordinance on introduction and announced the public hearing will be held on October 21, 2020.

Motion by Council President Wilkerson, seconded by Councilwoman Sousa to adopt Ordinance Number 2633-20.

| Vote Record – Ordinance Number 2633-20 – Introduction & First Reading | | | | |
|---|------|------|---------|--------|
| | 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"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | | |

Mayor Atkins asked Borough Administrator Jack Layne if wanted to speak to an item on the consent agenda. Borough Administrator Layne remarked that he met with Mayor Atkins and discussed whether Mr. Walker should have been sent a 48 hours Rice Notice. He also commented that Mr. Walker was out of the office and was unreachable to waive the Rice Notice. Mr. Layne then commented that it was his mistake and error that Mr. Walker was not riced prior to the meeting.

Mayor Atkins then remarked that Resolution Number 2020-257 would be pulled from the Consent Agenda and he asked Borough Administrator Layne if this was his recommendation. Mr. Layne agreed, and Council President Wilkerson said it was her understand that Mr. Walker waived the Rice Notice and Mr. Layne responded, not for this.

Mayor Atkins then advised that another resolution 2020-276 regarding the Kids Recreation Trust Fund Grant was being walked on the non-consent agenda as it is time-sensitive.

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

PUBLIC COMMENTS (on Pending resolutions only)

1. Sylvia Turnage spoke to Resolution Number 2020-259 appointing a full-time laborer in the Shade Tree Division. She expressed her concerns about the individual not being a Roselle resident and questioned the waiver of residency. Through research she found that five Borough employees were sent to school to work in the shade tree division to learn the skillset to be a successful shade tree worker; she spoke to seniority and said the five individuals have seniority over the person being considered for the job. She remarked that favoritism and nepotism has to stop so that Borough employees are treated fairly and equitably. She said Roselle is Civil service town who should take care of their own first and this needs to be addressed and corrected.

Councilman Fortuna addressed Ms. Turnage's concerns and said there is a difference in sending people for training verses someone having experience, and that the individual being promoted is well-versed and has a lot of experience. He also said the individual is performing a dual role by providing training to individuals in the Shade Tree Division.

Mayor Atkins then asked Attorney Jalloh if the discussion taking place should be in a Closed Executive session, and Attorney Jalloh said it was getting to dangerously close and he agreed with the Mayor because the individual being discussed was not Riced. Mayor Atkins, then gave the Council the option to pull the resolution so that it could be vetted out in a closed executive session.

Councilwoman Johnson made a motion to pull Resolution 2020-259; there was no second so the motion failed. Discussion ensued and the resolution will remain on the consent agenda.

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

Motion by Councilman Bernier to adopt the Consent Agenda as written and presented to adopt Resolution Numbers 2020-254 through 2020-274.

Mayor Atkins asked Councilman Bernier to reconsider his motion to include with the exception of Resolution 2020-257.

Councilman Bernier said that his motion stands, and it was seconded by Council President Wilkerson to adopt the consent agenda as written and presented.

Mayor Atkins asked Attorney Jalloh to weigh in on his request to have Resolution 2020-257 pulled from the consent agenda. While Attorney Jalloh gave his input on the matter, Assistant Borough Administrator Falt interjected and commented to Mr. Jalloh that he had a conversation with Borough Administrator Layne, and that it was his understanding that Mr. Walker waived

the Rice Notice. Mr. Jalloh then asked Mr. Falt if he had the waiver in writing; and Mr. Falt said it was not in writing and that he asked specifically and he apologized because he thought it was waived.

Discussion ensued among the members of the governing body and Councilwoman Johnson asked for Resolution 2020-257 to be pulled. Mayor Atkins remarked that the Borough is being opened up to liability if the law states a person has to be riced within 48 hours of a meeting.

Attorney Jalloh pointed out that the Resolution in question was voted to be on the consent agenda at the Workshop meeting, and remarked that the typical time for such discussion to be had has now passed. He also said it would need a vote to remove it from the consent agenda. Council President Wilkerson stated that there was no discussion of the matter in the Closed Executive Session at the Workshop meeting.

Councilman Bernier stated that the Council had no intention of going into a Closed Executive Session to discuss the matter at this meeting, he called the question so that his original motion could be entertained.

| Vote Record – To Adopt the Consent Agenda as Written | | | | |
|---|------|------------------------|---------|--------|
| | Ayes | Nays | Abstain | Absent |
| Councilwoman Wilkerson | x | | | |
| Councilman Bernier | x | | | |
| Councilwoman Thomas | x | | | |
| Councilwoman Sousa | x | | | |
| Councilman Fortuna | x | | | |
| Councilman Johnson | x | 2020-257 & 2020-259 | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | | |

CONSENT AGENDA

RESOLUTION NUMBER 2020-254 **RESOLUTION GRANTING LEAVE OF ABSENCE FROM POSITION OF DEPUTY MUNICIPAL CLERK**

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, in the County of Union, New Jersey, does hereby grant a leave of absence without pay to Lydia D. Massey from the position of Deputy Municipal Clerk for a period of one year commencing September 16, 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 September 16, 2020.

RESOLUTION NUMBER 2020-255

RESOLUTION RE-APPOINTING ACTING MUNICIPAL CLERK

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

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

WHEREAS, on September 10, 2020, the Borough through its administrator requested the permission of the Director of the Division of Local Government Services to the Borough to reappoint Ms. Massey to a third one-year term as Acting Municipal Clerk effective September 16, 2020 pursuant to N.J.S.A. 40A:9-1; and

WHEREAS, upon the receipt of said approval the Borough will seek to immediately reappoint Ms. Massey to a third one-year term as Acting Municipal Clerk;

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

I, Lydia D. Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held September 16, 2020.

RESOLUTION NUMBER 2020-256

AMENDING RESOLUTION NUMBER 2020-155 AWARDING A CONTRACT TO ACCURATE AMENDMENT SOLUTIONS, LLC TO EVALUATE THE FEMA PUBLIC ASSISTANCE PROJECT

WHEREAS, the Borough of Roselle has a need to retain an entity or individual who has specialized and specific expertise, along with a proven reputation, in evaluating the FEMA Public Assistance Project, Sub-Grant or Federal Highway Administration Applications and or any

Insurance deduction form project worksheets to ensure that the Borough of Roselle has obtained all eligible reimbursement costs which the Borough of Roselle is entitled to from all open grants in; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of services performed will not exceed \$17,471.15; and

WHEREAS, the anticipated term of this contract, shall be until December 31, 2020; and

WHEREAS, Accurate Amendment Solutions LLC has submitted a proposal indicating they will provide the requisite service for fifteen percent (15%) of the gross amount recovered through the FEMA Closeout of the project worksheet; and that Accurate Amendment Solutions LLC will gather backup supporting documentation; and

WHEREAS, the Chief Financial Officer has certified that there is available sufficient legally appropriated funds in the official budget for the year 2020 to pay for the same.

NOW THEREFORE, BE IT RESOLVED by the Borough of Roselle that a contract is hereby awarded to Accurate Amendment Solutions LLC in accordance with the terms and conditions as described herein.

I, Lydia D. Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify 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 September 16, 2020.

RESOLUTION NUMBER 2020-257

RESOLUTION HALTING THE EXTRA DUTIES DENOTED FOR ERIC WALKER FOR WORK PERFORMED IN THE DEPARTMENT OF ADMINISTRATION

WHEREAS, due to the current pandemic of Covid-19, the New Jersey Civil Service Commission has provided an appointing authority broad discretion to address staffing shortages, specifically allowing for a qualified employee to work out of title for a temporary period of time, pursuant to N.J.A.C. 4A:3-3.4; and

WHEREAS, Eric Walker is the Qualified Purchasing Agent in the Department of Administration; and

WHEREAS, there was a need from the Borough Administration to provide for additional out of title services relative to human resource and personnel services because of the COVID-19 pandemic; and

WHEREAS, it has been recommended that the impact of the COVID-19 pandemic has been reduced in the State of New Jersey and that an Assistant Borough Administrator has been hired who can handle the Borough of Roselle's human resource and personnel duties; and

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Roselle, County of Union, and State of New Jersey that, effective September 30, 2020, the Borough of Roselle will cease paying Eric Walker the additional rate of \$15,000.00 annually, that was being paid for the performance of the extra duties of human resources and personnel services for a period not to exceed one (1) month after the Governor of New Jersey lifts the state of emergency associated with the Covid-19 pandemic; and

I, Lydia Massey, Acting Municipal Clerk of the Borough of Roselle, 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 Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held September 16, 2020.

RESOLUTION NUMBER 2020-258

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.

| Borough Hall | Borough Hall – 2nd Floor “Archives” Room |
|---|---|
| Outdated Computer (CPUs) Computer Screens (CRTs) Computer Key Boards Computer Printers | Outdated Computer (CPUs) Computer Screens (CRTs) Old Telephones |
| Total Number of Pieces = [20] | Total Number of Pieces = [60] |

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 September 16, 2020.

RESOLUTION NUMBER 2020-259

**RESOLUTION APPOINTING FULL-TIME LABORER
IN THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, there is a need in the Borough’s Department of Public Works; and

WHEREAS, Luis Zamora has been performing the duties associated with the specialized shade tree division, in the department of Public Works;

WHEREAS, Luis Zamora, was previously interviewed and is highly qualified to perform the functions of laborer in the shade tree division;

WHEREAS, given Mr. Zamora’s qualifications and, the decision was made to offer Mr. Zamora the position;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle, County of Union State of New Jersey that Luis Zamora is appointed to the position of Full-

Time Laborer effective September 17, 2020, at the annual salary of \$28,455.00 prorated for the year 2020, and that the residency requirement for the Borough of Roselle be waived; and

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

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, at a Regular meeting of said Council held September 16, 2020.

RESOLUTION NUMBER 2020-260

RESOLUTION AUTHORIZING FINAL PAYMENT BASED ON AS-BUILT QUANTITIES AND RELEASE OF RETAINAGE FOR THE CDBG YR 45 ROADWAY IMPROVEMENTS – HARRISON AVENUE (E. 7TH AVENUE TO GEORGES PLACE) PROJECT FUNDED BY THE UNION COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY

WHEREAS, Mark Paving Company Inc., 77 Cutters Dock Road, Woodbridge, NJ 07095 was previously awarded a contract for the above-referenced project in the amount of \$309,705.34 by way of Resolution Number 2020-105; and

WHEREAS, the project has been completed to date in the total dollar amount of \$276,726.84 (includes 2% retainage) that reflects the as-built construction quantities necessary to properly construct this project to date; and

WHEREAS, the Borough Engineer has reviewed the as-built final quantities and finds that the request has merit, is in the best interest of the Borough and has recommended to the Borough Administrator, Borough CFO and Borough Finance Office to pay the total final as-built amount; and

WHEREAS, the Maintenance Bond BX06733MB has been received and approved and Maser Consulting recommends the release of Mark Paving Company's Performance Bond BX06733 and final payment amount of \$5,534.54; 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; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced dollar amount of **\$5,534.54** is authorized by way of final as-built quantities for the CDBG YR 45 Roadway Improvements-Harrison Avenue Project to Mark Paving Company, Inc., 77 Cutters Dock Road, Woodbridge, NJ 07095.

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 foregoing is true and correct copy of a Resolution

adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held on September 16, 2020.

RESOLUTION NUMBER 2020-261

**RESOLUTION AUTHORIZING PROFESSIONAL PLANNING SERVICES
AND DIRECTING THE BOROUGH PLANNING BOARD TO DETERMINE
WHETHER CERTAIN PROPERTY IN THE BOROUGH OF ROSELLE, UNION
COUNTY, NEW JERSEY CONSTITUTES AN AREA IN NEED OF REDEVELOPMENT
AND APPROVING PROFESSIONAL PLANNING SERVICES IN CONNECTION
THEREWITH**

WHEREAS, the Borough of Roselle is desirous in undertaking redevelopment projects within the Borough and the planning services desired by the Borough are in the best interest of the health, safety and welfare of the general public of the Borough of Roselle; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq. (the "Redevelopment Law"), sets forth a specific procedure for establishing an area in need of redevelopment to empower and assist local governments in efforts to promote redevelopment; and **WHEREAS**, N.J.S.A 40a:12A-6 authorizes the governing body of the municipality by Resolution, to cause its Planning Board to conduct a preliminary investigation to determine whether proposed area is an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Borough of Roselle has determined that an investigation and inquiry should be made to determine whether the area including Block 305, Lot 4 & 5 (the "Study Area") meets the criteria set forth in the Redevelopment Law for designation as an area in need of redevelopment; and

WHEREAS, if the Study Area is determined to meet the criteria for designation as an area in need of redevelopment and the Borough so designates the Study Area, then the Borough shall be authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area; and

WHEREAS, Maser Consulting P.A. (the "Planning Consultant") is familiar with said preparation of area in need investigations and has performed such services for various municipalities within the State of New Jersey; 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

WHEREAS, the Borough Council has deemed it necessary and in the best interest of the Borough to retain the services of an engineering and planning 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 budget for said purpose; specifically within Account # 9-01-20-165-000-200 for said planning services related to the potential redevelopment investigation.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, in the County of Union, as follows:

Section 1: The Roselle Planning Board is hereby directed to undertake a preliminary investigation and conduct a public hearing to determine whether the property in the Study Area meets the criteria necessary for designation as an area in need of redevelopment under the Redevelopment Law and, if the Study Area qualifies, to recommend whether it should be so designated.

Section 2: In the event the governing body shall designate the Study Area as a redevelopment area, the Borough shall be authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area.

Section 3: The Planning Consultant is hereby authorized to perform the preliminary investigation to determine whether said property in the Study Area qualifies as an area in need of redevelopment in the amount not to exceed \$14,200.00 for the Borough of Roselle.

Section 4: A copy of this Resolution shall be filed in the Office of the Borough Clerk and shall forward a copy of this Resolution to the Secretary of the Planning Board.

Section 5: The preliminary investigation, once complete, shall be submitted to the Borough Council for review and approval in accordance with the provisions of the Redevelopment Law.

Section 6: 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 September 16, 2020.

RESOLUTION NUMBER 2020-262

RESOLUTION AUTHORIZING THE PLANNING BOARD OF THE BOROUGH OF ROSELLE TO CONDUCT AN PRELIMINARY INVESTIGATION AND REPORT TO THE BOROUGH COUNCIL, PURSUANT TO N.J.S.A. 40A:12A-6, TO DETERMINE WHETHER THE REAL PROPERTY LOCATED AT 792-808 EAST 3RD AVENUE, IN THE BOROUGH OF ROSELLE, COUNTY OF UNION, STATE OF NEW JERSEY, CONSTITUTES AN AREA IN NEED REDEVELOPMENT AND APPROVING PROFESSIONAL PLANNING SERVICES IN CONNECTION THEREWITH

WHEREAS, the Borough of Roselle (the "Borough") is desirous in undertaking redevelopment projects within the Borough and the planning services desired by the Borough are in the best interest of the health, safety and welfare of the general public of the Borough of Roselle; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth the procedures for a municipality to declare an area in need of redevelopment along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to N.J.S.A. 40A:12-6, no area of a municipality shall be

designated as an area in need of redevelopment unless the governing body of the municipality, by resolution, authorizes the planning board to undertake a preliminary investigation to determine whether the proposed area qualifies as an area in need of redevelopment meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, in accordance with the procedures set forth in the Redevelopment Law, the Borough requests that the Planning Board of the Borough of Roselle (the "Planning Board") determine whether the real property commonly known as 792-808 East 3rd Avenue, and designated as Block 305, Lots 4 & 5 (The "Study Area"), in the Borough meets the statutory criteria warranting designation as an area in need of Redevelopment pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, if the Study Area is determined to meet the criteria for designation as an area in need of redevelopment and the Borough so designates the Study Area, then the Borough shall be authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Planning Board shall make such a determination upon public notice and a public hearing as provided in the Redevelopment Law;

WHEREAS, Maser Consulting P.A. (the "Planning Consultant") is familiar with said preparation of redevelopment plans and has performed such services for various municipalities within the State of New Jersey; and

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

WHEREAS, on January 15, 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. 2020-041); 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 budget for said purpose; specifically within Account #0-01-20-170-000-228 for said planning services related to the potential redevelopment plan desired.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle in the County of Union as follows:

Section 1. The Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Darlene Green of Maser Consulting, to determine whether the real property commonly known as 792-808 East 3rd Avenue and designated as Block 305, Lots 4 & 5, in the Borough, constitutes an area in need of Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

Section 2. Pursuant to the Redevelopment Law, the redevelopment area shall authorize the Borough to use all those powers provided by the Legislature for use in a redevelopment area including the use of eminent domain.

Section 3. The Planning Board shall submit its findings and recommendations to the Borough Council in the form of a Resolution with supporting documentation after public notice and public hearing. The report of the Planning Board shall be delivered to the Borough Council within forty-five (45) days of the date of this Resolution.

Section 4. A certified copy of this Resolution is to be forwarded to the Planning Board of the Borough of Roselle.

Section 5. Notice of this action shall be published in accordance with law.

Section 6. A copy of this resolution shall be filed in the Office of the Borough Clerk.
Section 7. This Resolution shall take effect pursuant to law.

I, Lydia Massey, 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 September 16, 2020.

RESOLUTION NUMBER 2020-263

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN
SERVICES IN CONNECTION WITH THE 2020 PARK IMPROVEMENTS PROGRAM
FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION
COUNTY, NEW JERSEY**

WHEREAS, the Borough of Roselle is desirous in undertaking improvements to Grove Street Park and Pine Street Park 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 September 8, 2020 correspondence; and

WHEREAS, Maser Consulting P.A. is familiar with the preparation of park 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 park 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 Inc.) is authorized to perform professional engineering design services in the amount of **\$24,500.00** for the 2020 Park 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 foregoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held September 16, 2020.

RESOLUTION NUMBER 2020-264

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR
THE COMMUNITY RATING SYSTEM RECERTIFICATION AND TIER A
PERMITTING AS FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF
ROSELLE, UNION COUNTY, NEW JERSEY**

WHEREAS, the Borough of Roselle is desirous in undertaking improvements to reduce localized flooding and providing awareness to the community regarding such improvements; and

WHEREAS, the Borough of Roselle understands that by implementing improvement measures, educating residents and continuing to improve the infrastructure, flood insurance rates may be reduced over time by the FEMA Community Rating System (CRS) program; and

WHEREAS, the New Jersey Department of Environmental Protection regulates stormwater discharges through the Tier 'A'/NJPDES Permit and has released the latest requirements, which include but is not limited to updating the Stormwater Pollution Prevention Plan, Municipal Stormwater Management Plan, Stormwater Ordinance(s), stormwater facility and outfall inspections and providing local public education; and

WHEREAS, Maser Consulting P.A. shall perform the tasks as delineated in the September 8, 2020 correspondence for the engineering services; and

WHEREAS, Maser Consulting P.A. is familiar with the engineering services necessary to coordinate the efforts involved with the above referenced regulations; 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 stormwater 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 Inc.) is authorized to perform professional engineering services in the amount of \$47,500.00 for the 2020 CRS Annual Recertification and Tier 'A' Permitting.

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 September 16, 2020.

RESOLUTION NUMBER 2020-265

RESOLUTION AUTHORIZING THE REFUND OF CLEANING DEPOSIT AT COMMUNITY CENTER

WHEREAS, the Ederline Tius Aimes has requested a refund for the cleaning deposit at the Anthony Amalfe Community Center on June 17, 2020 and cleaned the Community Center after the event held on January 8, 2020, and

WHEREAS, the Recreation Department has approved the refund of the cleaning deposit.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Roselle that the Municipal Finance Officer is hereby authorized to refund the cleaning deposit in the amount of \$50.00.

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 on September 16, 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 16th day of September 2020.

RESOLUTION NUMBER 2020-266

RESOLUTION AUTHORIZING REFUND OF STREET OPENING ESCROW FEES

WHEREAS, the Ardleigh Park Condominium Association has requested a refund of street opening escrow fees paid on August 12, 2020 and the street was not opened; and

WHEREAS, the Department of Public Works has approved the refund for the street opening escrow.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Roselle that the Municipal Finance Officer is hereby authorized to refund the street opening escrow fees in the amount of \$3,200.00.

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 September 16, 2020.

RESOLUTION NUMBER 2020-267

A RESOLUTION TO CANCEL CHECKS

WHEREAS, a review of the Finance Department records revealed that there is/are stale outstanding check/checks to be cancelled and

WHEREAS, the following list of check/checks will be voided:

| | | |
|--------|---------|------------|
| # 8443 | Current | \$ 258.00 |
| # 9404 | Current | \$ 1888.20 |
| # 9705 | Current | \$ 100.00 |
| # 9733 | Current | \$ 400.00 |

| | | |
|--------|---------|------------|
| #10216 | Current | \$ 115.00 |
| #10315 | Current | \$ 8000.00 |
| #10565 | Current | \$ 100.00 |
| #11138 | Current | \$ 30.00 |
| #11548 | Current | \$ 130.00 |

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle, that the above stale check/checks be cancelled and voided.

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 September 16, 2020.

RESOLUTION NUMBER 2020-268

RESOLUTION COMBINING BONDS AGGREGATING THE PRINCIPAL SUM OF \$9,320,000 AUTHORIZED BY SEVEN BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE BOROUGH OF ROSELLE, COUNTY OF UNION, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE

September 16, 2020

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

WHEREAS, it is necessary to issue bonds pursuant to said bond ordinances in an aggregate principal amount of \$9,320,000 and it is deemed advisable and in the best interests of the Borough, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said seven bond ordinances into one consolidated issue in the aggregate principal amount of \$9,320,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; NOW, THEREFORE,

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

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

A. \$64,301 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2314-08)

"BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE 911 COMMUNICATION SYSTEM IN AND BY THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$235,000 THEREFOR AND AUTHORIZING THE

ISSUANCE OF \$122,591 BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 7 years.

B. \$27,167 bonds, being a portion of the bonds authorized by an ordinance entitled:
(Ord. No. 2342-09)

“BOND ORDINANCE PROVIDING FOR VARIOUS
IMPROVEMENTS AND APPROPRIATING \$95,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$90,250
BONDS OR NOTES TO FINANCE PART OF THE COST
THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF
ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY”

heretofore finally adopted. The period of usefulness stated in said ordinance is 5 years.

C. \$1,347,766 bonds, being a portion of the bonds authorized by an ordinance
entitled: (Ord. No. 2380-10)

“BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS
AND APPROPRIATING \$2,325,000 THEREOF AND AUTHORIZING
THE ISSUANCE OF \$1,782,150 BONDS OR NOTES TO FINANCE PART
OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH
OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY”

heretofore finally adopted. The period of usefulness stated in said ordinance is 19.8
years.

D. \$3,320,696 bonds, being a portion of the bonds authorized by an ordinance
entitled: (Ord. No. 2297-08)

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

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

E. \$1,559,310 bonds, being a portion of the bonds authorized by an ordinance
entitled: (Ord. No. 2533-16)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF
\$1,700,000 FOR IMPROVEMENTS TO THE CENTRAL ROSELLE
REVITALIZATION PLAN PROJECT AND AUTHORIZING THE
ISSUANCE OF \$1,615,000 BONDS OR NOTES TO FINANCE PART OF
THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF
ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY”

heretofore finally adopted. The period of usefulness stated in said ordinance is 15 years.

F. \$2,754,521 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2541-16)

“BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$3,490,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,807,817 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY”

heretofore finally adopted. The period of usefulness stated in said ordinance is 15.3 years.

G. \$246,239 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 2547-16)

“BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$585,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$555,750 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY”

heretofore finally adopted. The period of usefulness stated in said ordinance is 21.83 years.

Section 2. The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount of \$9,320,000 and are sometimes hereinafter collectively referred to as the “Bonds.” The bonds referred to in subsections A through G of Section 1 shall each be designated “General Obligation Bonds, Series 2020” and shall be numbered with the prefix G from one consecutively upward. The bonds of said consolidated issue shall be dated the date of delivery and will be issued in fully registered form. When issued, the Bonds will be registered in the name of and held by Cede & Co., as the owner thereof and nominee for The Depository Trust Company, New York, New York (“DTC”), an automated depository for securities and clearinghouse for securities transactions.

Upon issuance, the Bonds will be delivered to DTC in single denominations for each maturity of the General Obligation Bonds, Series 2020. Individual purchases of beneficial interests in the Bonds will be made in book-entry form (without certificates) in the denomination of \$1,000 each or any integral multiple thereof.

Principal of the Bonds will be paid annually, subject to prior optional redemption, on the 1st day of June in the following years and in the following aggregate amounts:

| | <u>Principal Amount</u> | <u>Year</u> | <u>Principal Amount</u> |
|-------------|-----------------------------|-------------|-----------------------------|
| <u>Year</u> | | | |
| 2021 | \$300,000 | 2033 | \$380,000 |
| 2022 | 315,000 | 2034 | 390,000 |
| 2023 | 320,000 | 2035 | 400,000 |

| | | | |
|------|---------|------|---------|
| 2024 | 320,000 | 2036 | 410,000 |
| 2025 | 325,000 | 2037 | 420,000 |
| 2026 | 330,000 | 2038 | 430,000 |
| 2027 | 335,000 | 2039 | 445,000 |
| 2028 | 345,000 | 2040 | 455,000 |
| 2029 | 350,000 | 2041 | 470,000 |
| 2030 | 355,000 | 2042 | 480,000 |
| 2031 | 365,000 | 2043 | 495,000 |
| 2032 | 375,000 | 2044 | 510,000 |

The Bonds maturing on or prior to June 1, 2030 shall not be subject to redemption prior to their respective maturity dates. The Bonds maturing on or after June 1, 2031 shall be subject to redemption prior to their respective maturity dates, on or after June 1, 2030 at the option of the Borough, either in whole or in part at any time in any order of maturity at one hundred percent (100%) of the principal amount of the Bonds being redeemed (the "Redemption Price"), plus in each case accrued interest thereon to the date fixed for redemption..

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

Section 3. It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the said General Obligation Bonds, Series 2020 are to be issued, taking into consideration the amount of such General Obligation Bonds, Series 2020 to be issued for said improvements or purposes, is 24.79 years.

Section 4. The Bonds shall bear interest from their date based on their outstanding principal amount at a rate to be determined as hereinafter set forth in Section 6 of this resolution, shall be payable as to principal in lawful money of the United States of America at the administration office of the Borough in Roselle, New Jersey, payable semi-annually on the first day of June and December in each year until maturity or prior optional redemption, commencing on June 1, 2021, by check or draft mailed on such interest payment date to the owners thereof registered as such as of each next preceding May 15 and November 15. Interest on the Bonds shall be calculated on the basis of a 360-day year of twelve 30-day calendar months.

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

Section 5. The Bonds shall be signed by the Mayor and the Borough Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Borough.

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

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

No. 2020 G-__

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
BOROUGH OF ROSELLE,
IN THE COUNTY OF UNION

GENERAL OBLIGATION BOND, SERIES 2020

Date of Bond: November 17, 2020

Principal Amount: \$

Date of Maturity: June 1, 20__

CUSIP:

The BOROUGH OF ROSELLE, a municipal corporation of the State of New Jersey, (the "Borough") hereby acknowledges itself indebted and for value received promises to pay to Cede & Co. or registered assigns, the sum specified above as the Principal Amount on the date specified

above as the Date of Maturity, upon presentation and surrender of this Bond, and to pay to the registered owner hereof interest on such sum, from the Date of Bond specified above until the Date of Maturity specified above, at the rate of _____ and _____ Hundredths per centum (____%) per annum payable on June 1, 2021 and thereafter semi-annually on the first day of December and June in each year. Principal of this Bond will be paid in lawful money of the United States of America, at the administration office of the Borough in Roselle, New Jersey. Interest on this Bond will be payable in lawful money of the United States of America by check or draft mailed on such interest payment date to the registered owner hereof as shown on the books of the Borough kept for such purpose by the Chief Financial Officer of the Borough (the "Bond Registrar") as of the fifteenth day of the month preceding the month in which the payment of interest is to be made.

All of the bonds, of which this Bond is one, shall be initially issued as one fully registered bond for each maturity in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company ("DTC"). Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the DTC Letter of Representations executed by the Borough and DTC relating to the Bonds. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the Bonds is the responsibility of the DTC participants.

The Bonds maturing on or prior to June 1, 2030 shall not be subject to redemption prior to their respective maturity dates. The Bonds maturing on or after June 1, 2031 shall be subject to redemption prior to their respective maturity dates, on or after June 1, 2030 at the option of the Borough, either in whole or in part at any time in any order of maturity at one hundred percent (100%) of the principal amount of the Bonds being redeemed (the "Redemption Price"), plus in each case accrued interest thereon to the date fixed for redemption..

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

This Bond is transferable only upon the books of the Bond Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Borough duly executed by the registered owner or such duly authorized attorney, and thereupon the Borough shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount, series, designation, maturity and interest rate as the surrendered bond. The Borough and any paying agent

of the Borough may treat and consider the person in whose name this Bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This Bond is one of an authorized issue of bonds of the Borough and is issued pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey, a resolution of the governing body of the Borough entitled: "Resolution Combining Bonds Aggregating the Principal Sum of \$9,320,000 Authorized by Seven Bond Ordinances Heretofore Adopted to Finance Part of the Cost of Various General Improvements in the Borough of Roselle, County of Union, New Jersey Into One Consolidated Issue of Bonds and Providing for the Form, Maturities and Other Details of Said Consolidated Issue," adopted September 16, 2020 and by virtue of certain bond ordinances referred to therein.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Bond according to its terms. This Bond shall not be or be deemed to be a debt or liability of the State of New Jersey or a pledge of the faith and credit of the State of New Jersey.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

In the event the Borough determines that the beneficial owners of the Bonds (the actual purchasers of the Bonds) shall be able to obtain certificated bonds, the Borough shall notify DTC of the availability of bond certificates. In such event, the Borough will appoint a paying agent and the Borough will issue, transfer and exchange bond certificates in appropriate amounts as required by DTC and others. DTC may determine to discontinue providing its services with respect to the bonds at any time by giving a reasonable amount of notice in writing to the Borough. In the event of such determination, if the Borough fails to identify another qualified securities depository as successor to DTC, the Borough will appoint a paying agent and the Borough will issue and deliver replacement bonds in the form of fully registered certificates. Whenever DTC requests the Borough to do so, the Borough will cooperate with DTC in taking appropriate action (a) to make available one or more separate certificates evidencing the bonds to any DTC participant (participants of DTC) having bonds credited to its DTC account or (b) to arrange for another securities depository to maintain custody of certificates evidencing the bonds.

IN WITNESS WHEREOF, THE BOROUGH OF ROSELLE has caused this Bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Borough Chief Financial Officer, and its corporate seal (or facsimile thereof) to be affixed, imprinted or reproduced hereon, and this Bond and said seal to be attested by the manual signature of the Clerk or Deputy Clerk, and this Bond to be dated the 17th day of November, 2020.

RESOLUTION NUMBER 2020-269

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY UNDER ITS FY 2020 SAFE AND SECURE COMMUNITIES GRANT PROGRAM

WHEREAS, the Mayor and Council of the Borough of Roselle wish to file an application with the New Jersey Department of Law and Public Safety for project funding under its FY2020 Safe and Secure Communities Grant Program identified as Grant Application 20-2014 for the grant term period of November 13, 2019 through November 12, 2020, which will provide \$60,000.00 for use in creating more effective crime reduction strategies; and

WHEREAS, the Mayor and Council of the Borough of Roselle are in support of the New Jersey Department of Law and Public Safety FY2020 Safe and Secure Communities Grant Program; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Roselle; and

WHEREAS, the Mayor and Council of the Borough of Roselle are desirous of obtaining a New Jersey Department of Law and Public Safety FY2020 Safe and Secure Communities Grant in the amount of \$60,000.00, with a cash match of fringe benefits; and

WHEREAS, the cash match is the current fringe benefits already being paid for the two (2) participating Roselle Police Officers; and

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

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

1. The Mayor and Council of the Borough of Roselle as a matter of public policy, hereby endorse, support and authorize the filing of a FY 2020 New Jersey Department of Law and Public Safety Safe and Secure Communities Grant application and will participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive the funds on behalf of the applicant.
3. The NJ Division of Criminal Justice shall be responsible for the receipt and review of the application for said funds.
4. The NJ Division of Criminal Justice shall initiate allocations to each applicant.
5. Upon receipt of the Grant Agreement from the New Jersey Department of Law and Public Safety, the signature of the Mayor, Borough Administrator and/or any other municipal official, or their successors in said title, which is required on the agreement and any other documents necessary in connection therewith, is hereby approved.
6. Upon receipt of the fully executed Grant Agreement from the New Jersey Department of Law and Public Safety, the expenditure of funds is hereby authorized pursuant to the terms of the agreement between the Borough of Roselle and the Department of Law and Public Safety.
7. A copy of this resolution shall be sent to the New Jersey Department of Law and Public Safety so that implementation of the grant program may be expedited.
8. No additional Borough funds other than the cash match equivalent to the current fringe benefits for the participating Roselle Police Officers is required.
9. This Resolution shall take effect immediately.

I, Lydia Massey, Deputy 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 September 16, 2020.

RESOLUTION NUMBER 2020-270

**ACCEPTANCE OF THE RESIGNATION OF
SCHOOL CROSSING GUARD DELCIA HOFFMAN**

WHEREAS, Resolution 2020-247 appointed Delcia Hoffman to the position of School Crossing Guard, effective September 14, 2020; and

WHEREAS, Delcia Hoffman has submitted a letter of resignation, effective immediately.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby accepts the resignation in good standing of School Crossing Guard Delcia Hoffman, 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 September 16, 2020.

RESOLUTION NUMBER 2020-271

RESOLUTION APPOINTING ADDITIONAL SCHOOL CROSSING GUARDS

WHEREAS, there is a need in the Borough of Roselle to employ additional School Crossing Guards to maintain safety, health and effective direction of public services; 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 individuals listed herein are qualified for appointment to the position of School Crossing Guard.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey that the following individuals 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, at a salary of \$14.93 per hour as set forth in the collective negotiations agreement between the Borough and the OPEIU

1. Edward Mack (Alternate)

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 September 16, 2020.

RESOLUTION NUMBER 2020-272

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 |
|-------------|-------|-----|------|-------------|-------------|-------------|-------------|
| FNA DZ, LLC | 2502 | 22 | | 18-00030 | \$18,600.00 | \$24,162.13 | \$42,762.13 |

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 September 16, 2020.

RESOLUTION NUMBER 2020-273

AUTHORIZE REFUND OF TAX OVERPAYMENTS

WHEREAS, there appears on the books of the Tax Collector, refunds due, resulting from Tax Overpayments; and

WHEREAS, refunds are to be made to the persons who have made these overpayments;

NOW, THEREFORE, BE IT RESOLVED that the Borough CMFO of the Borough of Roselle, Union County, be instructed to draw checks in the amounts covering the overpayments and to deliver said checks to the proper persons.

| NAME | MAILING ADDRESS | BLOCK | LOT | QUAL | REASON | TOTAL |
|----------------------------------|--|-------|-------|------|-------------|-------------|
| MARINO-4 LLC | 136 BERWICK ST, ELIZABETH, NJ 07202 | 704 | 9 | | OVERPAYMENT | \$2,701.23 |
| HUDSON UNITED TITLE SERVICES LLC | 95 SOUTH MIDDLETOWN ROAD, NANUET, NY 10954 | 1001 | 21 | | OVERPAYMENT | \$3,030.07 |
| DAVID C BORGES | 503 W. WESTFIELD AVE, ROSELLE PARK, NJ 07204 | 1603 | 33.01 | | OVERPAYMENT | \$5,674.98 |
| FORTUNE TITLE AGENCY, INC. | 39 WOODLAND ROAD, ROSELAND, NJ 07068 | 2203 | 20 | | OVERPAYMENT | \$3,481.45 |
| CHARLES & IDA LOTT | 1017 MORRIS ST, ROSELLE, NJ 07203 | 2403 | 17 | | OVERPAYMENT | \$2,261.43 |
| MARKET STREET REALTY CORP | 293 EISENHOWER PKWY, LIVINGSTON, NJ 07039 | 3701 | 15 | | APPEAL | \$5,828.90 |
| TOTAL | | | | | | \$22,978.06 |

(acct# 20-01-286-56-001)

(acct#T20-56-400-000-000)

(acct#T20-56-500-000-000)

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 September 16, 2020.

RESOLUTION NUMBER 2020 -274

**RESOLUTION AUTHORIZING A CONTRACT WITH REALAUCTION.COM, LLC
FOR THE PURPOSE OF CONDUCTING AN ELECTRONIC MUNICIPAL TAX LIEN
SALES FOR 2020**

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, N.J.A.C 5:33-1.1 requires an electronic municipal tax lien sale shall be authorized by a resolution of the governing body, and

WHEREAS, N.J.A.C 5:33-1.1 also requires any contract with an online tax sale vendor, regardless of the cost, must be awarded by the municipality's governing body, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales in the State of New Jersey along with participating Counties and Municipalities, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, RealAuction.com has supplied and negotiated a contract to provide electronic tax sales services to the Borough of Roselle at a rate of \$15 per property listed on the tax sale list, and

WHEREAS, Roselle Borough wishes to participate in an electronic tax sale in 2020 and to award a contract for such services to RealAuction.com as a vendor which has been determined to have complied with the statutory provisions necessary to supply such services.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

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 September 16, 2020.

Resolution # 2020-275

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
16-Sep-20

| FUND | AMOUNT |
|----------------------------|----------------|
| ANIMAL CONTROL | \$67.80 |
| CAPITAL ACCOUNT | \$98,949.46 |
| CDBG TRUST | |
| CURRENT FUND | \$3,114,892.21 |
| ESCROW TRUST | \$6,814.53 |
| FSLEF | \$316.25 |
| SLEF | |
| GENERAL TRUST ACCOUNT | \$404.47 |
| TRUST DCA FEES | |
| GRANT ACCOUNT | |
| AUGUST 28, 2020 PAYROLL | 632962.88 |
| SEPTEMBER 11, 2020 PAYROLL | 635463.31 |
| MANUAL CHECK | \$28,754.66 |
| POAA | |
| REDEMPTION PREMIUM ACCOUNT | \$18,600.00 |
| PUBLIC DEFENDER | |
| REDEMPTION TRUST | \$24,162.13 |
| RESERVE FOR ESCROW | |
| SALARY DEDUCTION | |
| SUI | |
| GRAND TOTAL | \$4,561,387.70 |

LYDIA MASSEY
ACTING BOROUGH CLERK

DATED: SEPTEMBER 16, 2020

Resolution # 2020-275

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
16-Sep-20

| <u>FUND</u> | <u>AMOUNT</u> |
|----------------------------|------------------------------|
| ANIMAL CONTROL | \$67.80 |
| | \$ |
| CAPITAL ACCOUNT | 98,949.46 |
| CDBG TRUST | |
| | \$ |
| CURRENT FUND | 3,114,892.21 |
| | \$ |
| ESCROW TRUST | 6,814.53 |
| | \$ |
| FSLEF | 316.25 |
| SLEF | |
| | \$ |
| GENERAL TRUST ACCOUNT | 404.47 |
| TRUST DCA FEES | |
| GRANT ACCOUNT | |
| AUGUST 28, 2020 PAYROLL | 632962.88 |
| SEPTEMBER 11, 2020 | |
| PAYROLL | 635463.31 |
| | \$ |
| MANUAL CHECK | 28,754.66 |
| POAA | |
| | \$ |
| REDEMPTION PREMIUM ACCOUNT | 18,600.00 |
| PUBLIC DEFENDER | |
| REDEMPTION | \$ |
| TRUST | 24,162.13 |
| RESERVE FOR ESCROW | |
| SALARY | |
| DEDUCTION | |
| SUI | |
| GRAND TOTAL | <u><u>\$4,561,387.70</u></u> |

LYDIA MASSEY
ACTING BOROUGH CLERK

DATED: SEPTEMBER 16, 2020

Motion by Councilman Bernier, seconded by Councilman Fortuna to adopt Resolution Number 2020-275.

| Vote Record – Resolution 2020-275 | | | | |
|---|------|------|---------|--------|
| | 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"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn | | | | |

RESOLUTION NUMBER 2020-276

RESOLUTION AUTHORIZING PARTICIPATION IN THE UNION COUNTY 2020 KIDS RECREATION TRUST FUND GRANT PROGRAM

WHEREAS, the Union County Board of Chosen Freeholders has established the 2020 Kids Recreation Trust Fund Grant Program (hereinafter referred to as the “Program”) through the Open Space, Recreation and Historic Preservation Trust Fund; and

WHEREAS, the Program will consist of two components, which are Discover Our Parks and Recreational Improvements for park and playground facilities; and

WHEREAS, the Borough of Roselle wishes to apply for the Recreational Improvements component in the amount of \$96,000, which shall be used for Phase II improvements to Grove Street Park with a total project cost of approximately \$192,000 and the remaining \$96,000 of the project being a dollar-for-dollar cash match by the Borough of Roselle; and

WHEREAS, the Borough of Roselle also wishes to apply for the Discover Our Parks component, which shall enable children from the Borough of Roselle to participate in a variety of recreational activities at facilities throughout Union County; and

WHEREAS, the Program is permitted and authorized by N.J.S.A. 40:48-2.56; and

WHEREAS, the Program grant application is due by September 16, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Borough of Roselle hereby approves participation in the 2020 Kids Recreation Trust Fund Grant Program.

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

BE IT FURTHER RESOLVED, that the signature of the Mayor, Borough Administrator and/or any other municipal official, or their successors in said titles, which is required on the grant application and grant agreement, 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 held September 16, 2020.

Motion by Councilwoman Johnson, seconded by Council President Wilkerson to adopt Resolution Number 2020-276.

Discussion: Councilwoman Thomas asked for an explanation of the resolution and Borough Administrator Layne gave a detailed description of the resolution.

| Vote Record – Resolution 2020-276 | | | | |
|---|------|------|---------|--------|
| | 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"/> Adopted <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. Sylvia Turnage commented that Councilwoman Wilkerson and Councilman Bernier are running the Borough and opening the Borough up for liability and lawsuits. She spoke to Resolution 2020-257 and 2020-259. She said the DPW worker hired is out on a medical leave, has a side business, and is not fit for duty right now and is being made full-time to get medical benefits; said also said he cut a tree near Councilman Berniers house as well as cut a tree in the 1st Ward near Councilwoman Wilkerson's house; she spoke about whether the individual is qualified to have a full-time job while on medical leave when other Borough employees are equally qualified. She talked about the Candor Homes Project who will build a 33-unit apartment complex on 4th Avenue and said there is no room for it and Council should stand up for the residents.
2. Jeanne Marie Ryan, Library Director, thanked the Mayor and Council for the proclamation recognizing National Library Card Sign Up Month and she said the library is open to satisfy the resident's needs. She also said there are 15 days left to complete the 2020 Census and encouraged people to complete the census.

3. Lincoln Prout, 402 Walnut Street, voiced his concerns about the 33-unit apartment complex that will be built on 4th Avenue. He echoed the sentiment of Mrs. Turnage and expressed that he is a long term taxpayer for 45 years and lives next door to the where the 33 unit complex will be built; he said he will no longer have any privacy and he said he wants something to be done to help the people in that area.

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 Johnson commented that she received numerous calls from residents about the 33-unit apartment building project on 4th Avenue and understands Mr. Prout's frustration. She also remarked that there is a petition being circulated by residents who are against it being built. And she recommended that they seek an attorney to do it the legal ways and that her hands are tied.

Council President Wilkerson said the 33-unit Apartment Building project did not come before the Council, and she said the Zoning was not for the project either, but legal action was taken to approve the project. She asked Borough Administrator Layne to look into it. She also commented that no one was demoted and nothing negative was said about the person; it was a temporary assignment and the assignment was completed; she also said there was no tree cut by her house and it was made up; she said Council is for hiring Roselle residents and doesn't get involved in the day to day operations with Departments or tell them what to do.

Councilman Bernier asked the Borough Administrator and Borough Attorney to look into the comment that the resident made about the employees medical condition which is a breach of HIPPA laws; he said there are a lot of dead trees in the Borough and urged residents to contact him if they have tree issues; he said it is no secret that a tree was cut down a block away from his home as there are dying tree all over the borough and wants to continue seeing things get done in the Borough. He also remarked that he is more than willing to look into Candor matter with the Zoning Board, but it is up to them on whether they plan to appeal the decision. He also recommended that Borough Attorney and the Zoning Board Attorney figure out the specifics because he is not sure what originally went wrong.

Councilwoman Johnson commented that Council has to stop the favoritism and demoting people.

Mayor Atkins interjected and said he's been contacted about the 33-unit building on 4th Avenue, and that Council has to fight for the people who put them in office whether it affects them or not. He said also said Roselle is a small town and people talk and know about a lot of things including sickness and when people are in and out of work. He urged everyone to keep moving forward and to keep the focus on residents. Following this, Mayor Atkins ended the discussion and moved into the Council comment portion of the meeting.

COUNCIL COMMENT

Councilwoman Sousa commented that the meeting was quite lively and that people have to find a way to get things expressed not in a loud way but in a respectful way. She remarked that in her own work experience, duties and responsibilities are sometimes given and can be taken away and that's how it goes. She also said Rice Notices speak to the performance aspect of duties and the public has to be informed correctly. She urged everyone to file their 2020 Census, and wished teachers and students success given the current circumstances. She also urged people to continue to reach out to her.

Councilman Bernier wished all students, teachers, and parents good luck with the start of school. He talked about the Mexican Independence Day event at Borough Hall, and that it was good to get together and share in the culture. He also spoke to the month of September in which Council recognized many things via proclamations including ovarian cancer month. He spoke of his three-year-old niece who is battling liver cancer and he thanked everyone who prayed for her and called him; he reported that she is doing very well after a successful surgery to remove the liver tumor, and reiterated that he thanks everyone for supporting his family during this time. He thanked the Chief of Police for a great Public Safety Committee meeting and remarked that he is reviewing the police policies which the Chief of Police provided to him. He spoke about the additional duties that were given to an employee as it related to COVID-19, and said the Borough is past the point of having to expend additional tax dollars on those duties, so the Council moved forward with passing a resolution of the same. He announced that his next Ward meeting will be September 29, 2020 at the Agape House of Worship at 7:00 p.m., and he gave his contact information to residents. He also urged everyone to complete their 2020 Census.

Councilwoman Cynthia Johnson commented that she was not present at last two months of Council meetings due to the passing of her mother in April and her son in July. She thanked the residents of the 3rd ward, friends, and colleagues for showing their support. She personally thanked the Roselle Police & Fire Department, Kathy, Doreen, former Mayor Christine Dansereau, Cindy Thomas, and Council President Wilkerson for their support and prayers. She remarked that she doesn't have a problem with demotions, but feels the Borough is not in compliance with civil service as they took away the stipend for someone who brought the Borough into compliance, and said it is not fair. She also questioned why they did not promote within as it related to the DPW hire and that it is affecting the morale of the other workers. She said the Governance Committee does not bring things back to the full Council to get their input, and she will keep bringing these types of things up to let the public know what's going on, and must do better as a collective group.

Councilwoman Thomas urged everyone to complete the 2020 Census as there are only 15 days left. She thanked Councilwoman Johnson, Bernier and Sousa for the public safety meeting. She congratulated the students who started back to school and is praying and wishing them the best with their continued education as well as the teachers. She announced that Roselle First and the CDC had a food giveaway that was successful and gave away 227 food bags for those in need. She thanked Pastor Jide of the Agape House of Worship for letting them use the church parking. She thanked everyone for coming out to the meeting and gave her contact information.

Councilman Fortuna talked about the 2020 Census and urged the 5th Ward residents to complete it and get the forms in. He also thanked Police Chief Brian Barnes for responding to speeding in the 5th Ward and all their other concerns. He also said a few more streets will be paved this year, and others will be pushed back and completed in the Spring of 2021. He said he doesn't know anyone personally who was hired at the DPW. He spoke about cutting down trees and said the budget is approximately \$160K, and things are doing well on the tree front. He is concerned about results and said nothing is being done illegal. He talked about pickup and gave the email address for residents to schedule their metal pickup. He then wished everyone the best of luck with school.

Council President Wilkerson talked about the 2020 Census and said 67% was completed and urged everyone to file their 2020 census before the deadline to get the numbers up. She thanked Police Chief Barnes and the DPW for getting a stop sign erected on Sheridan and 7th Avenue; she spoke about the Governance Committee and said it consists of her, Councilman Bernier and Councilwoman Thomas, Borough Administrator Layne, and Attorney Jalloh and that no decisions are made in the Governance Committee; they did research and found there were inconsistencies in data in civil service as well as people who were working out of title and gave the information for someone to do and paid them and appreciate it being done. She remarked that there are no secret meetings or two individuals making decisions; they investigate things which is the right of any Council person and if her leadership skills are showing, she will take it as a compliment. She commended the Flores family for having a small wedding their back yard and thanked them for the invitation. She thanked Ms. Harry and the Roselle Board of Education for their assistant and wished everyone luck as schools open. She talked about her granddaughter who has Sickel Cell and thanked the family who showed her support and the Damanchie family for providing her family information. She thanked everyone for coming out and Council for doing the business of the Borough to move things forward. She also commented that she hopes everyone will be respectful during the political season.

MAYOR'S COMMENTS

Mayor Atkins announced that on September 17th there will be a free mobile COVID-19 testing event for Roselle residents between 10 am and 4 pm. The morning testing will be done at the Roselle Community Center and the afternoon testing will be in the Borough Hall Parking Lot. He also announced that there will be a book bag and supplies giveaway on September 19th for Borough youngsters, and he thanked Councilwoman Johnson and Councilwoman Thomas for partnering with him to make it a great initiative, and thanked former Mayor Christine Dansereau for starting the initiative. He said there were other initiatives such as a food give away on the same day of the Book Bag event, and that there will be a free flu shot clinic and a mobile DMV station is coming to Roselle. He supports the start of school and wishes everyone luck and urged residents to put the November 3rd General Election on their calendar. He said he was a little shocked and disappointed on how the meeting went and talked about the Rice Notice process. He remarked that people were not angry or hostile but passionate in their comments, and he wants to understand the Governance Committee and find out if it is lawful, he also feels that two people are running the day to day operations of the Borough. He spoke about opening Council

meetings to the general public; he told Mr. Prout that he understands and supports him; he said the Governance Committee shut down a food program; and he urged drivers to slow down for children as all are not doing remote learning at home. He reiterated that the meeting was about passion and hopes it continues to move things forward.

ADJOURNMENT

On a motion by Councilwoman Thomas, seconded by Councilwoman Johnson, all were in favor, none were opposed and the Regular meeting was duly adjourned at 8:53 p.m.

Lydia D. Massey, Acting Municipal Clerk