

**BOROUGH OF ROSELLE  
MAYOR & COUNCIL  
MINUTES OF THE REGULAR MEETING  
OCTOBER 21, 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 October 21, 2020 at 6:31 p.m. The flag salute was done, and the invocation was given by Mayor Atkins.

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

This is to state for the record that this meeting is being held according to the requirements of the Open Public Meetings Act, Section 5, Chapter 231, P.L. 1975, by posting and maintaining the annual notice of Regular and Workshop Meetings on the Borough Hall Bulletin Board, by emailing the Annual Notice of Regular and Workshop meetings for 2020 to the Union County Local Source and The Home News Tribune in 2019, by posting on the Borough of Roselle website, and by filing said notice in the Office of the Municipal Clerk.

**ROLL CALL:**

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

**ALSO PRESENT:**

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

**PROCLAMATIONS**

Mayor Atkins announced that Keys to the Borough and proclamations were presented to Mr. William Frolich who turned 100 years old, Bishop Wayne Johnson, the oldest long-standing Pastor in the Borough, Mr. Jeff Davis who turned 94 years old, and Mrs. Dorothy Anderson who turned 100 years old. Following this, Mayor Atkins shared a video on Zoom showing him and former Mayor Christine Dansereau presenting each honoree with the Keys to the Borough. He congratulated the honorees and thanked former Mayor Christine Dansereau for her vision.

Following this, Mayor Atkins read the Breast Cancer Awareness Month proclamation into the record.

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

Motion by Council President Wilkerson, seconded by Councilwoman Johnson to approve the minutes of meetings.

Minutes of the Mayor and Council Workshop Meeting – September 9, 2020

Minutes of the Mayor and Council Closed Executive Session – September 9, 2020

Minutes of the Mayor and Council Regular Meeting – September 16, 2020

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

Mayor Atkins then introduced Health Official Annie McNair to give the governing body and the public an update on the COVID-19 pandemic and all things that are related.

Ms. McNair talked about COVID-19 and she urged members of the governing body and members of the public to encourage prevention by masking up, to wear face coverings and maintain social distancing in restaurants, supermarkets, and stores and to continue to wash and disinfect hands; and to discourage indoor gatherings and parties. She also encouraged everyone to get a flu shot and announced that a flu clinic will be held at Abraham Clark High School on October 22, 2020; she talked about influenza and Covid-19 which are two major upper respiratory illnesses. She then announced that the County will host a walkup Covid-19 saliva testing at Borough Hall. She also said her office is in Westfield and she has been working electronically to schedule inspections for the Borough of Roselle. Mayor Atkins echoed the sentiment of Ms. McNair in terms of masking up and other safety measures as it relates to COVID-19.

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

### **COMMITTEE REPORTS**

Councilwoman Johnson gave updates on Public Safety and reported that the Police service calls for August were 2,291 and 2,293 in September; check park and walks in August were 274, and 330 in September; there were 65 motor vehicle accidents in August, and 47 in September; summonses issued in August was 195 and 756 in September; parking enforcement is doing well to bring revenues up due to COVID-19; Use of Force was two and two for resisting arrest; they discussed their capital budget and hiring more police officers; they discussed parking meters on Chestnut Street, and she gave her condolences to Fire Chief Pearson on the passing of his mother-in-law. She reported that in 2020 there were 1,005 fire alarms calls, and total ambulance calls in 2020 were 1499; and total ambulance calls for the month of August was 189. She said the also discussed storm calls when wires are down and commended the Fire and Police Department for their service to the Borough residents. She then gave condolences the victims of a Fire in Elizabeth and thanked all the Fire Departments who assisted the City of Elizabeth.

Councilman Fortuna reported that Code Enforcement stationed an official on the East side ad West side of town; and he said this new system encourages more familiarity with the properties, and he commended Mike Tisdale; he also talked about his DPW meeting and said they discussed how nice Chestnut Street looks with the new planters and how to keep it clean; he talked about natural debris that clogged a drainage path in his ward behind Holley Drive.

Councilwoman Cindy Thomas spoke about a food distribution event provided by the United Hispanic Organization who provided food to around 150 families. She announced that the County of Union, Division of Aging, will have grab and go box lunch meals for Roselle seniors on Tuesday, October 27<sup>th</sup> and will be held outside at the Amalfe Community Center and gave the requirements.

Council President Wilkerson reported on behalf of the Governance Committee and talked about additional staff in the Municipal Court and that they are listed on the Consent Agenda; they are closing in on the budgetary needs for 2021 for the department heads and opportunities to improve.

Councilman Bernier reported on behalf of the Finance Committee and said most Department Heads have submitted their 2021 budget requests and will be scheduled to discuss their budget and capital budget requests with the CFO, Borough Administrator, and Finance Committee. He talked about Ordinance 2631-20, a pilot agreement for the 1<sup>st</sup> Avenue Storage Facility, and remarked that it is a great deal for the Borough as they negotiated a 20-year pilot as opposed to 30 years which will give the developer an opportunity to beautify the area while the Borough receives a financial benefit. He said there will be an Audit presentation at the November Council meeting by the CFO and Auditor, and that the financial well-being of the Borough continues to improve. He announced that the switch to the health benefits plan will be effective November 1, 2020, and the anticipated savings is approximately \$2 Million dollars for the Borough in 2021 which will allow for investment back into the Borough; Finance will continue to review the Borough code to update fees in areas that are outdated and bring the Borough up to speed to what other municipalities are doing. He announced that the Planning Board Meetings are cancelled, but plan to hold a meeting in December.

## INTRODUCTION, CONSIDERATION AND PASSAGE OF ORDINANCES

### 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 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 Councilman Fortuna to adopt Ordinance Number 2631-20.

<b>Vote Record – Ordinance Number 2631-20 – Second Reading &amp; Final Passage</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

**ORDINANCE ON SECOND READING & FINAL PASSAGE** – 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 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 Fortuna, seconded by Councilman Bernier to adopt Ordinance Number 2632-20.

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

**ORDINANCE ON SECOND READING & FINAL PASSAGE** – 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 opened the public hearing on the Ordinance.

1. Lawrence Bartlett, 716 Galvin Ave., commented that the issues arose from a new workout area directly in the park near his street, and said that people are speeding, loitering, doing lewd things and making a lot of noise. He said he spoke to Council President Wilkerson about it and thanked her for the hard work to get this considered, and said he would like it passed.
2. Wanda Vargas, Galvin Ave., echoed the sentiment of Mr. Bartlett regarding the issues on Galvin Ave., and she said she lives on the cul-de-sac, and has problems pulling out of her driveway due the parked cars of those using the workout area. She spoke to removing the workout area altogether due to the noise that people are making when utilizing it.
3. Tracy Holsten, 715 Galvin Ave., echoed the sentiment of Mr. Bartlett and Ms. Vargas and said they have children on the block and are concerned about that as well. She said people have taken over the block, don't move for hours, and congregate in front of homes and are loud. She also called the police about the noise and said the situation has become a nuisance.

Seeing no one else come forward, Mayor Atkins closed the public hearing portion of the ordinance.

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

**Discussion:**

Councilwoman Johnson explained why she abstained on the introduction of the ordinance, and feels it will open the Borough up to giving everyone who lives on a residential street permit parking; she said she understands the issues that people facing with the issue on Galvin Ave., but thinks the County needs to be held accountable that everyone will come with the same situation.

Council President Wilkerson spoke to the comments that Councilwoman Johnson made about opening up the Borough to more overnight parking permits requests. She said it's been done for

many streets in the Borough such as Park Street and a street in the 5<sup>th</sup> Ward all done within the guidelines of the Police Department, and she also said the residents of that area did the work by obtained signatures of the other residents that live on Galvin Ave., who supported the idea. She said they also reached out to the County with their concerns to sit down and talk about the issues, and said the process is the same for any other ordinance.

Mayor Atkins asked for clarification of the time period in the ordinance, and Council President Wilkerson said the time on the ordinance is correct.

<b>Vote Record – Ordinance Number 2633-20 – Second Reading &amp; Final Passage</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson			x	
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

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

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

1. Melinda Poindexter, Galvin Avenue, thanked Council President Wilkerson and her colleagues for listening and supporting the ordinance.

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

Following this, Mayor Atkins asked for a motion to move the consent agenda as presented and written.

Attorney Jalloh thanked the Mayor for recognizing him before the motion was made, and he advised the members of the governing body that Resolution 2020-281 regarding the Memorandum of Agreement for collective negotiations needed to be tabled to a later date.

#### **RESOLUTION NUMBER 2020-281** **RESOLUTION TO APPROVE THE MEMORANDUM OF AGREEMENT AND COLLECTIVE NEGOTIATIONS AGREEMENT BETWEEN THE BOROUGH OF ROSELLE AND OPEIU, LOCAL 32, DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Borough of Roselle (the “Borough”) and OPEIU, Local 32, Department of Public Works (“Local 32”) are parties to an expired Collective Negotiations Agreement extending from July 1, 2013, through December 31, 2017; and

**WHEREAS**, the parties have met for the purposes of negotiating a successor Collective Negotiations Agreement and have tentatively agreed to those terms and conditions as set forth in the Memorandum of Agreement (“MOA”) and successor Collective Negotiations Agreement extending from January 1, 2018 through December 31, 2021, copies of which are on file with the Borough Administrator, and are incorporated by reference herein; and

**WHEREAS**, Local 32 has ratified the MOA and successor Collective Negotiations Agreement; and

**WHEREAS**, the Borough’s Negotiations Committee recommends that the MOA and successor Collective Negotiations Agreement, be approved by the full Borough Council; and

**WHEREAS**, the Borough Council has reviewed the MOA and successor Collective Negotiations Agreement, and agrees with the recommendations set forth herein.

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

1. The Borough Council hereby ratifies the MOA and successor Collective Negotiations Agreement between the Borough and Local 32, extending from January 1, 2018 through December 31, 2021;
2. The Borough Council authorizes the Borough Administrator, and other appropriate parties to take any and all actions necessary to effectuate the terms of this Resolution, the MOA, and successor Collective Negotiations Agreement; and
3. The Borough Council hereby further authorizes the Mayor, Borough Administrator, and/or other appropriate parties to take the necessary subsequent actions on behalf of the Borough to execute the MOA and successor Collective Negotiations Agreement between the Borough and Local 32.

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 October 21, 2020.

Motion by Councilman Bernier, seconded by Councilman Fortuna to table Resolution Number 2020-281.

Vote Record – To Table Resolution Number 2020-281				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson	x			

☒ **Adopted**   ☐ Adopted as Amended   ☐ Defeated   ☐ Tabled   ☐ Withdrawn

Motion by Councilman Bernier, seconded by Councilwoman Wilkerson to adopt the Consent Agenda as amended, Resolution Numbers 2020-282 through 2020-304.

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

## **CONSENT AGENDA**

### **RESOLUTION NUMBER 2020-282**

#### **RESOLUTION TO APPROVE THE MEMORANDA OF AGREEMENT AND COLLECTIVE NEGOTIATIONS AGREEMENTS BETWEEN THE BOROUGH OF ROSELLE AND THE POLICEMEN’S BENEVOLENT ASSOCIATION, LOCAL 99 AND LOCAL 99A**

**WHEREAS**, the Borough of Roselle (the “Borough”) and the Policemen’s Benevolent Association, Local 99 (“Local 99”) are parties to an expired Collective Negotiations Agreement extending from July 1, 2014, through December 31, 2018; and

**WHEREAS**, the Borough and the Roselle Superior Officers Association, Local 99A (“Local 99A”) are parties to an expired Collective Negotiations Agreement extending from July 1, 2014, through December 31, 2018; and

**WHEREAS**, the respective parties have met for the purposes of negotiating successor Collective Negotiations Agreements and have tentatively agreed to those terms and conditions as set forth in Memoranda of Agreement (“MOA”) and successor Collective Negotiations Agreements extending from January 1, 2019 through December 31, 2023, copies of which are on file with the Borough Administrator, and are incorporated by reference herein; and

**WHEREAS**, Local 99 has ratified the MOA and successor Collective Negotiations Agreement; and

**WHEREAS**, Local 99A has ratified the MOA and successor Collective Negotiations Agreement; and

**WHEREAS**, the Borough’s Negotiations Committee recommends that the MOAs and successor Collective Negotiations Agreements, be approved by the full Borough Council; and

**WHEREAS**, the Borough Council has reviewed the MOAs and successor Collective Negotiations Agreements, and agrees with the recommendations set forth herein.

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

1. The Borough Council hereby ratifies the MOA and successor Collective Negotiations Agreement between the Borough and Local 99, extending from January 1, 2019 through December 31, 2023, and the MOA and successor Collective Negotiations Agreement between the Borough and Local 99A, extending from January 1, 2019 through December 31, 2023;
2. The Borough Council authorizes the Borough Administrator, and other appropriate parties to take any and all actions necessary to effectuate the terms of this Resolution, the MOAs, and successor Collective Negotiations Agreements; and
3. The Borough Council hereby further authorizes the Mayor, Borough Administrator, and/or other appropriate parties to take the necessary subsequent actions on behalf of the Borough to execute the MOAs and successor Collective Negotiations Agreements between the Borough and Local 99, and the Borough and Local 99A.

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 October 21, 2020.

#### **RESOLUTION NUMBER 2020-283**

#### **RESOLUTION TO APPROVE THE MEMORANDUM OF AGREEMENT AND COLLECTIVE NEGOTIATIONS AGREEMENT BETWEEN THE BOROUGH OF ROSELLE AND ROSELLE SUPERIOR OFFICERS ASSOCIATION, FMBA LOCAL 255**

**WHEREAS**, the Borough of Roselle (the "Borough") and Roselle Superior Officers' Association, FMBA, Local 255 ("Local 255") are parties to an expired Collective Negotiations Agreement extending from July 1, 2014, through December 31, 2018; and

**WHEREAS**, the parties have met for the purposes of negotiating a successor Collective Negotiations Agreement and have tentatively agreed to those terms and conditions as set forth in the Memorandum of Agreement ("MOA") and successor Collective Negotiations Agreement extending from January 1, 2019 through December 31, 2023, copies of which are on file with the Borough Administrator, and are incorporated by reference herein; and

**WHEREAS**, Local 255 has ratified the MOA and successor Collective Negotiations Agreement; and

**WHEREAS**, the Borough's Negotiations Committee recommends that the MOA and successor Collective Negotiations Agreement, be approved by the full Borough Council; and

**WHEREAS**, the Borough Council has reviewed the MOA and successor Collective Negotiations Agreement, and agrees with the recommendations set forth herein.

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

1. The Borough Council hereby ratifies the MOA and successor Collective Negotiations Agreement between the Borough and Local 255, extending from January 1, 2019 through December 31, 2023;
2. The Borough Council authorizes the Borough Administrator, and other appropriate parties to take any and all actions necessary to effectuate the terms of this Resolution, the MOA, and successor Collective Negotiations Agreement; and
3. The Borough Council hereby further authorizes the Mayor, Borough Administrator, and/or other appropriate parties to take the necessary subsequent actions on behalf of the Borough to execute the MOA and successor Collective Negotiations Agreement between the Borough and Local 255.

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 October 21, 2020.

#### **RESOLUTION NUMBER 2020-284**

#### **RESOLUTION TO APPROVE THE MEMORANDUM OF AGREEMENT AND COLLECTIVE NEGOTIATIONS AGREEMENT BETWEEN THE BOROUGH OF ROSELLE AND FMBA, LOCAL 55**

**WHEREAS**, the Borough of Roselle (the “Borough”) and FMBA, Local 55 (“Local 55”) are parties to an expired Collective Negotiations Agreement extending from July 1, 2014, through December 31, 2018; and

**WHEREAS**, the parties have met for the purposes of negotiating a successor Collective Negotiations Agreement and have tentatively agreed to those terms and conditions as set forth in the Memorandum of Agreement (“MOA”) and successor Collective Negotiations Agreement extending from January 1, 2019 through December 31, 2023, copies of which are on file with the Borough Administrator, and are incorporated by reference herein; and

**WHEREAS**, Local 55 has ratified the MOA and successor Collective Negotiations Agreement; and

**WHEREAS**, the Borough’s Negotiations Committee recommends that the MOA and successor Collective Negotiations Agreement, be approved by the full Borough Council; and

**WHEREAS**, the Borough Council has reviewed the MOA and successor Collective Negotiations Agreement, and agrees with the recommendations set forth herein.

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

1. The Borough Council hereby ratifies the MOA and successor Collective Negotiations Agreement between the Borough and Local 55, extending from January 1, 2019 through December 31, 2023;
2. The Borough Council authorizes the Borough Administrator, and other appropriate parties to take any and all actions necessary to effectuate the terms of this Resolution, the MOA, and successor Collective Negotiations Agreement; and
3. The Borough Council hereby further authorizes the Mayor, Borough Administrator, and/or other appropriate parties to take the necessary subsequent actions on behalf of

the Borough to execute the MOA and successor Collective Negotiations Agreement between the Borough and Local 55.

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 October 21, 2020.

#### **RESOLUTION NUMBER 2020-285**

#### **RESOLUTION TO APPROVE THE MEMORANDUM OF AGREEMENT AND COLLECTIVE NEGOTIATIONS AGREEMENT BETWEEN THE BOROUGH OF ROSELLE AND NJFMBA, LOCAL 455, ROSELLE TELECOMMUNICATIONS**

**WHEREAS**, the Borough of Roselle (the "Borough") and NJFMBA, Local 455, Roselle Telecommunications ("Local 455") are parties to an expired Collective Negotiations Agreement extending from July 1, 2014, through December 31, 2018; and

**WHEREAS**, the parties have met for the purposes of negotiating a successor Collective Negotiations Agreement and have tentatively agreed to those terms and conditions as set forth in the Memorandum of Agreement ("MOA") and successor Collective Negotiations Agreement extending from January 1, 2019 through December 31, 2022, copies of which are on file with the Borough Administrator, and are incorporated by reference herein; and

**WHEREAS**, Local 455 has ratified the MOA and successor Collective Negotiations Agreement; and

**WHEREAS**, the Borough's Negotiations Committee recommends that the MOA and successor Collective Negotiations Agreement, be approved by the full Borough Council; and

**WHEREAS**, the Borough Council has reviewed the MOA and successor Collective Negotiations Agreement, and agrees with the recommendations set forth herein.

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

1. The Borough Council hereby ratifies the MOA and successor Collective Negotiations Agreement between the Borough and Local 455, extending from January 1, 2019 through December 31, 2022;
2. The Borough Council authorizes the Borough Administrator, and other appropriate parties to take any and all actions necessary to effectuate the terms of this Resolution, the MOA, and successor Collective Negotiations Agreement; and
3. The Borough Council hereby further authorizes the Mayor, Borough Administrator, and/or other appropriate parties to take the necessary subsequent actions on behalf of the Borough to execute the MOA and successor Collective Negotiations Agreement between the Borough and Local 455.

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 October 21, 2020.

#### **RESOLUTION NUMBER 2020-286**



## **RESOLUTION RATIFYING 2020 REVERSE TAX APPEALS**

**WHEREAS**, the Borough Council has previously retained Blau & Blau as Special Tax Counsel to file appeals to increase assessments that they found to be substantially under assessed; and  
**WHEREAS**, Blau & Blau have filed such appeals for 2020; and  
**WHEREAS**, the appeals that have been filed have not been specifically authorized by resolution of the Borough Council; and  
**WHEREAS**, the Borough attorney has requested that the Council ratify the actions that Blau & Blau has taken on behalf of the Borough of Roselle.  
**NOW, THEREFORE BE IT RESOLVED** that the Borough Council of the Borough of Roselle authorizes the filing of appeals to increase the assessments on the properties listed on **Schedule A**.

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 October 21, 2020.

### **RESOLUTION NUMBER 2020-287**

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

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

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

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

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

<b>Borough Hall</b>	<b>Borough Hall – 2<sup>nd</sup> Floor “Archives” Room</b>
Outdated Computer (CPUs) Computer Screens (CRTs) Computer Key Boards Computer Printers	Scanners & Printers VCRs
Total Number of Pieces = [ 16 ]	Total Number of Pieces = [ 9 ]

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 October 21, 2020.

**RESOLUTION NUMBER 2020-288**

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

**WHEREAS**, there is a need in the Office of the Clerk to fill the position of full-time Keyboarding Clerk 1; and

**WHEREAS**, Marilyn C. Scudder was interviewed and judged to be qualified for employment in the title of full-time Keyboarding Clerk 1 in the Clerk's Office.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Roselle that Marilyn C. Scudder is hereby appointed to the position of full-time Keyboarding Clerk 1 in the Clerk's Office in the Borough of Roselle, effective November 9, 2020, subject to the successful completion of the ninety (90) day working test period as required by Civil Service Regulations; and

**BE IT FURTHER RESOLVED**, that the annual salary for Marilyn Scudder shall be \$30,808.44, prorated for calendar year 2020, pursuant to the collective negotiations agreement presently in effect between the Borough and OPEIU Local 32, White Collar Unit; and

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

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, at a Regular meeting of said Council held October 21, 2020.

**RESOLUTION NUMBER 2020-288**

**RESOLUTION APPROVING A.B.C. PERSON-TO-PERSON LICENSE TRANSFER**

**WHEREAS**, application has been filed for a Person-to-Person transfer of Plenary Retail Consumption Inactive Pocket License, License Number 2014-33-019-002 heretofore issued to Enterprise Management Company, LLC; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensee's business and all additional financing obtained in connection with the license business

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey, do hereby authorize the transfer of the aforesaid Plenary Retail Consumption Inactive Pocket License, and do hereby authorize the

Municipal Clerk to endorse the license to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to El Mercado Roselle, LLC , Inc., effective October 21, 2020."

I, Lydia D. Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held October 21, 2020.

#### **RESOLUTION NUMBER 2020-290**

#### **RESOLUTION RESCINDING THE APPOINTMENT OF (1) ASSISTANT SUPERVISOR OF PUBLIC WORKS**

**WHEREAS**, one (1) employee was provisionally appointed as Assistant Supervisor of Public Works; and

**WHEREAS**, Civil Service determined that Quame Shaw, Sr., was eligible for permanent appointment to the title of Assistant Supervisor of Public Works; and

**WHEREAS**, Quame Shaw, Sr. requested to be removed from the position of Assistant Supervisor for the Department of Public Works; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Roselle that Quame Shaw Sr. will be removed from the position of supervisor effective August 22, 2020 and will assume the position of Truck Driver for the Department of Public Works, effective August 23, 2020; and

**BE IT FURTHER RESOLVED**, that the new annual salary for Quame Shaw, Sr., as Truck Driver, shall be \$57,031.00; and

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, at a Regular meeting of said Council held October 21, 2020.

#### **RESOLUTION NUMBER 2020-291**

#### **RESOLUTION HIRING SEASONAL TEMPORARY LABORERS IN THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, NJSA 11A:4-13(c) and NJAC 4A:4-1.7, allow for the appointment of seasonal temporary employees in the Borough and there is a need in the Borough of Roselle for seasonal temporary Laborers in the Department of Public Works; and

**WHEREAS**, the Appointing Authority of the Borough of Roselle has agreed to hire seasonal temporary workers in the Department of Public Works; and

**WHEREAS**, the individuals listed herein have been deemed qualified for seasonal temporary employment as Laborers in the Department of Public Works; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Roselle that Roselle Residents Muhammad Barshay Nair, Jeffries Rayron, Taylor Maurice Sean, and Graham Marcuis Kendell are hereby appointed to the position of Seasonal

Temporary Laborer in the Department of Public Works in the Borough of Roselle, effective October 22, 2012, not to exceed three (3) months, at the salary of \$13.00 per hour, from account 0-01-26-291-000-111.

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

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 October 21, 2020.

#### **RESOLUTION NUMBER 2020-292**

#### **RESOLUTION AWARDED CONSTRUCTION CONTRACT FOR THE 2020 ROSELLE ROAD IMPROVEMENT PROGRAM EAST 7<sup>TH</sup> AVENUE (WALNUT STREET TO THOMPSON AVENUE) AND SHERIDAN AVENUE (EAST 7<sup>TH</sup> AVENUE TO EAST ST. GEORGES AVENUE) FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

**WHEREAS**, bids were received and opened up by Qualified Purchasing Agent, Eric Walker on Thursday, September 24, 2020, at 11:00 A.M. for the above-referenced project; and

**WHEREAS**, there were seven bids received with the low bidder for the project being American Asphalt & Milling Services, LLC, with a Base Bid of \$473,961.05; and

**WHEREAS**, Maser Consulting P.A. and other appropriate Borough Officials have reviewed the bids and recommend award of contract for this project to American Asphalt & Milling Services, LLC, and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose capital budget and/or grant appropriations; specifically within Bond Ordinance Number 2627-20 for said construction services; and

**WHEREAS**, this Project is funded by the Borough of Roselle; and

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

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced construction project is awarded to American Asphalt & Milling Services LLC, with a Base Bid of **\$473,961.05**.

**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 October 21, 2020.

#### **RESOLUTION NUMBER 2020-293**

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING CONSTRUCTION  
ADMINISTRATION SERVICES IN CONNECTION WITH THE 2020 VARIOUS ROADWAY  
IMPROVEMENT PROJECT FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH  
OF ROSELLE, UNION COUNTY, NEW JERSEY**

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

**WHEREAS**, Maser Consulting P.A. is familiar with the construction administration procedures that is necessary for said improvements and shall perform the tasks as delineated in the September 28, 2020 correspondence; and

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

**WHEREAS**, 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 firm for said purposes and has selected Maser Consulting P.A. from the "Qualified" firms; and

**WHEREAS**, the Business Administrator and/or Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically, within bond ordinance number 2627-20 for said engineering services for the various roadway improvements.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer is authorized to perform professional engineering construction administration services in the amount of \$46,750.00 for the 2020 Various Roadway Improvement Project.

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

I, Lydia Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held October 21, 2020.

**RESOLUTION NUMBER 2020-294**

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING CONSTRUCTION  
ADMINISTRATION SERVICES IN CONNECTION WITH THE 2019 TRAFFIC  
SAFETY IMPROVEMENTS PROJECT FUNDED BY THE MUNICIPALITY WITHIN  
THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

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

**WHEREAS**, Maser Consulting P.A. is familiar with the construction administration procedures that is necessary for said improvements and shall perform the tasks as delineated in the October 7, 2020 correspondence; and

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

**WHEREAS**, 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 firm for said purposes and has selected Maser Consulting P.A. from the "Qualified" firms; and

**WHEREAS**, the Business Administrator and/or Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically, within bond ordinance number 2601-19 and 2627-20 for said engineering services for the various roadway improvements.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer is authorized to perform professional engineering construction administration services in the amount of \$22,500.00 for the 2019 Traffic Safety Improvements Project.

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

I, Lydia Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held October 21, 2020.

#### **RESOLUTION NUMBER 2020-295**

#### **RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR THE 2019 TRAFFIC SAFETY IMPROVEMENTS PROGRAM AT THE INTERSECTIONS OF 2<sup>ND</sup> AVENUE & WALNUT STREET AND INTERSECTION OF 2<sup>ND</sup> AVENUE & CHANDLER AVENUE FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

**WHEREAS**, bids were received and opened up by Qualified Purchasing Agent, Eric Walker on Tuesday, October 6, 2020, at 10:00 A.M. for the above-referenced project; and

**WHEREAS**, there were four bids received with the low bidder for the project being Cifelli & Son General Contracting, Inc. with a Base Bid of \$199,758.25; and

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

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose capital budget and/or grant appropriations; specifically within Bond Ordinance Number 2601-19 and 2627-20 for said construction services; and

**WHEREAS**, this Project is funded by the Borough of Roselle; and

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

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced construction project is awarded to Cifelli & Son General Contracting, Inc., with a Base Bid of **\$199,758.25**.

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

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held on October 21, 2020.

#### **RESOLUTION NUMBER 2020-296**

#### **RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE STORMWATER IMPROVEMENTS ON BOROUGH OWNED LOT KNOWN AS #1419 ST. GEORGES AVENUE, BLOCK 1405, LOT 13.01 IN THE BOROUGH OF ROSELLE, FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

**WHEREAS**, three (3) quotes were solicited and two (2) quotes were received by the Engineering Department for the above-referenced project; and

**WHEREAS**, the lowest quote the project being S. Brothers Inc. for \$22,000.00; and

**WHEREAS**, Maser Consulting P.A. and other appropriate Borough Officials have reviewed the quotes and recommend award of contract for this project to S. Brothers Inc., and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose capital budget and/or grant appropriations; specifically within Bond Ordinance Number 2627-20 for said construction services; and

**WHEREAS**, this Project is funded by the Borough of Roselle; and

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

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced construction project is awarded to S. Brothers Inc. located at 16 Sobeckko Road, Manalapan, New Jersey 07726 with a quote of **\$22,000.00**.

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

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held on October 21, 2020.

#### **RESOLUTION NUMBER 2020-297**

#### **RESOLUTION AUTHORIZING THE REFUND OF TEMPORARY OCCUPANCY CERTIFICATE**

**WHEREAS**, Better Homes and Gardens Real Estate has requested a refund for a temporary Occupancy Certificate application fee, a duplicate application for the same property was processed on July 21, 2020 and August 6, 2020.

**WHEREAS**, the Code Enforcement Department has approved the refund of the application fee. **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 application fee in the amount of \$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 on October 21, 2020.

#### **RESOLUTION NUMBER 2020-298**

##### **ACCEPTANCE OF THE RETIREMENT OF DEPUTY COURT ADMINISTRATOR JOANNE PAPA**

**WHEREAS**, Joanne Papa has notified the Borough that she will be retiring from the Municipal Court; and

**WHEREAS**, Joanne Papa has been a Deputy Court Administrator over twenty-five (25) years.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle hereby accept the retirement of Joanne Papa, with an effective retirement date of November 30, 2020; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council thank Joanne Papa for her service to the Borough and wish her luck in her future endeavors.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held October 21, 2020.

#### **RESOLUTION NUMBER 2020-299**

##### **ACCEPTANCE OF THE RESIGNATION OF PART-TIME KEYBOARDING CLERK 1 MARYANN CORCORAN**

**WHEREAS**, Maryann Corcoran has notified the Borough that she will be resigning from the Municipal Court; and



**WHEREAS**, Maryann Corcoran has been a Part-time Keyboarding Clerk 1 for 6 years.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle hereby accept the resignation of Maryann Corcoran, with an effective resignation date of September 16, 2020; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council thank Maryann Corcoran for her service to the Borough and wish her luck in her future endeavors.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held October 21, 2020.

#### **RESOLUTION NUMBER 2020-300**

#### **RESOLUTION HIRING A FULL-TIME VIOLATION CLERK IN THE OFFICE OF THE MUNICIPAL COURT AT THE CONTRACTUAL ANNUAL SALARY OF \$50,000.00**

**WHEREAS**, there is a need in the Office of the Municipal Court to fill the position of full-time Violation Clerk; and

**WHEREAS**, Latrina Cohen was interviewed and judged to be qualified for employment in the title of full-time Violation Clerk in the Municipal Court Office.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Roselle that Latrina Cohen is hereby appointed to the position of full-time Violation Clerk in the Municipal Court Office in the Borough of Roselle, effective Thursday, November 2, 2020, subject to the successful completion of the ninety (90) day working test period as required by Civil Service Regulations; and

**BE IT FURTHER RESOLVED**, that the annual salary for Latrina Cohen shall be \$50,000.00, prorated for calendar year 2020, and

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

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 October 21, 2020.

#### **RESOLUTION NUMBER 2020-301**

#### **RESOLUTION HIRING A PART-TIME KEYBOARDING CLERK IN THE OFFICE OF THE MUNICIPAL COURT AT \$18.00 AN HOUR**

**WHEREAS**, there is a need in the Office of the Municipal Court to fill the position of part-time Keyboarding Clerk 1; and

**WHEREAS**, Yasmilca Reyes was interviewed and judged to be qualified for employment in the title of part-time Keyboarding Clerk 1 in the Municipal Court Office.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Roselle that Yasmilca Reyes is hereby appointed to the position of part-time Keyboarding Clerk 1 in the Municipal Court Office in the Borough of Roselle, effective Monday, November 2, 2020, subject to the successful completion of the ninety (90) day working test period as required by Civil Service Regulations; and

**BE IT FURTHER RESOLVED**, that the compensation for this title for Yasmilca Reyes shall be \$18.00 an hour, prorated for calendar year 2020, and

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

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 October 21, 2020.

#### **RESOLUTION NUMBER 2020-302**

#### **AMENDING RESOLUTION NUMBER 2020-049- RESOLUTION AWARDING A CONTRACT TO DMR ARCHITECTS AS ARCHITECTS FOR THE BOROUGH NOT TO EXCEED \$50,000.00**

**WHEREAS**, the Borough Council of the Borough of Roselle has by Resolution approved a list of qualified vendors as part of a Fair and Open Process established and exercised pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Borough Council desires to appoint certain professionals; and

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

1. That the Borough Council appoints and awards a contract to DMR ARCHITECTS, 777 Terrace Ave, Hasbrouck Heights, New Jersey, 07604 as Architects for the Borough, for a total contract amount not to exceed \$50,000.00, said contract to be for the period from January 16, 2020 through December 31, 2020.

2. The Chief Financial Officer has certified that sufficient funds are available contingent upon the availability of funds in the 2020 adopted budget in Account# 0-01-20-165-000-228.

**WHEREAS**, pursuant to N.J.A.C. 50:30-5.5(e) the award of the contract shall be subject to the availability and appropriation of funds in the CY 2020 budget in account# 0-01-20-165-000-228; and

**WHEREAS**, if funds are not available for the contract in the 2020 permanent budget, the contract will be terminated.

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

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

3. That an executed copy of the Contract between the Borough and DMR Architects, 777 Terrace Ave, Hasbrouck Heights, NJ 07604 and a copy of this resolution shall be filed in the Office of the Borough Clerk and be available there for public inspection in accordance with law.

4. This Resolution is adopted and shall be instituted as part of a Fair and Open Process established and exercised pursuant to N.J.S.A. 19:44A-20.5.

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

6. This Resolution shall take effect immediately.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held October 21, 2020.

### **RESOLUTION NUMBER 2020-303**

#### **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	2701	1		18-00035	\$11,300.00	\$57,940.59	\$69,240.59
FNA DZ, LLC	3402	4		19-00029	\$45,900.00	\$46,602.29	\$92,502.29
US BK AS CUST FOR ACTLIEN HOLD	1202	11		18-00013	\$11,600.00	\$8,856.22	\$20,456.22
TOTAL					\$68,800.00	\$113,399.10	\$182,199.10

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 October 21, 2020.

**RESOLUTION NUMBER 2020-304**

**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
WOLF VESPASIANO LLC ATTORNEY TRUST	331 MAIN STREET, CHATHAM, NJ 07928	301	7		APPEAL	\$3,460.94
NEW HORIZON ABSTRACT, INC	977 HWY 33 W, SUITE 102, MONROE TOWNSHIP, NJ 08331	404	16		OVERPAYMENT	\$3,385.71
WOLF VESPASIANO LLC ATTORNEY TRUST	331 MAIN STREET, CHATHAM, NJ 07928	4102	40		APPEAL	\$1,652.00
EDNA CAMPANHA	220 FLAGSTONE DR NE, CLEVELAND, TN 37323	4902	11		OVERPAYMENT	\$2,875.00
CENLAR	3001 HACKBERRY ROAD, IRVING, TX 75063	5903	14		OVERPAYMENT	\$2,296.25
TOTAL						\$13,669.90

(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 October 21, 2020.

At 7:31 p.m., Councilman Bernier made a motion, seconded by Councilman Fortuna to go into Closed Executive Session.

**RESOLUTION NUMBER 2020-305**

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

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

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

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

1. The public shall be excluded from discussions of and action hereinafter specified as:

- Personnel Matters
- Contract Negotiations
- Contractual Matters
- Litigation Matters
- Matters Falling Within Attorney Client Privilege

2. It is anticipated at this time, the above stated subject matters will be made public when it is determined that the need for confidentiality no longer exists.

This resolution shall take effect immediately.

I, Lydia D. Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held October 21, 2020.

Vote Record – Resolution Number 2020-3050				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

At 8:09 p.m. the Mayor and Council came out of the Closed Executive Session. Following this, he asked for a motion to adopt the resolutions on the non-consent agenda.

### **NON-CONSENT**

#### **RESOLUTION NUMBER 2020-306**

#### **GOVERNING BODY CERTIFICATION OF THE ANNUAL REPORT OF AUDIT**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Account with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and **WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit: R.S. 52:27-BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and , upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office. **NOW THEREFORE BE IT RESOLVED**, That the Borough Council of the Borough of Roselle hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, Lydia D. Massey, Acting Borough Clerk of the Borough of Roselle, in the county of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held on October 21, 2020.

Motion by Council President Wilkerson, seconded by Councilman Bernier to adopt Resolution Number 2020-306 and 307.

#### **RESOLUTION NUMBER 2020-307**

##### **RESOLUTION ASSIGNING EXTRA DUTIES TO LISA GARES FOR WORK PERFORMED IN THE VIOLATIONS BUREAU**

**WHEREAS**, Lisa Gares is a Part-time Keyboarding Clerk I in the Violations Bureau; and

**WHEREAS**, there is a need from the Municipal Court to provide for additional out of title services relative to confidential Judicial processes; and

**WHEREAS**, Lisa Gares is qualified to perform the extra duties of confidential Judicial processes assigned to Tia Alamo in her absence; and

**WHEREAS**, it has been recommended that she be compensated for her performance of those extra 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 October 12, 2020, Lisa Gares be compensated with a stipend in the amount of \$1,044.00, for the performance of the extra duties of Judicial processes; and

**BE IT FURTHER RESOVED**, that said compensation is a stipend in addition to Ms. Gares' base compensation.

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 October 21, 2020.

<b>Vote Record – Resolution Number 2020-306 &amp; 307</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

Motion by Council President Wilkerson, seconded by Councilman Bernier to adopt Resolution Number 2020-307.

<b>Vote Record – Resolution Number 2020-307</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

Motion by Councilman Fortuna, seconded by Councilwoman Johnson to table resolution numbers 2020-308 to the next Council meeting.

### **RESOLUTION NUMBER 2020-308**

#### **RESOLUTION APPOINTING DENIS OSBY ASSISTANT DEPARTMENT OF PUBLIC WORKS (DPW) SUPERVISOR**

**WHEREAS**, there is an immediate need to for an Assistant DPW Supervisor due to the retirement and/or resignation of several employees in the Department of Public Works (DPW); and

**WHEREAS**, the Department needs to maintain adequate staffing levels to ensure health, welfare, and public safety of the Borough of Roselle; and

**WHEREAS**, Denis Osby is a permanent employee of Borough of Roselle, having passed a competitive Civil Service test as Equipment Operator.

**NOW THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE**, appoint Dennis Osby as a provisional Assistant DPW Supervisor, effective October 22, 2020, at a rate of \$29.81 per hour, pending the Civil Service Administration administering a competitive test.

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 October 21, 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 21<sup>st</sup> day of October, 2020.

<b>Vote Record – To Table Resolution Number 2020-308</b>				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

### **RESOLUTION NUMBER 2020-309**

#### **RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE NJDCA 2020 COVID-19 RELIEF PROGRAM AWARD**

**WHEREAS**, the New Jersey Department of Community Affairs (NJDCA) has awarded the Borough of Roselle a 2020 Neighborhood Preservation Program (NPP) COVID-19 Relief Grant to promote the continued recovery and revitalization of NPP communities with a special emphasis on supporting vulnerable small businesses; and

**WHEREAS**, NPP COVID-19 Relief funds may be used: (1) to provide financial assistance to businesses that have been adversely impacted by the COVID-19 pandemic; (2) for improvements



within the NPP District; and (3) to compensate the Borough of Roselle for the costs and expenses related to the administration of the 2020 NPP COVID-19 Relief Program; and

**WHEREAS**, the Mayor and Council of the Borough of Roselle are desirous of accepting the 2020 NJDCA NPP COVID-19 relief Grant Award in the amount of \$98,800; and

**WHEREAS**, there is no cash or in-kind match for this grant award requiring a Certification of Availability of Funds by the Chief Financial Officer.

**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 hereby accept the NJDCA NPP COVID-19 Relief Grant Award in the amount of \$98,800.
2. Upon receipt of the grant contract from the NJDCA, the signature of the Mayor, and any other municipal official, or their successors in said title, which is required on the grant contract and any other documents necessary in connection therewith, is hereby approved and authorized.
3. Upon receipt of the fully executed contract from the NJDCA, the expenditure of funds is hereby authorized pursuant to the terms of the contract between the Borough of Roselle and the NJDCA.
4. A copy of this resolution shall be sent to the NJDCA so that implementation of the grant program may be expedited.
5. 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 October 21, 2020.

Motion by Councilman Fortuna, seconded by Councilwoman Johnson to adopt Resolution Number 2020-309.

Vote Record – Resolution Number 2020-309				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

**Resolution # 2020-308**

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**

**21-Oct-20**

<b><u>FUND</u></b>	<b><u>AMOUNT</u></b>
ANIMAL CONTROL	
CAPITAL ACCOUNT	\$ 78,429.48
CDBG TRUST	
CURRENT FUND	\$ 4,000,010.43
ESCROW TRUST	\$ 7,293.05
FSLEF	\$ 2,597.00
SLEF	\$ 3,000.00
GENERAL TRUST ACCOUNT	
TRUST DCA FEES	
GRANT ACCOUNT	\$ 2,815.00
SEPTEMBER 25, 2020 PAYROLL	\$ 649,741.51
OCTOBER 9, 2020 PAYROLL	\$ 615,376.89
MANUAL CHECK	\$ 13,850.75
POAA	
REDEMPTION PREMIUM ACCOUNT	\$ 68,800.00
PUBLIC DEFENDER	
REDEMPTION TRUST	\$ 113,399.10
RESERVE FOR ESCROW	
SALARY DEDUCTION	

SUI

GRAND TOTAL

\$5,555,313.21

LYDIA MASSEY

ACTING BOROUGH  
CLERK

DATED: OCTOBER 21,  
2020

Motion by Councilman Bernier, seconded by Council President Wilkerson to adopt Resolution Number 2020-310.

Vote Record – Resolution Number 2020-310				
	Ayes	Nays	Abstain	Absent
Councilwoman Wilkerson	x			
Councilman Bernier	x			
Councilwoman Thomas	x			
Councilwoman Sousa	x			
Councilman Fortuna	x			
Councilman Johnson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

### **PUBLIC COMMENT**

Mayor Atkins opened up the public comment portion of the meeting. Seeing no one come forward, Mayor Atkins closed the public comment portion of the meeting.

### **COUNCIL COMMENT**

Councilwoman Sousa commented that the meeting was productive; she congratulated the residents for completing the 2020 Census as well as the Census team; she also congratulated the honorees who received keys to the Borough and she commended them for the knowledge and experience they have to offer the community. She thanked Health Official Annie McNair for the updates on COVID-19, etc., and said “Mask up” will be the Borough’s motto. She thanked the first ward residents of Galvin Avenue for expressing their concerns, and is happy the ordinance passed and hopes it will help. She gave her condolences to the family of Chief Pearson on the

passing of his mother-in-law and gave condolences to the families in Elizabeth and thanked the Fire Department for assisting.

Councilman Bernier announced there will be a 2<sup>nd</sup> Ward meeting on October 27, 2020 at 7pm at the Agape House of Worship. He talked about the resolution approving a contract for improvements at the intersection of Chandler Avenue in the 2<sup>nd</sup> Ward, and Walnut Street in the 3<sup>rd</sup> Ward. He congratulated the honorees who received the keys to the Borough, and said it's good to see the quality and diversity of people in Roselle. He also congratulated Joanne Papa on her retirement and wished her the best. He wished everyone a Happy Halloween and urged trick-or-treaters to be careful, wear a mask, and to social distance if they also come out to the Borough event. He encouraged people not to relax their guard when it comes to wearing masks, washing hands, and social distancing to stay safe. He encouraged residents to vote in the General Election Day talked about polling locations, mail-in-ballots, and the provisional ballot voting process. He said residents can reach out to their Council representatives and to the Borough Clerk. He spoke about the 2020 Census and thanked everyone who worked on the Census team.

Councilwoman Johnson echoed the sentiment of Councilman Bernier urging people to vote in the upcoming General Election. She also stated she refers people to County Clerk Joanne Rajoppi for election questions, and said there are questions on the back of the ballot. She congratulated the honorees who received the keys to the Borough, and thanked Mayor Dansereau for the vision she had to honor people, and she thanked her colleagues for supporting the board of education project. She also thanked Councilman Bernier for fighting to get Chandler Avenue and Walnut Street improved. She will notify the public when she will have her ward next ward meeting and the PIO will help her to set it up; she thanked CFO Hasseler for the Audit report. She wished Borough Administrator Layne a speedy recovery. She said the meeting was good and they benefit the residents and wished everyone a Happy Halloween.

Councilwoman Thomas reminded the public that the County will provide grab and go box lunches to the seniors on October 27, 2020, at the Amalfe Community Center, reservations required. She congratulated the census team and the residents for completing the census; she congratulated the honorees who received the keys to the Borough, and said it was very thoughtful of the previous Mayor Dansereau and Mayor Atkins. She thanked Annie McNair for her presentation and urged the public to reach out to Annie and the Roselle Health Department if they have any questions. She gave her condolences to Chief Pearson on the passing of her mother-in-law. She echoed the sentiment of Councilwoman Johnson and Councilman Bernier urging people to get out and vote, and told people to enjoy candy day event and adhere to social distancing.

Councilman Fortuna congratulated the winners of the nicest lawn contest and announced that the home owners are Mike and Ilene Rosick and received a Home Depot gift card. He advised that the bulk trash pickup numbers are going up, the amount of disposal fees are going up. He said this was addressed at the beginning of the year, and will get through November bulk and reevaluate the money that is being spend on disposal fees. He thanked Board of Education members and Superintendent Mr. Fischer for attending his 5<sup>th</sup> ward meeting at the American

Legion, and said the next meeting will be on November 17<sup>th</sup>, and the topic will be real-estate in Roselle. Following this, he wished everyone a Happy Halloween.

Council President Wilkerson congratulated the honorees who received the keys to the Borough and said it was nice to see the video of them including former Mayor Dansereau. She gave condolences to Chief Pearson as well to the families of Samsa Jones, Minerva Rosa, Glen Emmanuel, Stephanie and the Dogan family. She urged people to keep others in prayer and also congratulated Joanne Papa on her retirement. She thanked Roselle residents for completing the 2020 census as well as the Census Team members, Lorraine Brooks-Body, Jeanne Marie Ryan and Kathy Lloyd. She thanked the Borough departments for their assistance and work, and applauded the Gavlin Avenue residents for doing the work needed to have the ordinance considered. She thanked the COVID team members for working hard and making decisions to keep everyone safe. She also congratulated Councilwoman Johnson for winning the 2019-2020 Volunteer for Juvenile Conference Award, and urged the public to wear masks and stay safe as well as get out and vote.

Councilwoman Johnson asked if she could read a letter into the record from Assemblyman Jamel Holley. Mayor Atkins allowed it, and Councilwoman Johnson read the letter which was in support of the refunding the school-based youth services programs for 2020-21 by providing grant aid in the amount of \$15 million dollars.

Mayor Atkins advised the governing body that there were people who wanted to make public comments and experienced technical difficulties in unmuting. So he asked for a motion, to reopen the public comment portion of the meeting.

Motion by Councilwoman Johnson, seconded by Councilman Bernier to reopen the public comment.

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

## **PUBLIC COMMENT**

1. Sylvia Turnage commented on Sylvester Land Field and made the following comments: Children were disenfranchised because the gates were locked and the police denied them entry; it is a Green Acres field and the only person who can close a Green Acres Field is the Governor; it's a blame game going on between the Borough Administrator and Council members; she spoke to Recreation Chair Councilwoman Thomas and stated that during the meeting the Borough was at fault for closing the field; Pop Warner reached out to various Council members and there was no resolution, and she questioned who makes the ultimate decisions for Recreation activities as they relate to sports teams and use of the field. She said there's no problem at Cristian Skate Park, Pine Street Park or other parks in the Borough, but everyone wants to micromanage the Sylvester Land Field; and if the Governance Committee is making those decisions, they should stand by them.
2. Courtney Washington talked about the noise ordinance and said it has the potential to pit residents against each other because if a neighbor doesn't like the type of music she plays and considers it noise, she could receive a summons. She feels the ordinance is reckless, and not a good idea for residents, and that more insight and input should have gone into it before it was passed.
3. Lawrence Bartlett, Galvin Avenue, remarked that he owns the property known as 723 Walnut Street and is dealing with a tax issues that need to be resolved. He said spoke to Borough Administrator Layne and Code Enforcement Official Michael Tisdale about it and wants to get it resolved so that he can obtain a permit to build on it. He said Council President Wilkerson has been helpful. He's paying taxes on it and its been over a month since he heard from anyone and is looking for an amicable resolution while he's paying a vacant land tax.

Mayor Atkins told Mr. Bartlett to call his office tomorrow so that he could speak about the matter, and he will also invite Assistant Borough Administrator Everett Falt and Economic Development Coordinator Victor Klymenko to try to point him in the right direction since Borough Administrator Layne won't be available.

Mayor Atkins then commented that the DPW will reopen up Arminio Field so that people can walk the fields; he also said if the fields are not open to contact him so that he can ensure that directive is being carried out.

Councilwoman Thomas commented that they went through the processes and procedures for reopening Sylvester Land Field, and that she and Jack Layne discussed the matter with other recreational members. She then made the following comments: New procedures were added to the permit form for anyone who wishes to rent the field; people need to contact the Borough Administrator with time schedules for the lighting to be turned on the field; DPW opens up the fields in the morning and the Police Department closes it at night; with respect to Ms. Turnage comments, she said they did talk, but Ms. Turnage may have taken things out of context in stating it was a Borough error that the field was closed, and said she needed to correct her on those comments.

Councilwoman Johnson remarked that Sylvester Land Field and Arminio Field are in the 3<sup>rd</sup> Ward and there have been issues about the gates locked and permits. She then made the

following comments: She received a copy of the Green Acres information, and to her knowledge under no circumstances the Sylvester Land and Arminio Field cannot be locked; she spoke to Borough Administrator Layne, Attorney Jalloh and Recreation Chair Cindy Thomas about her research, and questioned why this is only happening in the 3<sup>rd</sup> Ward; she feels Sylvester Land was targeted and children are being punished for no good reason; a sporting team who was issued a permit and presented it to a Police Officer had to go to another municipality; it was an insult to her and she doesn't want it to ever happen again; Council members should be made aware of the process and have a copy of the permit to let everyone know the proper way to rent the field; COVID wasn't an excuse because the Governor opened up all recreational parks and facilities; they are putting a burden on the Police Department by subjecting them to potential harassment claims by asking them to monitor the fields. She apologized to the residents and said to contact her if there are any issues and she will point them to the right person.

Council President asked if they could add legal to the Bartlett issue and conversation as it is a legal issue. She made the following comments about the field: She said the field has been open for over two weeks; there is one complaint that came in from a league and the Recreation department is waiting for information from the league; if there is a complaint the league needs to follow-up with the Department of Recreation and make sure they get all their paperwork in; in terms of Green Acres the parks are from dusk till dawn and open to the general public; she thanked Borough Administrator and the Recreation Department for updating the application; the previous issues had to do with fees being paid and ordinances being followed; she feels the Borough is in a good place and she commended Jack Layne for getting the permit revised quickly to get the process in a better place.

Councilman Bernier spoke to the noise ordinance and feels it does not pit people against each other. He spoke about noise complaints prior to the passage of the amended noise ordinance, and how the police responded without having a noise decibel counter and had to use their discretion when arriving to the scene of a noise complaint. He said it is not a matter of a neighbor disliking the music, it is for incredibly loud music where people feel it inside their homes; the ordinance gives the enforcement power to the police to reasonably enforce the noise complaints, and they can always go back and amend. He also said he stands firm in his belief that the noise ordinance gives the police officers the ability to enforce the law when someone has a legitimate issue.

Councilman Fortuna said they are reasonable people when it comes to noise, but when it becomes a chronic pattern and issue, it had to be addressed. He said people who attended his Ward meeting spoke of cases where people were renting out their back yards for parties and it caused repeated noise issues for residents. He echoed the sentiment of Councilman Bernier that the ordinance gives enforcement power for legitimate noise issues and said if there is a need to tweak the ordinance they will.

Mayor Atkins then closed the public comment portion of the meeting.

### **MAYOR'S COMMENTS**

Mayor Atkins spoke to Sylvester Land Field and Arminio Field and said he was really upset when it came to his attention because a football team and young people were affected. He said it seems like a new process is in place that the public doesn't know about, and he requested it be put out as soon as possible so the residents are aware of it. He then made the following announcement: On October 22, 2020, there will be a flu shot event at Abraham Clark High School from 4pm to 7pm and he gave the sign up information; there is a second COVID testing event scheduled for Saturday, October 24, 2020 from 10am to 12 Noon in the Borough Hall Parking Lot; there will be more free masks for Roselle for distribution to the public on Friday, October 23, 2020, and he invited the Council members to be a part of it. He said his Mayor's Connection blog has taken off and he received quite a few views; he reported that they gave out 450 food boxes at the Church location, and announced they will do the same on the weekend for anyone in need and who wants to participate. He said he is excited about the people they were able to touch during the COVID-pandemic. He congratulated the honorees who received Keys to the Borough and said this was a great initiative by former Mayor Christine Dansereau and was the right thing to do. He said the full video will be posted on all Borough media, and also announced that when the Borough is opened back up you will see a Black Lives Matter Proclamation as well as photos of all the Council members, and when entering the Council Chambers, there will be photos of former Mayors Jamel Holley and Christine Dansereau. He thanked the residents for attending the meeting and the Council members for an efficient and productive meeting. He reminded the residents that there will be an Autumn Fest event on October 31, 2020 to bring the community together and have a Trunk or Treat with the guidelines from the Health Inspector.

#### **ADJOURNMENT**

On a motion by Councilman Fortuna, seconded by Councilwoman Thomas, all were in favor, none were opposed and the Workshop meeting was duly adjourned at 9:38 p.m.

  
Lydia D. Massey, Acting Municipal Clerk