

**BOROUGH OF ROSELLE
MAYOR & COUNCIL
MINUTES OF THE REGULAR MEETING
FEBRUARY 17, 2021**

Mayor Shaw 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 February 17, 2021 at 6:32 p.m. The flag salute was done, and the invocation was given by Council President Wilkerson.

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 2021 to the Union County Local Source and The Home News Tribune in 2020, by posting on the Borough of Roselle website, and by filing said notice in the Office of the Municipal Clerk.

ROLL CALL:

Attendee Name	Title	Status	Arrived
Richard Villeda	Councilman	P	
Brandon Bernier	Councilman	P	
Cynthia Johnson	Councilwoman	P	
Cindy Thomas	Councilwoman	P	
John Fortuna	Councilman	P	
Denise Wilkerson	Councilwoman	P	
Donald Shaw	Mayor	P	

ALSO PRESENT:

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

PROCLAMATION

- The Black History Month proclamation was read into the record by Councilwoman Johnson
- Councilwoman Johnson read a biography of Alfredo Darrington Bowman, better known as Dr. Sebi who teaches about natural holistic healing. She also shared that her son received such treatment in Honduras and that his cancer subsided. She said the owner of

All Eyes on Me had Dr. Sebi come over and teach natural health living and she that she salutes and honors Dr. Sebi during the Black History Month.

- The Heard African American Episcopal Church 100th Anniversary proclamation was read into the record by Mayor Shaw

APPROVAL OF MINUTES OF MEETINGS

Motion by Councilman Villeda, seconded by Council President Wilkerson to approve the minutes of meetings. All were in favor; none were opposed to approve the minutes and the motion carried.

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

Minutes of the Mayor and Council Reorganization Meeting – January 6, 2021

Minutes of the Mayor and Council Closed Executive Session – January 13, 2021

Minutes of the Mayor and Council Closed Executive Session – January 20, 2021

COMMITTEE REPORTS

Councilman Bernier, Finance, reported that 2020 Annual Debt Statement was filed with the state of NJ; the net debt percentage this year decreased from 2.729% in 2019 to 2.659% based on the statutory debt limit of 3.5% of the Borough's total equalized evaluation; he spoke to the 2021 capital ordinance on the agenda and gave a detailed explanation of the items that were being funded. He spoke to the Roselle Library Project ordinances and said they are still working out the details on the financing; the preliminary estimate is \$380,000 per year, over a 30 year term and the money will change with the final interest; he reported that the Finance Department is working with the auditors on the 2020 Annual Financial Statement to be filed before introduction of the 2021 budget. He said there are continued discussions on the 2021 budget and talked about pensions contributions, garbage disposal costs, and municipal court revenues as it relates to the budget. He also said the borough realized about \$2,000,000 in savings by moving to the state health plan and that there is a commitment to paying down the Borough's debt; he remarked that the public can look up and pay taxes electronically through the Borough website. He reported that the Planning Board approved in January a two-family project on East 1st Avenue and Drake Avenue, and in February recommended Council adopt a resolution for a redevelopment plan for West 1st Avenue, and an ordinance of the same is now on the agenda for first reading.

Council President Wilkerson, Redevelopment/Governance reported that the State sent a corrective action plan template for the State Audit Report and the Borough must complete it by April 27th, and there is discussion and data collection in progress. She said the review of the Borough policy should happen soon and there is more that will happen around the Audit Report. She commented that there are needs in the Department of Public Works, Code Enforcement, and other departments. She spoke to the 1st Avenue Project and happy that it is on the agenda. She spoke to the Roselle Library project and said it is an \$11,000,000 renovation and expansion plan, and happy that Roselle will receive a library that it deserves at an affordable price. She thanked the Library Board Members, the Select Committee, Mayor Shaw, Assistant Borough

Administrator Falt, Library Director Jeanne Ryan, Borough Attorney Jalloh, Finance Chair Brandon Bernier, CFO Anders Hassler, and Dave Biunno, Grant Writer. She also thanked Library Director Ryan for lobbying for Roselle and other municipalities across the state. She reported that NPP received PPE kits for local Roselle businesses to help get them through the pandemic safely.

Councilman Fortuna, DPW, commented that more people are moving into town and is the reason for the increase in garbage pickup. He reported that bulk trash will begin in the month of March and reminded residents to put their bulk trash out the day before. spoke about the garbage trucks that will be purchased through capital and said they are desperately needed. The new trucks will come with robo arms better known as the one arm bandits that can pick up a garbage can and put it in a truck; he said this represents a major change in the way the sanitation system will operate and they will have to come up with a revised trash schedule. He said the program will probably be operational in the early part of 2022; he also said it will provide better service at a lower cost to Roselle and is more efficient and will lowers workers compensation claims. He said no will lose their job and will be reassigned to other work such as cleaning vacant lots and other things that sometimes fall by the wayside. He said automated collection is 20% quicker and one truck can pick up a can every 10 seconds and residents will receive a garbage can appropriate for the truck. He said he is excited and its good move, and that there will be more information disseminated during meetings and on social media. He gave his contact information should anyone have questions.

Councilwoman Johnson, Public Safety, reported that the total fire alarms were 120 in 2021; total ambulance calls was 196; 70 transports for basic life support; 30 motor vehicle accidents; 8 cardiac arrests; 10 chest pains; 44 difficulty in breathing; the fire prevention inspections consisted of COs, 13 temperatures, 13 smoke and carbon monoxide, 17 inspections and 15 multi-dwellings. She commented that there will be a civil service test to hire more and that the department is in need of a new ambulance. She reported that the Police Department has five candidates in the academy and will have a total of 58 officers, and that police personnel are undergoing training for distinguishing illegal police conduct. She said there was discussion about a shared services agreement and will speak to it later. She reported that in January 2021, the police received 2,630 calls for service; park and walks were 504; 54 motor vehicle accidents; 4 DWI's and 161 ambulance transports. She said the average response time is 2 minutes, 33seconds and that the police department responded to 35 calls and 8 motor vehicle accidents within the first 24 hours during the winter storms. She said she will give a report for the Office of Emergency Management when she receives it.

Councilwoman Thomas, Recreation, said she didn't have much to report on Recreation, and thanked everyone who participated in the Black History videos and encouraged everyone to send in their videos. As the liaison to the Health Department, she reported that on January 28th they had their reorganization meeting and elections of new officers.

INTRODUCTION, CONSIDERATION AND PASSAGE OF ORDINANCES

ORDINANCE ON SECOND READING & FINAL PASSAGE –Ordinance Number 2640-21

ORDINANCE AUTHORIZING THE EXECUTION AND ACKNOWLEDGMENT AND DELIVERY BY THE BOROUGH OF ROSELLE OF CERTAIN AGREEMENTS IN RELATION TO BOROUGH GUARANTEED LEASE REVENUE BONDS, SERIES 2021 (ROSELLE LIBRARY BUILDING PROJECT) OF THE UNION COUNTY IMPROVEMENT AUTHORITY [Public Hearing - February 17, 2021]

WHEREAS, the Union County Improvement Authority (the “Authority”) has been duly created by an ordinance of the Board of Chosen Freeholders (subsequently renamed as the “Board of County Commissioners”) of the County of Union, New Jersey (the “County”), as a public body corporate and politic of the State of New Jersey (the “State”) pursuant to and in accordance with the County Improvement Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, as amended and supplemented from time to time (the “Act”); and

WHEREAS, the Borough of Roselle, New Jersey (the “Borough”) has requested that the Authority finance and undertake the planning, design, construction and equipping of the renovation and expansion of the Borough’s existing library located at Block 3902, Lots 19 and 20 in the Borough (the “Improvements”) and

WHEREAS, the Authority is desirous of assisting in the financing of the Improvements, to the extent permitted by law; and

WHEREAS, the Authority expects to obtain funds to assist the financing of the Improvements through the issuance of its bonds in an amount not to exceed \$6,500,000 Borough Guaranteed Lease Revenue Bonds, Series 2021 (Roselle Library Building Project) (the “Bonds”) issued pursuant to a Bond Resolution to be adopted by the Authority entitled “BOROUGH GUARANTEED LEASE REVENUE BOND RESOLUTION (ROSELLE LIBRARY BUILDING PROJECT)” (the “Bond Resolution”); and

WHEREAS, pursuant to the Act, specifically Section 34 thereof (N.J.S.A. 40:37A-77), the Authority is authorized to enter into and perform any lease or other agreement with the Borough for the lease to or use by the Authority of all or any part of any public facility or facilities as determined in Section 11 of the Act (N.J.S.A. 40:37A-54); and

WHEREAS, the Borough intends to lease the real property upon which the Improvements are situated to the Authority pursuant to the terms of a Ground Lease to be dated as of the first day of the month of issuance of the Bonds between the Borough, as lessor, and the Authority, as lessee (together with any amendments thereof or supplements thereto in accordance with its terms, the “Ground Lease”);

WHEREAS, pursuant to the Act, specifically Section 35 thereof (N.J.S.A. 40:37A-78), the Authority is authorized to enter into and perform any lease or other agreement with the Borough for the lease to or use by the Borough of all or any part of any public facility or facilities as determined in Section 11 of the Act (N.J.S.A. 40:37A-54); and

WHEREAS, the Authority intends to lease the Improvements and the real property upon which the Improvements are situated to the Borough pursuant to the terms of a Lease and Agreement to be dated as of the first day of the month of issuance of the Bonds between the

Authority, as lessor, and the Borough, as lessee (together with any amendments thereof or supplements thereto in accordance with its terms, the "Lease Agreement"); and

WHEREAS, during the term of the Lease Agreement, title to the Improvements will reside with the Borough; and

WHEREAS, in accordance with the terms of the Lease Agreement, (i) the Borough will manage and operate the Improvements, collect and disburse the revenues realized and pay the expenses incurred in connection therewith; and

WHEREAS, in order to induce the prospective purchasers of the Bonds to purchase same, and to provide additional security, the Bonds shall otherwise be secured by a guarantee ordinance adopted by the Borough unconditionally and irrevocably guaranteeing the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds, all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80); and

WHEREAS, in accordance with Section 13 ("Section 13") of the Act (N.J.S.A. 40:37A-56), prior to the issuance of the Bonds, the Authority shall make a detailed report with respect to such financing to the Board of County Commissioners of the County, which report shall include copies or a description of, without limitation, the various financing documents; and

WHEREAS, in accordance with N.J.S.A. 40A:5A-6 and N.J.S.A. 40:37A-80 the Authority shall make application, on behalf of the Authority and the County to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the "Local Finance Board") for the Local Finance Board's review of the financing, including, *inter alia*, the Bond Resolution, the Lease Agreement, the Ground Lease, the Borough Guaranty, and Continuing Disclosure Agreement (the "Financing Documents"); and

WHEREAS, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the Borough Guaranty, the Borough shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the Borough without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the Bonds; and

WHEREAS, the Authority believes: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the Borough; (iii) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (iv) the proposal is an efficient and feasible means of providing for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW, THEREFORE, BE IT ORDAINED BY THE BROUGH COUNCIL OF THE BOROUGH OF ROSELLE, NEW JERSEY, as follows:

The Mayor, Borough Administrator, Chief Financial Officer or such other authorized officer of the Borough (each an "Authorized Officer") are hereby each severally authorized and directed, upon the satisfaction of all the legal conditions precedent to the execution or acknowledgment and delivery by the Borough, of the Financing Documents to be so executed or acknowledged by the Borough.

The Clerk of the Borough is hereby authorized and directed, upon the execution or acknowledgment of the Financing Documents in accordance with the terms of Section 1 hereof, to attest to the Authorized Officer's execution or acknowledgment of such documents and is hereby further authorized and directed to thereupon affix the seal of the Borough to such documents.

Upon the execution or acknowledgment and attestation of and if required, the placing of the seal on the Financing Documents as contemplated by Sections 1 and 2 hereof, the Authorized Officer is hereby authorized and directed to (i) deliver the fully executed or acknowledged, attested and sealed documents to the other parties thereto and (ii) perform such other actions as the Authorized Officer deems necessary, desirable or convenient in relation to the execution and delivery thereof.

The Borough Council of the Borough hereby authorize the performance of any act, the execution or acknowledgment and delivery of any other document, instrument or closing certificates, which the Authorized Officer, deems necessary, desirable or convenient in connection with this contemplated transaction, and the Borough Council hereby directs the Authorized Officer to execute or acknowledge, and cause the Clerk of the Borough to attest and affix the seal to any such documents, instruments or closing certificates, the authorization of which actions shall be conclusively evidenced by the execution or acknowledgment, attestation, affixation and delivery, as the case may be, thereof by such persons. Such closing certificates shall include, without limitation, (a) a determination that any information provided by the Borough in connection with the preparation and distribution of (i) any preliminary official statement or supplement with relation to the Bonds is "deemed final" for the purposes and within the meaning of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934, as amended ("Rule 15c2-12") and (ii) any official statement or supplement with relation to the Bonds constitutes a final Official Statement for the purposes and within the meaning of Rule 15c2-12, (b) a determination that the Continuing Disclosure Agreement complies with Rule 15c2-12, (c) a determination that any information provided by or on behalf of the Borough or relating to the Borough, the Improvements, the Financing Documents or the transactions contemplated thereby in connection with the preparation and distribution of any such Preliminary Official Statement or the Official Statement complies with Section 10 and Rule 10b-5 of the Securities Exchange Act, and (d) any representations, warranties, covenants, certificates or instruments required by any issuer of a municipal bond insurance policy or any other form of credit enhancement securing all or a portion of the Bonds or the issuer of a rating on all or a portion thereof.

The Borough authorizes the Authority to issue its bonds to finance the Improvements.

The Clerk of the Borough is hereby directed to publish and post notice of this ordinance as required by law.

Upon the adoption hereof, the Clerk of the Borough shall forward certified copies of this ordinance to the Borough Administrator, Chief Financial Officer, Borough Attorney, the Authority, and Bond Counsel to the Authority.

This ordinance shall take effect at the time and in the manner prescribed by law.

Mayor Shaw read Ordinance Number 2640-21 by title and opened the Public Hearing.

Public Hearing

1. Garrett Smith commented that he was not clear on the specific of the project and said it looks as if the Borough is giving the property over to the Union County Improvement Authority and will have a lease agreement. He said the project will cost \$400,000 in debt

service, and asked how much of the grant will cover the \$400,000. He also asked if the Borough will deed the property over to the UCIA and no longer own the property.

Councilman Bernier responded to Mr. Bernier's and said the Borough is responsible for approximately \$380,000 per year for the term of the bond and does not include \$5.5 million dollar grant from the State. He said the \$380,000 is what the Borough will be paying per year for the next 20 years, and if they didn't receive the \$5.5 million it would be significantly higher. He said the UCIA will manage the construction project and the Borough will retain the land, and at the end of the lease agreement the building becomes the Boroughs. He also said they looked at a 20 year bond term and originally applied for a 25 year bond term, and the projection for \$380,000 is over a 20 year term; hopefully to pay it off sooner and save on long-term interest rather than the maximum of 30. He said the \$5.5 million dollars would fit into the Borough's debt ceiling, the UCIA exists to handle projects like this which allows the Borough the freedom to manage the overall financing. He said the outstanding debt is around \$40 million dollars and the debt limit is around \$52 to \$53 million dollars.

Attorney Jalloh said the question about the lease was answered by Councilman Bernier and concurred that after 20 years the building will revert back to the Borough.

Councilwoman Johnson asked if Anders Hasseler, CFO, could be present at the Regular meetings to answer questions on financial matters.

Seeing no one else come forward, Mayor Shaw closed the public comment on the ordinance.

Motion by Council President Wilkerson, seconded by Councilman Bernier to adopt Ordinance Number 2460-21 on 2nd Reading and Final Passage.

Vote Record – Ordinance Number 2640-21–Second Reading & Final Passage				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson	x			
Councilwoman Thomas	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

ORDINANCE ON SECOND READING & FINAL PASSAGE–Ordinance Number 2641-21

ORDINANCE AUTHORIZING THE GUARANTY BY THE BOROUGH OF ROSELLE, NEW JERSEY OF PAYMENT OF PRINCIPAL OF AND INTEREST ON THE BOROUGH GUARANTEED LEASE REVENUE BONDS, SERIES 2021 (ROSELLE LIBRARY BUILDING PROJECT) OF THE UNION COUNTY IMPROVEMENT AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$6,500,000

WHEREAS, the County of Union, New Jersey (the “County”), pursuant to the Improvement Authorities Law of the State of New Jersey (the “State”), constituting Chapter 183 of the Pamphlet Laws of the State of 1960, as amended and supplemented (N.J.S.A. 40:37A-44 et seq.) (the “Act”), has heretofore duly created a body corporate and politic known as The Union County Improvement Authority (the “Authority”); and

WHEREAS, pursuant to Section 80 of the Act, the Borough of Roselle, New Jersey (the “Borough”) is authorized to guaranty unconditionally the punctual payment of the principal of and interest on any obligations of the Authority; and

WHEREAS, the Borough, in order to assist the Authority with the financing and undertaking of the planning, design, construction and equipping of the renovation and expansion of the Borough’s existing library located at Block 3902, Lots 19 and 20 in the Borough (the “Project”), has determined to provide for the guaranty of Borough Guaranteed Lease Revenue Bonds, Series 2021 (Roselle Library Building Project) of the Authority or the refunding of said bonds (the “Obligations”) under the resolution of the Authority entitled “Borough Guaranteed Lease Revenue Bond Resolution (Roselle Library Building Project)” or the bond resolution(s) authorizing the refunding of said Obligations (the “Bond Resolution”);

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE, NEW JERSEY, (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS**:

This guaranty shall be adopted by the governing body of the Borough in the manner provided for adoption of a bond ordinance as provided in the Local Bond Law, constituting Chapter 169 of the Pamphlet Laws of 1960 of the State, as amended and supplemented (the “Local Bond Law”).

Pursuant to and in accordance with the terms of the Act, specifically Section 37 of the Act (N.J.S.A. 40:37A-80), the Borough is hereby authorized to and hereby shall fully, unconditionally and irrevocably guaranty the punctual payment of the principal of and interest on the Obligations in an aggregate principal amount not exceeding at any time \$6,500,000, which Obligations are to be issued to finance and/or refinance the Project, on such terms and conditions as may be agreed to by and between the Borough and the Authority and as are reflected in this guaranty and in the guaranty certificate on the face of each Obligation. Upon the endorsement of the Obligations referred to in Section 3 below, the Borough shall be fully, unconditionally and irrevocably obligated to pay the principal of and interest on the Obligations in the same manner and to the same extent as in the case of Obligations issued by the Borough, and, accordingly, the Borough shall be unconditionally and irrevocably obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment thereof, without limitation as to rate or amount, when required under the provisions of applicable law. This full, unconditional and irrevocable guaranty of the Borough effected hereby to pay the principal of and interest on the Obligations when due,

in accordance with the terms hereof, shall not be abrogated for any reason. Any Obligations which are no longer considered outstanding under the Bond Resolution shall not be counted for the purpose of the \$6,500,000 limitation contained in this guaranty.

The Mayor or Chief Financial Officer of the Borough shall, by manual or facsimile signature, execute an endorsement on each of the Obligations evidencing this guaranty by the Borough as to the punctual payment of the principal thereof and interest thereon. The endorsement on each Obligation shall be in substantially the following form, and absent the fully executed endorsement in such form on any such Obligation, such Obligation shall not be entitled to the benefits of this guaranty:

GUARANTY BY THE BOROUGH OF ROSELLE, NEW JERSEY

The payment of the principal of and interest on the within Bond shall be fully, irrevocably and unconditionally guaranteed by the Borough of Roselle, a body corporate and politic of the State of New Jersey (the "Borough"), in accordance with the provisions of N.J.S.A. 40:37A-80 and the guaranty ordinance of the Borough finally adopted pursuant thereto, and the Borough is fully, irrevocably and unconditionally liable for the payment, when due, of the principal of and interest on this Bond, and if necessary the Borough shall levy *ad valorem* taxes upon all the taxable property within the Borough, without limitation as to rate or amount, in order to make such payment.

IN WITNESS WHEREOF, the Borough of Roselle, New Jersey, has caused this guaranty to be executed by the Mayor or Chief Financial Officer.

BOROUGH OF ROSELLE, NEW JERSEY

By: _____

Mayor or Chief Financial Officer

The Mayor or Chief Financial Officer is hereby further authorized to execute such other certificates or agreements relating to this guaranty that may be required by the Authority to comply with the terms of the financing documents relating to the Obligations, including, without limitation, (i) any agreements or certificates detailing the time and method that payment under this guaranty shall be made by the Borough, (ii) any letters of representations or similar undertakings to be executed in connection with the sale of the Obligations, setting forth certain representations, warranties and covenants of the Borough as an inducement to the purchase of the Obligations, (iii) any certificates deeming "final" (for the purposes of Rule 15c2-12 of the U.S. Securities and Exchange Commission) any Preliminary or final Official Statements of the Authority in connection with the Obligations, and (iv) any bond purchase agreement or continuing disclosure agreement executed in connection with the sale of the Obligations. Such further agreements or certificates shall not abrogate the Borough's responsibilities hereunder.

The Mayor or Chief Financial Officer is hereby further authorized to execute one or more continuing disclosure agreement(s) or other instrument(s) undertaking the secondary disclosure obligations of the Borough required by Rule 15c2-12 of the United States Securities and Exchange Commission in connection with the issuance of any Obligations by the Authority.

It is hereby found, determined and declared by the governing body of the Borough that:

This guaranty may be adopted notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to the Local Bond Law, but the aggregate principal amount of the Obligations that shall be entitled to the

benefits of this guaranty, being an amount not to exceed \$6,500,000 outstanding at any time, shall after their issuance be included in the gross debt of the Borough for the purpose of determining the indebtedness of the Borough under or pursuant to the Local Bond Law.

The principal amount of Obligations entitled to the benefits of this guaranty and included in the gross debt of the Borough shall be deducted, and is hereby declared to be and to constitute a deduction, from such gross debt under and for all the purposes of the Local Bond Law (i) from and after the time of issuance of the Obligations until the end of the fiscal year beginning next after the completion of the acquisition or construction of the project to be financed from the proceeds of the Obligations, and (ii) in any annual debt statement filed pursuant to the Local Bond Law as of the end of said fiscal year or any subsequent fiscal year, if the revenues or other receipts or moneys of the Authority in such fiscal year are sufficient to pay its expenses of operation and maintenance in such fiscal year and all amounts payable in such fiscal year on account of the principal of and interest on all such guaranteed Obligations, all Obligations of the Borough issued as provided in Section 36 of the Act (N.J.S.A. 40:37A-79), and all Obligations of the Authority issued under the Act.

The following matters are hereby determined, declared, recited and stated:

The maximum outstanding principal amount of Obligations of the Authority that are hereby and hereunder guaranteed as to the punctual payment of the principal thereof and interest thereon at any time is \$6,500,000.

The purpose described in this guaranty is not a current expense of the Borough, and no part of the cost thereof has been or shall be assessed on property specially benefited thereby.

A supplemental debt statement of the Borough has been duly made and filed in the office of the Clerk of the Board, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State, and such debt statement shows that while the gross debt of the Borough, as defined in the Local Bond Law, is increased by this guaranty by \$6,500,000, in accordance with the provisions of the Act, the net debt of the Borough is not increased, and the obligation of the Borough authorized by or incurred pursuant to the terms of this guaranty is permitted by an exception to the debt limitations of the Local Bond Law, which exception is contained in the Act.

All other items to be contained in a bond ordinance adopted pursuant to the Local Bond Law are hereby determined to be inapplicable to the Borough's guaranty of the Obligations hereby.

This guaranty shall take effect at the time and in the manner provided by law.

Mayor Shaw read Ordinance Number 2641-21 by title and opened the Public Hearing.

Public Hearing

1. Garrett Smith commented that the ordinance is being voted on and the public doesn't have a clear answer on how it will affect the taxpayers; he said it doesn't make any sense and that the CFO should be present when voting on ordinances that will affect the taxes. He also said the ordinance should be tabled.

Seeing no one else come forward, Mayor Shaw closed the public comment on the ordinance.

Motion by Council President Wilkerson, seconded by Councilman Villeda to adopt Ordinance Number 2641-21 on 2nd Reading and Final Passage.

Vote Record – Ordinance Number 2641-21–Second Reading & Final Passage				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson			x	
Councilwoman Thomas	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

ORDINANCE ON INTRODUCTION & FIRST READING –Ordinance Number 2642-21

ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN ON THE BOROUGH TAX MAPS AS BLOCK 3801, LOTS 2.01, 4, 5, AND 6

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, in June of 2019, the Council of the Borough of Roselle (hereinafter “Borough Council”) adopted Resolution 2019-200 authorizing and directing the Planning Board to determine whether the property commonly known on the Borough tax maps as Block 3801, Lots 2.01, 4, 5, and 6 (hereinafter “Study Area”) meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment with condemnation; and

WHEREAS, at a public hearing on March 4, 2020, the Planning Board determined, based on a report from Maser Consulting titled Redevelopment Area with Condemnation: Determination of Need Study dated January 2, 2020, that the Study Area is an area in need of redevelopment pursuant to the statutory criteria set forth in N.J.S.A. 40A:12A-5; specifically, Lot 2.01 (Borough-owned lot) and Lot 5 (laundromat) qualified for designation under Criteria G and H, Lot 4 (warehouse) qualified for designation under Criteria A, B, D, G, and H, and Lot 6 (Knights of Columbus) qualified for designation under Criteria A, D, G, and H; and

WHEREAS, the Planning Board, having found that the Study Area satisfied the statutory criteria to be designated as an Area in Need of Redevelopment **with Condemnation**, recommended that the Borough Council designate the Study Area as such; and

WHEREAS, subsequently, the Borough Council adopted Resolution 2020-135 on April 15, 2020, which designated the Study Area as **a Condemnation Redevelopment Area; and**

WHEREAS, May 20, 2020, the Borough Council adopted Resolution 2020-153 authorizing Maser Consulting to prepare a Redevelopment Plan for the Study Area; and

WHEREAS, Maser Consulting prepared a redevelopment plan, titled Redevelopment Plan for Block 3801 (hereinafter the “Redevelopment Plan”), attached hereto as **Exhibit A**; and

WHEREAS, the Borough Planner, Darlene A. Green, AICP, PP, of Maser Consulting, at a duly noticed and constituted public meeting on January 21, 2021, presented the Redevelopment Plan to the Planning Board and allowed all those present who wished to comment to be heard; and

WHEREAS, the Planning Board found that the goals and objectives set forth in the Redevelopment Plan are substantially consistent with the Master Plan with the Borough of Roselle; and

WHEREAS, the Planning Board found that the adoption of the Redevelopment Plan is necessary and desirable in order to accomplish the effective redevelopment of the Study Area and that such redevelopment would be in the best interests of the Borough and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Roselle, in the County of Union, New Jersey that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER ORDAINED, by the Borough Council hereby adopts the Redevelopment Plan, pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

BE IT FURTHER ORDAINED, the zoning ordinances of the Borough are hereby amended to include the amendments indicated in the Redevelopment Plan and the provisions therein.

BE IT FURTHER ORDAINED, the Borough Council shall serve as Redevelopment Entity for purposes of implementing the Redevelopment Plan and exercising the powers granted to a redevelopment entity under the Redevelopment Law.

BE IT FURTHER ORDAINED, in case any one or more of the provisions of this Ordinance or the Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance or the Redevelopment Plan and this Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

BE IT FURTHER ORDAINED, if any section, sub-section, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

BE IT FURTHER ORDAINED, all ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, this ordinance shall take effect 20 days after final passage and publication as prescribed by law.

Mayor Shaw read Ordinance Number 2642-21 by title and asked for a motion to adopt.

Motion by Councilman Bernier, seconded by Councilman Fortuna to adopt Ordinance Number 2642-21 on Introduction and First Reading.

Vote Record – Ordinance Number 2642-21–Introduction & First Reading				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			

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

ORDINANCE ON INTRODUCTION & FIRST READING –Ordinance Number 2643-21

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$4,378,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,694,424 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY [Proposed Public Hearing March 17, 2021 pending approval]

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1.

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Borough of Roselle, New Jersey (the “Borough”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$4,378,400, such sum includes the (a) the sum of \$489,533 expected to be received as a grant from the New Jersey Department of Transportation in connection with sections of Drake Avenue and West 4th Avenue described in Section 3(a)(1) and (b) the sum of \$194,443 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2.

In order to finance the cost of the Improvements and grant not covered by application of the Down Payment and the grants set forth in Section 1 of this bond ordinance, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$3,694,424 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$3,694,424 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3.

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated

maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
1. Resurfacing and reconstruction of various roads, including but not limited to Leon Place and Wenz Place between Rosewood Avenue and Thompson Avenue, Morris Street between Grand Street and 12 th Avenue, Spruce Street between East 9 th Avenue and East 7 th Avenue, East 8 th Avenue between Walnut Street and Dead End, Oak Street between East 9 th Avenue and Dead End, East 10 th Avenue between Walnut Street and Dead End, East 5 th Avenue between Harrison Avenue and Chandler Avenue, Harrison Avenue between East 3 rd Avenue and East 7 th Avenue, Melville Terrace between East 6 th Avenue and Dead End, Drake Avenue between East 1 st Avenue and East 7 th Avenue, West 4 th Avenue between Aldene Road and Pine Street, Frank Street between 10 th Avenue and St. George Avenue (Route 27), including curbing, milling, paving, driveway aprons, sidewalks, handicap ramps, sanitary sewer, storm sewer and other miscellaneous improvements, traffic safety improvements at intersection of 2 nd Avenue and Sheridan Avenue, and all structures and appurtenance, work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereof on file in the office of the Clerk.	\$2,828,400	2,221,924	13.19 Years
2. Improvements to Borough Hall, including all structures and appurtenance, work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereof on file in the office of the Clerk.	175,000	\$166,250	15 Years
3. Acquisition of garbage trucks and 95 gallon trash carts for the Department of Public Works.	900,000	855,000	12.22 Years

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
4. Demolition of Office of Emergency Management Building and installation of pre-fabricated building, including all structures and appurtenance, work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereof on file in the office of the Clerk.	60,000	57,000	15 Years
5. Acquisition of in car cameras for the Police Department.	200,000	190,000	5 Years
6. Replacement of parking meters throughout the Borough.	165,000	156,750	15 Years
7. Replacement of roof at Fire Department, including all structures and appurtenance, work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereof on file in the office of the Clerk.	50,000	47,500	15Years
TOTAL:	\$4,378,400	\$3,694,424	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$3,694,424.

(c) The estimated cost of the Improvement is \$4,378,400 which amount represents the initial appropriation made by the Borough.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such from as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report

must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5.

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the from promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Clerk and is available for public inspection.

SECTION 6.

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is **12.80** years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$3,694,424 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$521,400 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7.

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8.

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking

SECTION 10.

This Section 9 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$3,694,424.

SECTION 11.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Shaw read Ordinance Number 2643-21 by title and asked for a motion to adopt the ordinance on First Reading and Introduction.

Motion by Councilman Bernier, seconded by Councilman Fortuna to adopt Ordinance Number 2643-21.

Vote Record – Ordinance Number 2643-21–Introduction & First Reading				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson	x			
Councilwoman Thomas	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

PUBLIC COMMENTS (on Pending resolutions only)

1. Garrett Smith commented on the Land Use Administrator resolution and asked if it is a new position and how much the salary is. He then asked why the Engineer is being paid for sidewalk when the Department of Public Works handled sidewalks for years. He commented that it seems like a waste of money to pay the Engineer to do something that DPW is already getting paid to do.
2. Sylvia Turnage echoed the sentiment of Mr. Smith about the Land Use Administrator resolution and the sidewalk repairs. She then asked for the name of the previous Land Use Administrator that was paid \$30,000 and then let go and that the salary was split up amongst a former attorney and former Borough Administrator. She asked if the individual is qualified to be a Land Use Administrator and if the position will receive a salary later on. She said the DPW staff is trained and qualified to take care of the Borough sidewalks and that they are pushing money to the Engineer and cutting the budget in all the wrong places.

Seeing no one else come forward, Mayor Shaw closed the public comments on the resolutions.

Following this, Mayor Shaw asked the Acting Borough Administrator to answer the questions as it related to the comments on resolutions.

Acting Borough Administrator Falt responded that the Land Use Administrator is not a new position, several borough officials previously had the position, and he was not working for the Borough during that time. He said it is an interim position with no salary associated with the position and that the Zoning Board and the Engineer said a Land Use Administrator was needed to make sure all applications received were complete and done appropriately. He also said there was an agreement with the Engineer that the employee named in the resolution would receive the appointment while they figure things out and determine if the individual will be the final candidate.

Councilman Fortuna commented that the sidewalk project was to repair the most tree damaged sidewalks, and there was an assessment done by DPW in 2019. He said the budget included hiring outside vendors to cut down the trees, and DPW cut down most of the trees and didn't spend all the money. He said they will go back through the list of sidewalks and that DPW can do sidewalks but it's not necessarily their strength, and can repair sidewalks that are not as severely damaged.

Councilwoman Johnson said she asked for a list of sidewalks to be repaired and is still waiting for the list. She also said that the State made it mandatory to have a Land Use Administrator to make sure all applications are completed and that it was made clear that it was an interim appointment with no salary.

Mayor Shaw commented that he was also aware that the interim appointment would not include a salary or a stipend and that it is being made to fill a void as there is a need for it.

Councilman Fortuna said he is still waiting for the revised list from Engineering and will follow-up with them.

Councilman Bernier said that what they are voting on is to pay contractors Cifelli & Sons for work that they did on the sidewalk project, and that the engineer is not getting any money tonight, they are just signing off that they inspected the work that was done by the contractor, and is recommending that Council pay the final retainage.

Councilwoman Johnson commented that she just wanted to make sure an inspection was done before the final payment was done.

Council President Wilkerson thanked Councilman Bernier for stating that the Engineers were not being paid and that it was a joint effort and encouraged residents to email Council if they have issues with sidewalks. She also said the Interim Land Use Administrator appointment is an immediate solution to a problem. She said she wanted to be transparent and said it does not mean the position will never be a paid position. She said employees are willing to step up and help solve the problem and figure out a long-term solution and has no reference about what happened years ago or conspiracy theories about who got paid as she was not here during that time. She spoke to the library board ordinances and said that most officials present and former know they cannot go into a project without having the ordinances passed first. She said they are not moving on something without knowing the answers. She thanked the County for working with the Borough and said final numbers will be shared.

Motion by Councilman Bernier, seconded by Councilwoman Johnson to adopt Resolution Number 2021-102.

CLOSED EXECUTIVE SESSION

The Governing Body went into Closed Executive Session at 7:41 p.m.

RESOLUTION NUMBER 2021-102

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 February 17, 2021.

Vote Record – To Adopt Resolution Number 2021-102				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson	x			
Councilwoman Thomas	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

The governing body came out of the closed executive session at 7:52 p.m.

CONSENT AGENDA

Mayor Shaw asked for a motion to adopt the consent agenda.

Motion by Councilman Bernier, seconded by Councilman Villeda to adopt the Consent Agenda as written.

Vote Record – To Adopt the Consent Agenda				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson	x			
Councilwoman Thomas	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			

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

RESOLUTION NUMBER 2021-103

APPOINTMENT OF MICHAEL TISDALE AS THE INTERIM LAND USE ADMINISTRATOR

WHEREAS, the Borough Council would like to appoint Michael Tisdale as the Interim Land Use Administrator, as the position requires that the person have Zoning experience and be in a supervisory role.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle hereby appoints Michael Tisdale as the Interim Land Use Administrator, until there is an official appointment.

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 February 17, 2021.

RESOLUTION NUMBER 2021-104

**RESOLUTION ADJUSTING THE SALARY OF DUANE PATTERSON
RETROACTIVELY TO DECEMBER 1, 2020**

WHEREAS, George Phipps, the Superintendent of Public Works (DPW) was on an extended leave of absence for the month of December 2020; and

WHEREAS, Duane Patterson, the Assistant Superintendent of the DPW, was serving in the capacity of Superintendent of the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Roselle that effective the next regular payroll of the Borough of Roselle, Duane Patterson, will receive retroactive backpay for the additional services provided in addition to being the Assistant DPW Superintendent from December 1st through December 31st at a differential of \$5,000 per year.

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 February 17, 2021.

RESOLUTION NUMBER 2021-105

**RESOLUTION APPOINTING A CHIEF PROSECUTOR FOR THE
MUNICIPAL COURT**

WHEREAS, pursuant to N.J.S.A. 2B:25-4, Moshood Muftau was appointed Municipal prosecutor for the 2021 calendar year; and

WHEREAS, the Municipal Court of the Borough of Roselle desires to increase the Court Calendar in order to assist in the reduction of backlog and maximize dispute resolution; and

WHEREAS, the increase of Municipal Court sessions will require more than one municipal prosecutor; and

WHEREAS, N.J.S.A. 2B:25-4(f), requires the Borough to designate a prosecutor to the Position of Chief Prosecutor; and

WHEREAS, Moshood Muftau is an Attorney at Law in the State of New Jersey and is qualified to perform the duties of Chief Prosecutor for the Borough of Roselle.

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

1. Moshood Muftau, Esq. is hereby appointed to the part time position of Chief Prosecutor for the Municipal Court of the Borough of Roselle for the remainder of 2021, effective immediately.
2. Moshood Muftau Esq. is expected to cover a minimum of 96 Court sessions throughout the 2021 Calendar year, and handle the administration, scheduling, and staffing of Prosecutors for the Municipal Court of the Borough of Roselle.
3. Moshood Muftau, Esq. shall be compensated in accordance with the salary for said position as set forth in the Borough's Salary Ordinance at \$34,000.00 for CY2021 and a waiver of the Borough's residency requirement is granted. This salary is contingent upon the availability of funds in the 2021 budget.
4. The Borough Clerk shall promptly, and in no case later than 5 business days from the date hereof, cause a copy of this Resolution to be served upon Moshood Muftau, Esq.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk of the Borough of Roselle is hereby authorized to take whatever action is necessary, including executing any contract documents, to effectuate the retention of Moshood Muftau as Municipal Prosecutor for the 2021 calendar year.

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 February 17, 2021.

RESOLUTION NUMBER 2021-106

RESOLUTION APPOINTING AN ASSISTANT PROSECUTOR FOR THE MUNICIPAL COURT

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

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

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

1. Connie Bentley McGhee, Esq. is hereby appointed to the part time position of Assistant Prosecutor for the Municipal Court of the Borough of Roselle for the remainder of 2021, effective immediately.
2. Connie Bentley McGhee, Esq. shall be compensated in accordance with the salary for said position as set forth in the Borough's Salary Ordinance at \$15,000.00 for a minimum of 48 sessions for CY2021. This salary is contingent upon the availability of funds in the 2021 budget.

3. The Borough Clerk shall promptly, and in no case later than 5 business days from the date hereof, cause a copy of this Resolution to be served upon Connie Bentley McGhee, Esq.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk of the Borough of Roselle is hereby authorized to take whatever action is necessary, including executing any contract documents, to effectuate the retention of Connie Bentley McGhee as Municipal Prosecutor for the 2021 calendar year.

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 February 17, 2021.

RESOLUTION NUMBER 2021-107

RESOLUTION AUTHORIZING FINAL PAYMENT BASED ON AS-BUILT QUANTITIES AND RELEASE OF RETAINAGE FOR THE 2020 ROSELLE SIDEWALK IMPROVEMENTS PROJECT FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY

WHEREAS, Cifelli & Son General Contracting Inc., 81 Franklin Avenue, Nutley, NJ 07110 was previously awarded a contract for the above-referenced project in the amount of \$79,350.00 by way of Resolution Number 2020-171; and

WHEREAS, the project has been completed to date in the total dollar amount of \$55,641.39 (includes 2% retainage) that reflects the as-built construction quantities necessary to properly construct this project to date; and

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

WHEREAS, the Maintenance Bond #S330165 in the amount of \$8,346.20 has been received and approved and Maser Consulting recommends the release of Cifelli's Performance Bond #S330165 and final payment amount of \$1,112.83; and

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

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced dollar amount of **\$1,112.83** is authorized by

way of final as-built quantities for the 2020 Sidewalk Improvement Project to Cifelli & Son General Contracting Inc., 81 Franklin Avenue, Nutley, NJ 07110.

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 Wednesday, February 17, 2021.

RESOLUTION NUMBER 2021-108

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE CONCEPTUAL PLAN AND VENDOR CO-ORDINATION FOR THE WARREN STREET PARK FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY

WHEREAS, the Borough of Roselle is desirous in undertaking Park Improvements for the Warren Street Park within the Borough and the improvements desired by the Borough is in the best interest of the health, safety and welfare of the general public of the Borough of Roselle and;

WHEREAS, Colliers Engineering & Design, Inc DBA Maser Consulting is familiar with the design procedures that are necessary for said improvements and has performed the tasks as delineated in the February 5, 2021 correspondence; and

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

WHEREAS, on January 6, 2021, 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. 2021-026); 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 Colliers Engineering & Design Inc. DBA Maser Consulting from the "Qualified" firms; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically, within bond ordinance number 2627-20 for said engineering services for the Warren Street Park Due Diligence Analysis and Grant Services.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer (Colliers Engineering & Design, Inc. DBA Maser Consulting) is authorized to perform professional engineering services in the amount of \$10,000.00 for the Warren Street Park Conceptual Plan.

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 February 17, 2021.

RESOLUTION NUMBER 2021-109

RESOLUTION AUTHORIZING SURVEY AND PROFESSIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE FIELD HOUSE AT RALPH ARMINIO FIELD ATHLETIC COMPLEX IMPROVEMENTS FUNDED BY THE GREEN ACRES PROGRAM

**AND THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY,
NEW JERSEY**

WHEREAS, the Borough of Roselle is desirous in undertaking Park Improvements for the Field House at the Ralph Arminio Field Athletic Complex 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, Colliers Engineering & Design Inc. DBA Maser Consulting is familiar with the design procedures that are necessary for said improvements and shall perform the tasks as delineated in the February 5, 2021 correspondence; and

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

WHEREAS, on January 6, 2021, 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. 2021-026); 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 Colliers Engineering & Design Inc. DBA Maser Consulting from the "Qualified" firms; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically, within bond ordinance number 2627-20 for said engineering services for the Field House at Ralph Arminio Field Athletic Complex.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer (Colliers Engineering & Design Inc DBA Maser Consulting) is authorized to perform professional engineering services in the amount of \$67,250.00 for the Field House at the Ralph Arminio Field Athletic Complex.

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 February 17, 2021.

RESOLUTION NUMBER 2021-110

**RESOLUTION FOR A CHANGE ORDER AMENDMENT TO THE CONTRACT FOR YOUR
WAY CONSTRUCTION INC., REGARDING ADDITIONAL SITE WORK FOR THE
COMPLETION OF THE RALPH ARMINIO FIELD IMPROVEMENTS PROJECT**

WHEREAS, Your Way Construction, Inc., 404 Coit Street Irvington, NJ 07111 was previously awarded a contract for the above-referenced project in the amount of \$2,322,751.86 by way of Resolution Number 2017-312; and

WHEREAS, additional funds are required to complete the project due to additional work requested by the Borough and as listed in the Maser Consulting correspondence dated January 26, 2021; and

WHEREAS, the Borough Engineer has reviewed the request and has recommended to the Borough Administrator, Borough CFO and Borough Finance Office an increase in the total contract amount and not to exceed \$340,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose, specifically Bond Ordinance 2579-18.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced increase in project scope is authorized to Your Way Construction, Inc. as per the Maser Consulting correspondence dated January 26, 2021 and the following breakdown:

Contract Amount	\$2,322,751.86
Change Order	\$ 340,000.00
Adjusted Contract Amount	\$2,662,751.86

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 February 17, 2021.

RESOLUTION NUMBER 2021-111

**RESOLUTION FOR A CHANGE ORDER AMENDMENT TO THE CONTRACT FOR
AMERICAN ASPHALT & MILLING SERVICES, LLC. REGARDING ADDITIONAL SITE
WORK FOR THE COMPLETION OF THE 2018 VARIOUS MUNICIPAL ROADWAY
IMPROVEMENTS PROJECT**

WHEREAS, American Asphalt & Milling Services, LLC, 96 Midland Avenue, Kearny, NJ 07032 was previously awarded a contract for the above-referenced project in the amount of \$738,021.94 by way of Resolution Number 2018-282; and

WHEREAS, additional funds are required to complete the project due to unforeseen underground conditions as listed in the Maser Consulting correspondence dated January 28, 2021; and

WHEREAS, the Borough Engineer has reviewed the request and has recommended to the Borough Administrator, Borough CFO and Borough Finance Office an increase in the total contract amount and not to exceed \$60,899.29; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose, specifically Bond Ordinance 2627-20.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced increase in project scope is authorized to American Asphalt & Milling Services, LLC as per the Maser Consulting correspondence dated January 28, 2021 and the following breakdown:

Contract Amount	\$738,021.94
Change Order	\$ 60,899.29
Adjusted Contract Amount	\$798,921.23

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 February 17, 2021.

RESOLUTION NUMBER 2021-112

AMENDING RESOLUTION 2021-071 AWARDING A CONTRACT TO MASER CONSULTING, INC. P.A. AS BOROUGH ENGINEER OF RECORD NOT TO EXCEED \$90,000.00

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 awards a contract to and appoints MASER CONSULTING P.A., INC., 400 VALLEY ROAD, SUITE 304, MT. ARLINGTON, NJ 07856 as Borough Engineer and Planner of Record, said contract amount not to exceed \$90,000.00 for General Engineering and Planner Services, said contract to be for the period from January 1, 2021 through December 31, 2021.

2. The Chief Financial Officer has certified that sufficient funds are available contingent upon the availability of funds in the 2021 adopted budget in the amount \$90,000.00 in account 1-01-165-000-228

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 2021 budget in **account# 1-01-20-165-000-228**; and

WHEREAS, if funds are not available for the contract in the 2021 permanent budget, the contract will be terminated.

1. The remaining balance of the contract will be made available in the CY 2021 Permanent Budget.

2. That this Contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law (N.J.S.A. 40A: 11-5(1)(a)(i)) because engineering services are a recognized profession licensed and regulated by law.

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

4. That an executed copy of the Contract between the Borough and Maser Consulting P.A., Inc., 400 Valley Road, Suite 304, Mt. Arlington, NJ 07856, and a copy of this resolution shall be filed in the Office of the Borough Clerk and be available there for public inspection in accordance with law.

5. 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.

6. 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.

7. 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 February 17, 2021.

RESOLUTION NUMBER 2021-113
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	905	4		20-00011	\$35,600.00	\$13,811.52	\$49,411.52
FNA DZ, LLC	1202	8		18-00012	\$17,000.00	\$51,022.52	\$68,022.52
GREYMORR LLC	2502	25		20-00026	\$39,100.00	\$13,555.49	\$52,655.49
JASPER ST. FUNDING LLC	805	6		20-00005	\$0.00	\$1,204.53	\$1,204.53
LSG TL HOLDINGS LLC	6401	8		20-00054	\$43,700.00	\$15,012.64	\$58,712.64
					\$135,400.00	\$94,606.70	\$230,006.70

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 February 17, 2021.

Motion by Councilman Bernier, seconded by Councilman Fortuna to adopt Resolution Number 2021-114.

Discussion:

Councilwoman Thomas had questions about two items on the bills list as it related to training. Her questions were answered by Assistant Borough Administrator Falt and Michael Tisdale, Code Enforcement.

PAYMENT OF BILLS

Resolution # 2021-114

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**17-Feb-21**

<u>FUND</u>		
ANIMAL CONTROL	\$	84.00
CAPITAL ACCOUNT	\$	331,412.27
CDBG TRUST		
CURRENT FUND	\$	2,335,309.70
ESCROW TRUST		
FSLEF		
SLEF		
GENERAL TRUST ACCOUNT	\$	1,896.41
TRUST DCA FEES		
GRANT ACCOUNT	\$	410.36
SUI		
JANUARY 29, 2021 PAYROLL	\$	777,900.03
FEBRUARY 12, 2021 PAYROLL	\$	950,275.70
MANUAL CHECK	\$	110,483.02
POAA		
REDEMPTION PREMIUM ACCOUNT	\$	96,300.00
PUBLIC DEFENDER		
REDEMPTION TRUST	\$	81,051.21
RESERVE FOR ESCROW		
SALARY DEDUCTION		
GRAND TOTAL		\$4,685,122.70

LYDIA MASSEY
ACTING BOROUGH CLERK

DATED: FEBRUARY 17, 2021

Vote Record – To Adopt Resolution Number 2021-114				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson	x			
Councilwoman Thomas	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

PUBLIC COMMENT

1. Adrien Williams, 549 West 7th Ave., commented that she lived in Roselle for 37 years and is an alumni of Abraham Clark High School class of 1986. She also said she was a former employee of the Roselle Board of Education, a student Assistant Coordinator and worked in the past for the Roselle Recreation Day Camp. She commented that she is an active community member who coached the Roselle Recreation Basketball league and was the cookie mom for the Roselle Girl Scout Troop 59. She said she was honored to be appointed on the Roselle Public Library Board in 2016, implemented a survey that focused on the needs of the patrons, participated in programs and training sessions, and provided resources for in person and on-line activities for patrons. She said was the chairperson on the library reconstruction grant, and in November 2020 accepted the nomination for the President; she said the slate would have made history for the board with three African American women on the slate. She said January 6, 2021 changed history and she learned several weeks later that she was not reappointed on the board and that her character was attacked in an open public meeting. She said her rationale for this action was that certain individuals wanted to suppress the content of an annual library report submitted to Mayor and Council. She said she took an oath to enforce policies and regulations set by the state and that the content of the report is alarming. She said library bills were not paid for five months from April to September 2020, resulting in \$230,000, employees did not receive longevity pay for six years, the Library Board did not receive an approved plan or safety protocols for reopening the Library, and they didn't receive documents from the Health Inspector or permitted to enter and assess the Library since March 2020. She said there was no Council member present at their meetings until December 10, 2020; she said board motions were sanitized from meeting minutes and there were objections by board members in reference to the sanitized minutes. She said she is governed by integrity and transparency and at a loss for words as to why she was ambushed and attacked for performing her duties.
2. Eudora Winston, 125 W. 8th Avenue, and 66 year Roselle Resident and 43 year Library Board Trustee, said she wanted to speak on behalf of Adrien Williams and said she can recognize a valuable Trustee member and said Ms. Williams is one that exhibited professionalism, dedication and dependability while serving as a Trustee; she said Ms. Williams brought a wealth of educational experience to the table and has an unquenchable

desire for knowledge that is data driven. She said allegations against her are truly unwarranted, and that Trustees never at any point handle money; she Adrienne is focused and has an affinity for policy with an emphasis on rules and regulations. Her research on Covid-19 as it pertains to public libraries is exceptional, and has degrees in Psychology and Educational counseling and spent 22 years in the field of education. She said Ms. Williams is acutely aware of the community's role in sustaining and empowering residents especially its youth, and that Ms. Williams is exactly the type of person to be on the Library Board.

3. Sylvia Turnage remarked that the host and cohost should not disable profile pictures because it is disrespectful and that meetings should proceed unedited. She said elected officials, namely Councilman Bernier, should in not host the Zoom meetings because the Borough has employees for that. She also said there were no conspiracy theory about the former Land Use Administrator, and if the Council President did her due diligence, she would know the history of the job position. She said she was very distraught to hear the character assignation and attack on Ms. Williams. She said it was to cover up an incompetent employee and spoke about the unpaid library bills. She said Ms. Williams is the epitome of professionalism and a caring accomplished educator that gives 1000%. She said Ms. Williams is synonymous with Girl Scouting and helped many girls receive life skills and the highest honors possible. She demanded that Ms. Williams be reinstalled on the Library Board. She said Council members want control of the \$11,000,000 library funding, and that the Library Liaison only attended one Library Board meeting. She said the Municipal budget was pushed to be ahead of Mr. Bernier's run for office and comes at a great sacrifice to the residents. She said the recreation budget was cut so that Council could brag about a zero-tax increase when it was clear there was a tax increase. She said employees are being eliminated while some offices are short-staffed. She said the Borough needs to get rid of some of the attorneys on the payroll instead of laying off DPW workers. Ms. Turnage asked for her time to be extended.

Motion by Council President Wilkerson, seconded by Councilman Fortuna, to extend the time by one minute. Council persons Villeda, Bernier, Johnson, Thomas, Fortuna and Wilkerson all voted yes and the motion carried. Discussion ensued about the time whether it should be one minute or two.

Council President Wilkerson advised that she would change her motion from one minute to two minutes. The motion was seconded by Councilman Fortuna. Council persons Villeda, Bernier, Johnson, Thomas, Fortuna and Wilkerson all voted yes to extend the time to two minutes and the motion carried.

Ms. Turnage then reiterated that they should get rid of some of the attorneys on the payroll, instead of laying off DPW workers, they should start charging the big apartment complexes for all the extra trash like other communities do for commercial properties, and focus on the DPW commitment as it relates to equipment that brines the roads during snowstorms which has been broken for almost two years; she said the payloader is also broken and asked how they are moving snow mounds and bulk trash with a broken truck. She said the overtime in DPW is because they don't have the resources to do the job and it takes additional manpower; and she asked if they are going to outsource the dispatchers and put the lives of

residents in jeopardy just to say they balanced the budget; and said they dispatches know the community and we need them more than their sacrifices; and she said to ask the developers for more concessions and hope they take these recommendations into consideration and fully restore the Recreation budget and the staffing level immediately because the residents are not fooled and tired of playing the shell game and tired of people on the dais with bloated with self-importance pontificating about the finances of the Borough; she said we pay a CFO to do a job and can't show up to answer residents and Council persons questions. She said what happens in the dark comes out in the light and what they did to Adrienne Williams and keeping Mrs. Bernier on the Health Board while pulling a nurse off and putting their own person on will be exposed.

4. Garrett Smith asked why the Bylaws are set up to have business conducted during Workshop Meetings and said the Workshop/Pre-agenda meeting is just to set up the Regular meeting agenda and the reason it is not televised. He said it looks like they are trying to conduct business that they don't want the public to see; he also said he has an issue with the sidewalk program and that the Council alluded that the Engineer is not getting paid for the sidewalk program because they were not named in the resolution; he said he knows that is not accurate and that the Engineers are being paid for their involvement with the sidewalk program; and he said he didn't know they outsource it to an outside firm and he asked how they are getting paid for last year and this year. He also said he knows Adrien Williams and her mother and that they are great outstanding people in the community and have been her for longer than any person on the governing body; he said she was disparaged at a meeting and thrown off of a board as a volunteer and the arrogance of it is unbelievable. He said they spoke about a debt service for approximately \$400,000 and agreeing to the financing at this meeting and stating that they are going to burden taxpayers with debt of approximately \$400,000 for the next 20 years and later on will be transparent about how it will affect the taxes; he said he didn't understand and said the CFO did not show up and received a \$20,000 raise during the COVID-19 pandemic and can't show up to a Zoom meeting is insane, but can show up to a BS Town Hall meeting, but not the regular council meeting. He said the arrogance of the whole thing is not going to last and to hear Ms. Eudora and Adrienne Williams defend themselves as volunteers in something he's never seen before.
5. Dr. Wilson commented that he came on to speak to Ms. Williams personally and professionally; he said that he has known Ms. Williams for seven plus years and knows that she is a community homegrown individual. Every since he has known her, she has been a consummate professional and knows the work she has done for the library has been equally the same; he wanted to stress to the Mayor and Councilmembers would strongly take into account everything that has been said about Ms. Williams and revisit the issue with Ms. Williams because it sounds like some unfair practices were at play and he hopes that it can be rectified in a positive way for the professional that she is.

Seeing no one else coming forward, Mayor Shaw closed the public comment portion of the meeting.

Council President Wilkerson spoke to CFO Anders Hasseler and said he is doing an amazing job and only missed two meetings and has been working triple time to get the Borough in order; she

said he restricted the debt and reviewed pilot programs to assure money was collected. She said he did an amazing job with the budget and is giving 110% and will defend him and not allow anyone to bash him for taking a day off. She spoke about the library board and said she voted the way she did because when she was at the library board meetings, the behavior was unprofessional and said that's not who we are as a Borough, and she made a choice based on the performance that she witnessed. She said CFO Hasseler will watch every penny of the \$11,000,000 and there is nothing Council can do with it. She said that board members who were at the last meeting she attended expressed the hostile environment, said was sorry she didn't get to witness the other wonderful things, but can talk about what she did see which was not to have a hostile work environment. She said she did not understand the statement about a slate. She also said all Borough buildings were closed due to the pandemic. She said the Workshop new business is only done when something is time-sensitive and previous Council's including people that are speaking tonight always had yellow tag walk on items, and the only do what is time sensitive to do and they have nothing to hide. She said to roll back the tapes on what she said about sidewalks and feels the sidewalk program is an amazing thing and taxpayers deserve to them to fix what was already broken.

Councilwoman Johnson commented that Council President Wilkerson spoke about a hostile working environment at the library board meeting and then questioned if it had anything to do with \$230,000 unpaid bills. She said every action has a reaction and asked if anyone looked into what the Library Director did or did not do. She asked if Council President Wilkerson as the Library Liaison was aware of the unpaid bills and building being closed, and said she now concerns. She said when someone challenges another person it is not being hostile and that the Library Board Liaison should report back to Council because this is the first time, she heard of \$230,000 as a sitting Council member. She commended Ms. Williams for bringing everything to Council's attention and demanded to know why the bills were not paid. She requested that Ms. Williams be reinstated back on the Roselle Library Board and that the Mayor's appointment of a volunteer has never been torn down. She said there is sometimes hostility during Council meetings when they agree to disagree but it doesn't make a person hostile if they speak their minds. She questioned if Ms. Williams was not reappointed because she brought up the unpaid bills and said removing her because someone felt she was being hostile was not fair. She also said that former Mayor Christine Dansereau was instrumental in getting the library project off the ground and no one is giving her credit. She said she knew why CFO was hired back because she received a phone call to give him another chance. She said she is not going to play politics with anyone and will not allow Ms. Williams to be discredited because she spoke up and she reiterated that Ms. Williams be reinstated because it as the Mayor's appointment.

Council President Wilkerson said that during the Library Board meeting she attended which she thought was unprofessional, there was no discussion of any bills being unpaid, and that she was confident that the Library Director can speak to it. She said they keep talking about politics and said she is not going to entertain it all the time and just talked about what her individual vote was and what led to her decision.

Councilwoman Johnson asked for Council President Wilkerson as the Library Board Liaison to look in to the \$230,000 of unpaid bills and discuss it with the Library Director. Mayor Shaw interjected and said that he will have the Acting Borough Administrator look into it.

Councilman Bernier answered questions about him being a Zoom co-host and said he doesn't understand why people are pretending that there is some secret mystery as to why he is a co-host and explained the importance of having more than one host and how he generally takes on technological things for Council. He said there was a push to have a flat budget not because he is up for re-election but because it is responsible budgeting. He also said they pushed for a flat budget when he was not up for re-election and that residents demand that from Council because it's their job. He talked about how the municipal tax rate was 23% when former Mayor Smith and Councilwoman Turnage served on Council. He talked about recreation budget and said it was less last year because they didn't have summer camp because of the COVID-19 pandemic, and said it would have been irresponsible of the Finance to recommend an extra \$200,000 to just sit there without a summer program. He said the Borough attorney was taken off payroll to not incur pension liabilities or additional payroll taxes. He said his mother and family did not run for Council, and if someone has a problem with him to go for it but to leave his mother out of it. He said the bylaws were tightened to have voting business for time-sensitive matters, and they cut down on the number of resolutions passed at workshop. He spoke to the side walk project and said it was for work done later in the fall and they are releasing the final payment on it now. He said for decades many vendors were late receiving their payments and complained to the Borough year after year. He also said he was incredibly clear about the library financing and reiterated that the projection is \$380,000, per year dependent on the interest rate that is received when the bond is sold, and the rough estimate will be is about \$70 to the Borough, and doesn't mean taxes will increase \$70, it means that is the portion that will pay for the new library. He also spoke about the purchase of the lot next to the library in 2004 for \$280,000 and said a new library will finally be built on it. He said they will get the real information out and will back it up with facts.

Councilwoman Johnson thanked Councilman Bernier and commented that the financial information provided by Councilman Bernier should come from the CFO, not Councilman Bernier because he is not a CFO.

Councilman Fortuna commented that no DPW workers were laid off, staffing deficits occurred naturally, and they plan to beef up staff and not lower staff, and they are planning to clean up any other deficits. He said the sidewalks that were fixed were damaged for a long time and that residents are really happy about this. He said he doesn't see why it is an issue and won't apologize for a job well done. He also said if they could charge large apartments for trash pickup they would, and mentioned that they cannot charge the park apartments as it was not in the agreement that was signed by the Borough.

COUNCIL COMMENT

Councilman Villeda said that he is here to serve and work for the 1st Ward community and that the town has was impacted by low temperatures and snow storms. He talked about the phone

calls he received about garbage pick-up and snow removal and wants the Council to implement a new plan to keep the streets clean throughout the entire Borough. He said to remember that Roselle is first and gave his remarks in Spanish.

Councilman Bernier congratulated Heard A.M.E. Church on their 100th Anniversary and the Agape House of Worship on their 15th year anniversary, and said both churches are great community partners. He announced that on Tuesday, February 23, 2021, he will hold his 2nd Ward Community meeting via Zoom at 7:00 p.m., and said to follow Facebook for the link. He encouraged everyone to stay safe during the upcoming snow storm and to park cars driveways. He asked the public to be patient with DPW as they prepare for another storm and gave his contact information.

Councilwoman Johnson greeted her 3rd Ward residents and asked everyone to be safe and to park their car in the driveway to allow the streets to be plowed. She also said that she took an oath to tell the truth and made a promise to her residents to be their power of attorney and a voice for them. She said she has three more years in office and will speak about injustice and asked Mayor Shaw to pass a resolution to re-appoint Adrien Williams. She also asked that the CFO attend the Workshop and Regular Meetings to answer finance questions because the Finance Chair is answering financial questions that the CFO should answer. She thanked Mr. Tisdale and said she is aware that he is short of manpower and will try to enhance his department. She requested a town hall meeting to talk about taxes and wished everyone a happy African American History Month. She also wished DPW good luck with the snow storm and bulk pickup when it begins.

Councilwoman Cindy Thomas thanked everyone for their comments and that she heard their concerns and will be working to get answers and clarity. She congratulated Heard A.M.E. Church on their anniversary and thanked the residents for their emails with their concerns. She announced that she will have her 4th Ward Meeting on March 2, 2021 at 7:00 p.m., and further information will follow. She also said happy Black History year because there is always an accomplishment of a hero or a shero. She said there is an expectation that there will be a lot of snow and asked that everyone be safe and park their vehicles in driveways.

Councilman Fortuna said that he and the DPW Committee met and talked about the impending snow storm. He said he spoke with the Superintendent of the DPW about the weather forecast, and that the prediction is 3 to 6 inches over two days. He said that is manageable and is not a severe snow storm and hopes it remains accurate. He announced that his 5th Ward Meeting will be held on Wednesday, February 24th at 6:00 p.m., via Zoom and that he will talk about the real-estate market in Roselle and what people can do to keep their property values high. He invited two realtors to give their input on the market. He gave his contact information and encouraged the public to call him if they had questions.

Council President Wilkerson gave her condolences to Mayor Shaw and his family on the loss of his aunt. She said they are regular people and go through loss and still show up for the Borough. She also gave condolences to the Haywards who are her relatives on the loss of her cousin and

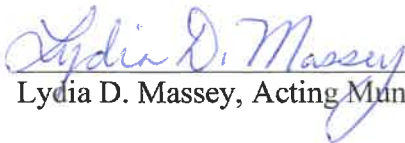
said God is still in control. She said those who are still living should live vivaciously because life is short. She congratulated Heard A.M.E. Church on its 100 Year Anniversary, and said as an NAACP member, the church always opened up the doors, has food drives and worthy of the honor. She congratulated the Agape House of Worship for 15 years of community service, and said they raised \$5,000 for fire victim families, and instituted an I-Read Program, a gas-buy down event, and that these churches fill in the gap where governments and schools don't. She said the committee chairs are people from the governing body who oversee key areas of government and it is okay if they answer questions and should know what's going. She said she thinks the CFO should come to the meeting to talk about all the mess he found under the hood since everyone wants to bash him and that he will need to build a report because the list is long and said to let the CFO come and show how much he is worth. She thanked the residents for coming out and encouraged them to keep coming. She announced that her monthly meetings will be starting every month via Zoom except for November and December. She gave her contact information and encouraged the public to email any questions they want covered in her meeting.

MAYOR'S COMMENTS

Mayor Shaw thanked everyone for reaching out to him on the passing of his family member and thanked Council President Wilkerson and Acting Borough Administrator Falt for reaching out to him and said it kept him motivated to come to work. He talked about Heard A.M.E. Church celebrating 100 years and said it is amazing and that he is proud to be a part of it. He spoke about black history month and said that the Roselle now has the first African American Police Chief and Fire Chief in the Borough and salutes them for the way their departments serve the community. He echoed the sentiment of Council President Wilkerson that the CFO be present at the Workshop and Regular meetings, not to just defend himself, to answer questions on how the finances work. He said there has been a high turnover of CFOs and his presence could put the community at ease with finances. He asked that Ed Cologna take more of an active roll with the Council meetings. He also said that he was happy and excited to see the library project get off the ground and thanked the UCIA for doing their part. He said there are a lot of moving pieces and looks forward to seeing shovels in the ground for more projects in the next three years. He said that Ms. Williams had a lot of courage to speak about what happened with her appointment. He said he made it in good faith because she had previous experience on the board. He also said Ms. Williams means a lot to the community and will consider bringing her back after he gets advice from the attorney and the Acting Borough Administrator on whether the position was filled. He thanked the residents for being a part of the process, thanked the employees for participating in the Black History Month videos, and thanked his council colleagues for their courage. He said he has faith that the DPW will take care of the Borough during the snow storm and told everyone to be safe and have a nice weekend.

ADJOURNMENT

On a motion by Councilman Bernier, seconded by Councilwoman Johnson, all were in favor, none were opposed and the Regular meeting was duly adjourned at 10:30 p.m.


Lydia D. Massey, Acting Municipal Clerk