

**BOROUGH OF ROSELLE  
MAYOR & COUNCIL  
WORKSHOP MEETING – AGENDA  
APRIL 14, 2021 – 6:30 P.M.  
[Amended]**

**MEETING CALLED TO ORDER**

**FLAG SALUTE  
INVOCATION**

**STATEMENT OF COMPLIANCE**

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**

Councilman Villeda, Councilman Bernier, Councilwoman Johnson, Councilwoman Thomas, Councilman Fortuna, Councilwoman Wilkerson, Mayor Shaw

**PUBLIC COMMENT**

**DEPARTMENT REPORTS**

- All Department Heads

**PRESENTATIONS**

**CLOSED EXECUTIVE SESSION**

- 2021-144 Resolution for Closed Executive Session
- Personnel Matters
  - Litigation Matters

**NEW VOTING BUSINESS**

<b><u>Department of Public Works</u></b>	
2021-145	Resolution Hiring Seasonal Temporary Laborers in the Department of Public Works
<b><u>Finance</u></b>	
2021-146	Resolution Regarding the 2021 Municipal Budget Public Hearing

2021-147	A Resolution Designating Authorized Signers for Bank Accounts of the Borough of Roselle
<b><u>Purchasing Agent</u></b>	
2021-148	Resolution Authorizing the Purchase of Trash Trucks Through the Educational Services Commission of New Jersey Cooperative Pricing Council (ESCNJ)

## **SETTING THE AGENDA FOR THE APRIL 21, 2021 REGULAR MEETING**

### **PRESENTATION**

Rosie McCamery - SOAR Program

### **PROCLAMATIONS**

National Library Month  
Fire Relief Merchant Volunteers

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

Minutes of the Mayor and Council Regular Meeting - January 20, 2021  
Minutes of the Mayor and Council Regular Meeting – February 17, 2021  
Minutes of the Mayor and Council Closed Executive Session – February 17, 2021  
Minutes of the Mayor and Council Special Meeting – February 26, 2021  
Minutes of the Mayor and Council Workshop Meeting March 10, 2021  
Minutes of the Mayor and Council Closed Executive Session – March 10, 2021  
Minutes of the Mayor and Council Closed Executive Session – March 17, 2021

### **COMMITTEE REPORTS**

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

#### **ORDINANCE ON SECOND READING & FINAL PASSAGE** –Ordinance Number 2644-21

AN ORDINANCE AMENDING CHAPTER 5 “ORGANIZATION AND PERSONNEL,” SECTION 18 “HOSPITAL AND MEDICAL INSURANCE” OF THE CODE OF THE BOROUGH OF ROSELLE TO REAFFIRM CERTAIN EMPLOYEE BENEFITS  
[Proposed Public Hearing date April 21, 2021]

#### **ORDINANCE ON SECOND READING & FINAL PASSAGE** –Ordinance Number 2645-21

AN ORDINANCE AMENDING CHAPTER 523 OF THE BOROUGH CODE TO DESIGNATE A HANDICAP PARKING SPACE RESERVED FOR A SPECIFIC PERSON IN FRONT OF A CERTAIN RESIDENCE - [Proposed Public Hearing date April 21, 2021] – (Donna M. Jackson)

**ORDINANCE ON SECOND READING & FINAL PASSAGE** –Ordinance Number 2646-21

AN ORDINANCE AMENDING CHAPTER 523 OF THE BOROUGH CODE TO DESIGNATE A HANDICAP PARKING SPACE RESERVED FOR A SPECIFIC PERSON IN FRONT OF A CERTAIN RESIDENCE [Proposed Public Hearing April 21, 2021] – (MaaJiid Akbar)

**ORDINANCE ON SECOND READING & FINAL PASSAGE** –Ordinance Number 2647-21

CALENDAR YEAR 2021 ORDINANCE TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) [Proposed Public Hearing date April 21, 2021]

**ORDINANCE ON INTRODUCTION & FIRST READING** –Ordinance Number XXXX-21

AN ORDINANCE AMENDING CHAPTER 563 “CONSTRUCTION CODES, UNIFORM,” SECTION 2 “FEES” OF THE CODE OF THE BOROUGH OF ROSELLE TO UPDATE VARIOUS FEES

**ORDINANCE ON INTRODUCTION & FIRST READING** –Ordinance Number XXXX-21

AN ORDINANCE AMENDING CHAPTER 650 “LAND USE” OF THE CODE OF THE BOROUGH OF ROSELLE TO UPDATE THE LAND USE FEE SCHEDULE

**ORDINANCE ON INTRODUCTION & FIRST READING** –Ordinance Number XXXX-21

AMENDMENT TO CHAPTER 650 “LAND USE” OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, STATE OF NEW JERSEY, TO APPEND THE ZONING MAP, ENVIRONMENTAL IMPACT WORKSHEET, AND APPLICATION CHECKLISTS TO THE CODE

**ORDINANCE ON INTRODUCTION & FIRST READING** –Ordinance Number XXXX-21

ORDINANCE AUTHORIZING THE MAYOR TO REVOKE AN AGREEMENT FOR PAYMENT IN LIEU OF TAXES BETWEEN THE BOROUGH OF ROSELLE AND TELEFLORA REALTY GROUP URBAN RENEWAL ENTITY LLC PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW

**ORDINANCE ON INTRODUCTION & FIRST READING** –Ordinance Number XXXX-21

STORM WATER ORDINANCE [To Be Provided]

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

## **RESOLUTIONS**

<b><u>Assistant Borough Administrator</u></b>	
1.	Authorizing the Borough of Roselle to Enter Into a Contract With Trinitas Regional Medical Center, 300 North Ave., East, Cranford, New Jersey 07016 for an Employee Assistance Plan
<b><u>Department of Public Works</u></b>	
2.	Resolution Appointing Jermaine Randle Assistant Department of Public Works (DPW) Supervisor
3.	Resolution Appointing Damien Johnson Assistant Department of Public Works (DPW) Supervisor
<b><u>Economic Development</u></b>	
4.	Amending Resolution Number 2021-126 Authorizing and Directing the Borough of Roselle Planning Board to Determine Whether Certain Property Block 2601 Lots 10-16, Block 2602, Lots 7-17, Block 2603, Lots 4/4.01, 5-9 and Block 2901, Lots 14-19 in the Borough of Roselle, Union County, New Jersey Constitutes an Area in Need of Redevelopment and Approving Professional Planning Services in Connection Therewith
5.	Resolution Appointing Teicher Group as Redeveloper for Certain Properties Located Within the Borough of Roselle for the Property Commonly Known on the Borough Tax Maps as Block 3801, Lots 2.01, 4, 5, and 6
6.	Resolution Approving Financial Agreement With Oak Park Pursuant to NJSA 55:14K-37 <i>[To Be Provided]</i>
7.	One Resolution for a Month-to-Month Lease for J&J Car Care for Borough Property Use <i>[To Be Provided]</i>
<b><u>Engineering</u></b>	
8.	Resolution Authorizing Final Payment Based on As-Built Quantities and Release of Retainage for the FY2018 NJDOT Various Street Improvements Project (Wheatsheaf Road and West 9 <sup>TH</sup> Avenue) Funded by the New Jersey Department of Transportation (NJDOT) Local Aid Grant Program and the Municipality Within the Borough of Roselle, Union County, New Jersey
9.	Resolution Authorizing Final Payment Based on As-Built Quantities and Release of Retainage for the 2019 Various Roadway Improvement Project (William Street, Warren Street and Brooklawn Avenue) Funded by the Municipality Within the Borough of Roselle, Union County, New Jersey
10.	Resolution Authorizing Final Payment Based on As-Built Quantities and Release of Retainage for the 2020 Roselle Road Improvement Program East 7 <sup>TH</sup> Avenue (Walnut Street to Thompson Avenue) and Sheridan Avenue (East 7 <sup>TH</sup> Avenue to East St. Georges Avenue) Funded by the Municipality Within the Borough of Roselle, Union County, New Jersey
11.	Resolution for a Change Order Amendment to the Contract For S. Brothers, Inc., Regarding Additional Site Work for the Completion of the 1419 St. Georges Drainage Improvements Project

12.	Resolution Authorizing Professional Engineering Design Services in Connection With the 2021 Capital Road Improvements Program for East 5 <sup>TH</sup> Avenue (From Harrison Avenue to Chandler Avenue), Harrison Avenue (East 7 <sup>TH</sup> Avenue to East 3 <sup>RD</sup> Avenue) and Melville Terrace (East 6th Avenue to Terminus) Funded By the Municipality Within the Borough of Roselle, Union County, New Jersey
13.	Resolution Authorizing Professional Engineering Survey And Design Services In Connection With the 2021 Various Roadway Improvements Project for Leon Place (From Wenz Avenue to Rosewood Avenue), Wenz Place (From Leon Place to Thompson Avenue) and Morris Street (from Grand Street to 12th Avenue) Program Funded by the Municipality Within the Borough of Roselle, Union County, New Jersey
14.	Resolution Authorizing Geotechnical 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
15.	Resolution Authorizing Professional Engineering Design Services in Connection With the North Chestnut Street Streetscape Improvement Project Funded by the Municipality Within the Borough Of Roselle, Union County, New Jersey
16.	2019 Traffic Safety <i>[To Be Provided]</i>
<b><u>Finance</u></b>	
17.	Adoption of the 2021 Municipal Budget <i>[Pending Approval from the State]</i>
18.	Resolution Authorizing the Refund of a Code Enforcement Fee
19.	Resolution Canceling Grant Balance
20.	A Resolution Requesting Permission for the Dedication by Rider for Animal Control Fees Required by DLGS
21.	A Resolution Requesting Permission for the Dedication by Rider for Fire Department Donations Required by DLGS
22.	A Resolution Requesting Permission for the Dedication by Rider for Public Assistance Required by DLGS
23.	Cancel Improvement Authorization Funds - General Capital
<b><u>Grant Writer</u></b>	
24.	Resolution Authorizing the Filing of an Application With the New Jersey Hazardous Discharge Site Remediation Fund (HDSRF)
<b><u>Police Department</u></b>	
25.	Acceptance of the Resignation of School Crossing Guard Deborah Emanuel
26.	Acceptance of the Resignation of School Crossing Guard Lou Vata Williams
27.	Appointing Jean R. Durogene Alternate School Crossing Guard
28.	Appointing William A. Carter Alternate School Crossing Guard
29.	Authorizing the Police Department to Dispose of Abandoned and Unclaimed Bicycles by Public Auction
<b><u>Tax Assessor</u></b>	
30.	A Resolution Concerning the East First Avenue Storage Urban Renewal, LLC Block 403, Lot 1

**PAYMENT OF BILLS**

31.	A Bills List Dated April 21, 2021 <i>[To Be Provided]</i>
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**[Workshop Meeting Continued]**

**COUNCIL COMMENT**

**MAYOR'S COMMENTS**

**ADJOURNMENT**

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2021-144**

**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
- Litigation Matters

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

This resolution shall take effect immediately.

I, Lydia D. Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Workshop meeting of said Council held April 14, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 14<sup>th</sup> day of April 2021.

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Lydia D. Massey, Acting Municipal Clerk

# **BOROUGH OF ROSELLE**



## **RESOLUTION NUMBER 2021-145**

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Roselle that Tahjaquan Carter, James Corbett, Isaiah Farrar, Cornelius Jenkins, Christian Iferika and Dontay Payne are hereby appointed to the position of Seasonal Temporary Laborer in the Department of Public Works in the Borough of Roselle, effective April 15, 2021, not to exceed six (6) months, at the salary of \$13.00 per hour, from account 1-01-26-291-000-112.

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

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, at a Workshop meeting of said Council held April 14, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey, this 14<sup>th</sup> day of March, 2021.

\_\_\_\_\_  
Lydia Massey  
Acting Borough Clerk

Certification of Availability of Funds:  
(Account# 1-01-26-291-000-112)

\_\_\_\_\_  
Anders T Hasseler  
Anders Hasseler, CFO

09 Apr 21  
\_\_\_\_\_  
Date



# **BOROUGH OF ROSELLE**



## **RESOLUTION NUMBER 2021-146**

### **RESOLUTION REGARDING THE 2021 MUNICIPAL BUDGET PUBLIC HEARING**

**WHEREAS**, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing if providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the municipal Building, the local public library, and copies have been made available by the Clerk to persons requesting them; and

**WHEREAS**, these conditions have been met;

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, that the budget shall be read by title only.

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 Workshop meeting of said Council held April 14, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 14<sup>th</sup> day of April, 2021.

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Lydia Massey,  
Acting Borough Clerk

## **BOROUGH OF ROSELLE**



### **RESOLUTION NUMBER 2021-147**

#### **A RESOLUTION DESIGNATING AUTHORIZED SIGNERS FOR BANK ACCOUNTS OF THE BOROUGH OF ROSELLE**

**WHEREAS**, N.J.S.A. 40A:5-17.b(2) provides that checks drawn by a municipality be signed by the mayor or other chief executive officer and the municipal clerk and countersigned by such other officer or officers as designated, and

**WHEREAS**, Section 10-5 of the Borough Code provides that checks shall be signed by the Mayor, Clerk and countersigned by the Borough Chief Financial Officer or Borough Administrator, and that said signatures may be affixed by signature stamp, in accordance with the provisions of said section.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey that the following individuals are so designated by the Borough as authorized signatories are Donald Shaw, Mayor; Lydia D. Massey, Acting Municipal Clerk; Anders T. Hasseler, Chief Financial Officer; and Rick Smiley, Borough Administrator; and

**BE IT RESOLVED**, the Borough of Roselle has amounts on deposit under the following bank accounts:

- Current Account
- Grant Account
- Green Acres Account
- Trust Account
- Outside Police Trust
- General Capital
- Animal Control
- Federal Special Law Enforcement
- Public Assistance Trust
- Escrow Main Disbursement
- Public Defender Trust
- Tax Premium Trust
- Tax Redemption Trust
- Salary Account
- Salary Deduction Trust
- Special Law Enforcement Fund
- State Unemployment Insurance Trust
- Library Grant and Lease

Public Offenders Adjudication Act  
Municipal Court Bail  
Municipal Court Fines  
On-Line Tax Payments

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Roselle, that the following individuals are so designated and recognized by the Borough as authorized signatories are Donald Shaw, Mayor, Lydia D. Massey, Acting Municipal Clerk, Anders T. Hasseler, Chief Financial Officer; Rick Smiley, Borough Administrator and Michael Schnurr, Tax Collector for the following bank accounts:

Redemption Trust  
Tax Premium Account  
On-Line Tax Payments

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Roselle, that the following individuals are so designated and recognized by the Borough as authorized signatories are Anders T. Hasseler, Chief Financial Officer and Rick Smiley, Borough Administrator for the following bank account:

Land use Escrow Account

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Roselle, that the following individuals are so designated and recognized by the Borough as authorized signatories are Carl L. Marshall, Municipal Judge, and Nicole Bailey, Court Administrator for the following bank account:

Municipal Court Bail Account  
Municipal Court Fines Account

**BE IT FURTHER RESOLVED**, that the effective date of this resolution shall be April 21, 2021.

**BE IT FURTHER RESOLVED**, that a certified copy of the resolution be forwarded to the official depository of the Borough of Roselle with signature cards reflecting the aforementioned officials.

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Lydia D. Massey  
Acting Municipal Clerk

Dated: April 14, 2021

## **BOROUGH OF ROSELLE**



### **RESOLUTION NUMBER 2021-148**

#### **RESOLUTION AUTHORIZING THE PURCHASE OF TRASH TRUCKS THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING COUNCIL (ESCNJ)**

**WHEREAS**, the Borough of Roselle is in need of two (2) Automated Sideloader Trash Trucks; and

**WHEREAS**, pursuant to Resolution No. 2021-060, the Borough of Roselle is a member of the Educational Services Commission of New Jersey Cooperative Pricing Council (ESCNJ); and

**WHEREAS**, N.J.S.A. 52:34-6.2, as amended by P.L. 2011, c.139, authorizes the Borough to purchase goods or to contract for services through the use of a nationally-recognized and accepted cooperative purchasing system that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available; and

**WHEREAS**, the nationally-recognized Educational Services Commission of New Jersey Cooperative Pricing Council (ESCNJ), located in Piscataway, New Jersey, offers voluntary participation in its cooperative purchasing system for the purchase of goods and services from ESCNJ vendors and purchases through ESCNJ comply with the Local Public Contract Law Requirements; and

**WHEREAS**, the Borough of Roselle wishes to purchase the following items through the ESCNJ vendor, Sanitation Equipment Corp., 80 Furler Street, Totowa, NJ 07512:

Automated Sideloader Trash Truck

**WHEREAS**, The Chief Financial Officer has certified that sufficient funds are available under Bond Ordinance 2643-21, Capital Budget Account# **C-04-55-264-003-003** in the amount of \$649,800.00;

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

1. That a contract is awarded to Sanitation Equipment Corp. for the purchase of the above-referenced Trash Trucks through ESCNJ for a total purchase price not-to-exceed \$649,800.00.

2. That an executed copy of the Contract between the Borough and Sanitation Equipment Corp. 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.

3. 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.

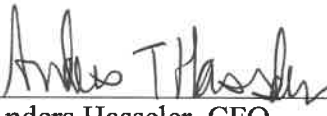
4. This Resolution shall take effect immediately.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Workshop meeting of said Council held April 14, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 14<sup>th</sup> day of April 2021.

\_\_\_\_\_  
Lydia Massey  
Acting Borough Clerk

Certification of Availability of Funds:  
(Account#C-04-55-264-003-003 )

  
Anders Hasseler, CFO

Date:



## **BOROUGH OF ROSELLE**



### **ORDINANCE NUMBER 2644-21**

#### **AN ORDINANCE AMENDING CHAPTER 5 “ORGANIZATION AND PERSONNEL,” SECTION 18 “HOSPITAL AND MEDICAL INSURANCE” OF THE CODE OF THE BOROUGH OF ROSELLE TO REAFFIRM CERTAIN EMPLOYEE BENEFITS**

**WHEREAS**, the Borough Council previously adopted Ordinance 2394-11 on March 16, 2011 amending the Borough Code to specify certain benefits extended to both current employees and retirees; and

**WHEREAS**, the Borough Council subsequently undertook an extensive recodification process that spanned many years, finally resulting in the readoption of the entire Borough Code on August 21, 2019; and

**WHEREAS**, the Borough Council wishes to readopt the provisions of Ordinance 2394-11, as they were inadvertently excluded from the readoption of the Borough Code in 2019.

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

#### **Section 1. Amendment of § 5-18 Hospital and medical insurance.**

Chapter 5 “Organization and Personnel,” Section 5 “Hospital and medical insurance” of the Code of the Borough of Roselle is hereby amended by replacing Subsection A in its entirety with the following:

- A.** In addition to the above salaries and longevity compensation, the Borough shall pay full contributions, except for any negotiated or legally mandated employee contributions, for prescription, hospital, and medical insurance for all current and retired employees and their dependents. If the retired employee predeceases the dependents, the dependents shall continue to be covered at no cost to the dependents. As to a surviving spouse, the benefits shall continue until the spouse remarries. Upon reaching eligibility for Medicare, the Borough agrees to reimburse a retiree and his/her spouse (unless the spouse remarries) for Medicare premiums and continue to pay for secondary or supplemental insurance, including prescriptions, after becoming enrolled in Medicare Parts A and B. The Borough may change insurance carriers so long as the new carrier provides equivalent or better benefits and co-pays to the prior plan.

#### **Section 2. Severability**

If any section, subsection, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions

of this ordinance, which shall continue in full force and effect, and to this end the provisions of this ordinance are hereby declared to be severable.

### **Section 3. Repeal of Inconsistent Ordinances**

All ordinances or part of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

### **Section 4. Effective Date**

This ordinance shall become effective immediately or as prescribed by law.

#### **Recorded Vote on Introduction Ordinance No. 2644-21 – March 17, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda			x			
Councilman Bernier	x		x			
Councilwoman Johnson		x	x			
Councilwoman Thomas			x			
Councilman Fortuna			x			
Councilwoman Wilkerson			x			

#### **Recorded Vote on Final Passage of Ordinance No. 2644-21 – April 21, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

☐ Approved

☐ Vetoed and returned to the Municipal Clerk with the following statement and objections:

\_\_\_\_\_  
Donald Shaw, Mayor

DATE:

NOTICE is hereby given that Ordinance Number 2644-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council April 21, 2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ or via ZOOM ID# 835 9429 9741//Phone 1-929-205-6099US (New York).

\_\_\_\_\_  
Lydia D. Massey, Acting Municipal Clerk

# **BOROUGH OF ROSELLE**



## **ORDINANCE NUMBER 2645-21**

### **AN ORDINANCE AMENDING CHAPTER 523 OF THE BOROUGH CODE TO DESIGNATE A HANDICAP PARKING SPACE RESERVED FOR A SPECIFIC PERSON IN FRONT OF A CERTAIN RESIDENCE**

**WHEREAS**, the Police Department has received an application for a personalized handicap parking space pursuant to N.J.S.A. 39:4-197.7 along with the requisite \$25 fee; and

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

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

1. Article III of Chapter 523 of the "Code of the Borough of Roselle" is amended by adding the following to § 523-38 – Restricted Handicap Parking Spaces

Section 523-138, Schedule XXIX – Restricted handicap parking spaces reserved for a specific person in front of a certain residence:

<b>Address of Residence</b>	<b>Street</b>	<b>Location</b>	<b>Name of Person</b>	<b>Placard#</b>
<b>408 Grand Street</b>	<b>Grand Street</b>	<b>South side of street</b>	<b>Donna M. Jackson</b>	<b>P1956387</b>

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

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



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

**Recorded Vote on Introduction Ordinance No. 2645-21 – March 17, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda		x	x			
Councilman Bernier			x			
Councilwoman Johnson			x			
Councilwoman Thomas			x			
Councilman Fortuna	x		x			
Councilwoman Wilkerson			x			

**Recorded Vote on Final Passage of Ordinance No. 2645-21 – April 21, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

\_\_\_ Approved

\_\_\_ Vetoed and returned to the Municipal Clerk with the following statement and objections:

\_\_\_\_\_  
Donald Shaw, Mayor

DATE:

NOTICE is hereby given that Ordinance Number 2645-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council April 21, 2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ or via ZOOM ID# 835 9429 9741/Phone 1-929-205-6099US (New York).

\_\_\_\_\_  
Lydia D. Massey, Acting Municipal Clerk

# **BOROUGH OF ROSELLE**



## **ORDINANCE NUMBER 2646-21**

### **AN ORDINANCE AMENDING CHAPTER 523 OF THE BOROUGH CODE TO DESIGNATE A HANDICAP PARKING SPACE RESERVED FOR A SPECIFIC PERSON IN FRONT OF A CERTAIN RESIDENCE**

**WHEREAS**, the Police Department has received an application for a personalized handicap parking space pursuant to N.J.S.A. 39:4-197.7 along with the requisite \$25 fee; and

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

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

1. Article III of Chapter 523 of the "Code of the Borough of Roselle" is amended by adding the following to § 523-38 – Restricted Handicap Parking Spaces

Section 523-138, Schedule XXIX – Restricted handicap parking spaces reserved for a specific person in front of a certain residence:

<b>Address of Residence</b>	<b>Street</b>	<b>Location</b>	<b>Name of Person</b>	<b>Placard#</b>
<b>408 Grand Street</b>	<b>Grand Street</b>	<b>South side of street</b>	<b>MaaJiid Akbar</b>	<b>P1815625</b>

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

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

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

**Recorded Vote on Introduction Ordinance No. 2646-21 – March 17, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda			x			
Councilman Bernier	x		x			
Councilwoman Johnson			x			
Councilwoman Thomas			x			
Councilman Fortuna		x	x			
Councilwoman Wilkerson			x			

**Recorded Vote on Final Passage of Ordinance No. 2646-21 – April 21, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

\_\_\_ Approved

\_\_\_ Vetoed and returned to the Municipal Clerk with the following statement and objections:

\_\_\_\_\_  
Donald Shaw, Mayor

DATE:

NOTICE is hereby given that Ordinance Number 2646-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council April 21, 2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ or via ZOOM ID# 835 9429 9741/Phone 1-929-205-6099US (New York).

\_\_\_\_\_  
Lydia D. Massey, Acting Municipal Clerk

# **BOROUGH OF ROSELLE**



## **ORDINANCE NUMBER 2647-21**

### **CALENDAR YEAR 2021 ORDINANCE TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 1.00% unless authorized by ordinance to increase it to 3.5% over the previous years final appropriations; and,

**WHEREAS**, a municipality may, by ordinance, bank the difference between its final budget appropriations and the 3.5% increase authorized by this ordinance when said difference is not appropriated as part of the final budget; and,

**WHEREAS**, the Borough Council of the Borough of Roselle, County of Union, hereby determines that this difference in the amount of \$861,718.16 that is not appropriated as part of the final 2021 budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

#### **Recorded Vote on Introduction Ordinance No. 2647-21 – March 17, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda			X			
Councilman Bernier	X		X			
Councilwoman Johnson			X			
Councilwoman Thomas			X			
Councilman Fortuna		X	X			
Councilwoman Wilkerson			X			

**Recorded Vote on Final Passage of Ordinance No. 2647-21 – April 21, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

☐ Approved

☐ Vetoed and returned to the Municipal Clerk with the following statement and objections:

\_\_\_\_\_  
Donald Shaw, Mayor

DATE:

NOTICE is hereby given that Ordinance Number 2647-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council April 21, 2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ or via ZOOM ID# 835 9429 9741/Phone 1-929-205-6099US (New York).

\_\_\_\_\_  
Lydia D. Massey, Acting Municipal Clerk

## **BOROUGH OF ROSELLE**



### **ORDINANCE NUMBER XXXX-21**

#### **AN ORDINANCE AMENDING CHAPTER 563 "CONSTRUCTION CODES, UNIFORM," SECTION 2 "FEES" OF THE CODE OF THE BOROUGH OF ROSELLE TO UPDATE VARIOUS FEES**

**WHEREAS**, N.J.A.C. 5:23-2.25 requires municipalities to establish certain fees relative to the enforcement of the Uniform Construction Code; and

**WHEREAS**, the Construction Official has recommended certain modifications to the Borough's construction fee schedule to the Borough Council.

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

#### **Section 1. Replacement of §563-2 Fees.**

Chapter 563 "Construction Codes, Uniform," Section 2 "Fees" of the Code of the Borough of Roselle is hereby deleted in its entirety and replaced with the following:

#### **§563-2 Fees.**

Uniform Construction Code fees shall be as follows:

##### **A. Plan review fee.**

- (1) The fee for plan review shall be 20% of the construction permit fee and shall be paid before the plans are reviewed. The fee shall be credited toward the fee for the construction permit but shall not be refundable in the event a permit is not issued.

##### **B. Building Subcode fees.**

- (1) New construction and additions.

- (a) Use Groups R-3 and R-5: \$0.06 per cubic foot
- (b) All other Use Groups: \$0.08 per cubic foot
- (c) Minimum fee for new construction:
  - [1] Use Groups R-3 and R-5: \$200
  - [2] All other Use Groups: \$500

- (2) Renovations, alterations, and repairs.

- (a) All Use Groups: \$30 per \$1,000 of estimated cost of construction
- (b) Roofing and siding for Use Groups R-3 and R-5: \$150

- (3) Temporary structures.
  - (a) Tents, construction trailers, air supported structures, etc.: \$100
- (4) Retaining walls.
  - (a) Use Groups R-3 and R-5:
    - [1] Surface area less than or equal to 550 square feet: \$100
    - [2] Surface area greater than 550 square feet: \$175
  - (b) All other Use Groups: \$30 per \$1,000 of estimated cost of construction
- (5) Fences (over six feet in height or built in association with an in-ground pool).
  - (a) Use Groups R-3 and R-5: \$75
  - (b) All other Use Groups: \$150
- (6) Swimming pools.
  - (a) Above-ground: \$150
  - (b) In-ground: \$500
- (7) Lead abatement.
  - (a) Lead hazard abatement work permit: \$200
  - (b) Lead abatement clearance certificate: \$100
- (8) Asbestos abatement.
  - (a) Asbestos abatement work permit: \$150
  - (b) Asbestos abatement clearance certificate: \$100
- (9) Demolition permit.
  - (a) Use Groups R-3 and R-5: \$500
  - (b) Residential accessory structures: \$150
  - (c) All other Use Groups: \$2,500
- (10) Signs.
  - (a) Surface area of the sign, computed on one side only for double-faced signs: \$6 per square foot
  - (b) Minimum fee: \$125
- (11) Certificate of Occupancy fees.
  - (a) Use Groups R-3 and R-5:
    - [1] 10% of the permit fee, including all updates
    - [2] Minimum fee: \$150
    - [3] Temporary Certificate of Occupancy: \$100
  - (b) All other Use Groups:
    - [1] 10% of the permit fee, including all updates
    - [2] Minimum fee: \$300
    - [3] Temporary Certificate of Occupancy: \$200

**C. Plumbing Subcode fees.**

- (1)** All plumbing fixtures, stacks and vents, including but not limited to all sinks, urinals, water closets, bathtubs, fountains, dishwashers, garbage disposals, clothes washers, floor drains, roof drains, including roof leaders, or similar devices.
  - (a)** Per fixture: \$30
- (2)** Special devices, grease traps, oil, sewage ejector, separators, water-cooled air conditioning, sump pump, gas piping, and water lines.
  - (a)** Per unit: \$100
  - (b)** Utility service connections, sewer and water
    - [1]** Use Groups R-3 and R-5: \$150
    - [2]** All other Use Groups: \$250
- (3)** Boilers, furnaces and hot air furnace replacements (including AC condenser unit replacements).
  - (a)** Fee per unit: \$90
  - (b)** Gas air test six (6) month shut-off only: \$90
  - (c)** Steam or hot-water boiler (need backflow preventer): \$75
- (4)** Hot water heaters.
  - (a)** Use Groups R-3 and R-5, per unit: \$75
  - (b)** All other Use Groups: \$125
- (5)** Backflow and pressure-reducing devices.
  - (a)** Backflow preventer for residential home only: \$35
  - (b)** Industrial backflow preventer: \$90
  - (c)** Backflow preventer for lawn sprinkler: \$75
  - (d)** Backflow preventer yearly test: \$150
- (6)** Oil tank piping.
  - (a)** For tanks less than 550 gallons: \$75
  - (b)** For tanks equal to or greater than 550 gallons: \$100
  - (c)** Oil storage tank with double wall containment: \$125
- (7)** Water and sewer capping: \$150
- (8)** Minimum Plumbing Subcode fee.
  - (a)** Use Groups R-3 and R-5: \$90
  - (b)** All other Use Groups: \$125

**D. Mechanical Subcode fees.**

The following fees shall only apply to existing R-3 and R-5 dwellings. New construction and all other Use Groups do not apply to this subsection. Mechanical shall be submitted in lieu of plumbing and fire.

- (1)** Boilers, furnaces, and HVAC: \$150
- (2)** Generators: \$150



- (3) Water heaters: \$75
- (4) Chimney liners: \$100
- (5) Gas piping: \$75

**E. Electrical Subcode fees.**

- (1) Receptacles, switches, and fixtures, including smoke detectors, intercom devices, and burglar alarms.
  - (a) 1 to 50: \$80
  - (b) Each additional 25: \$40
  - (c) Parking lot light standards, each: \$50
- (2) Motors and electrical devices, including control equipment, all heating, cooking, or other devices consuming or generating electrical current.
  - (a) 0 to 10 hp: \$50
  - (b) 10.1 to 25 hp: \$100
  - (c) 25.1 to 50 hp: \$150
  - (d) 50.1 to 75 hp: \$175
  - (e) 75.1 to 100 hp: \$250
  - (f) Greater than 100 hp: \$500
- (3) Transformers and generators (including primary transforms, vaults, enclosures, substations [each bank of transformers], generators, etc.).
  - (a) 0 to 10 kW: \$50
  - (b) 10.1 to 50 kW: \$125
  - (c) 50.1 to 112.5 kW: \$175
  - (d) Greater than 112.5 kW: \$500
- (4) Service equipment, including service panel, service entrance and subpanel.
  - (a) 0 to 150 amperes: \$150
  - (b) 151 to 300 amperes: \$200
  - (c) 301 to 450 amperes: \$300
  - (d) 451 to 650 amperes: \$500
  - (e) Greater than 650 amperes: \$800
- (5) Solar equipment.
  - (a) Photovoltaic systems.
    - [1] 1 to 50 kW: \$100
    - [2] 51 to 100 kW: \$200
    - [3] Greater than 100 kW: \$500
  - (b) Solar systems (back feed breakers shall be listed as a subpanel).
    - [1] 0 amperes to 100 amperes: \$50
    - [2] 101 amperes to 200 amperes: \$75
    - [3] 201 amperes to 1,000 amperes: \$175
    - [4] Greater than 1,000 amperes: \$250
  - (c) Photovoltaic modules/inverters.

- [1] First 40 panels: \$150
- [2] 41 panels to 100 panels: \$225
- [3] 101 to 200 panels: \$300
- [4] Greater than 200 panels: \$450

**(6) Low voltage service equipment.**

- (a)** Alarms for Use Groups R-3 and R-5: \$75
- (b)** Alarms for all other Use Groups:

- [1] 1 to 25 contacts: \$175
- [2] Each additional 25 contacts: \$50

**(c) Telephone and data points.**

- [1] 1 to 50 contacts: \$150
- [2] Each additional 25 contacts: \$50

**(7) High voltage service minimum fee: \$700**

**(8) Swimming pools.**

Pursuant to N.J.A.C. 5:23-4.20(c)(2)(iii)(6), the fee for an above-ground pool or in-ground pool shall include any required bonding and associated equipment such as filter pumps, motors, disconnecting means, switches, require receptables, and heaters, etc., excepting panel boards and underwater lighting fixtures.

- (a)** Above-ground pool: \$150
- (b)** In-ground pool: \$300
- (c)** Annual inspection fee (all pools, other than private pools which are accessory to one- and two-family homes, are subject to an annual electrical inspection): \$100

**(9) Smoke alarms, fire alarm devices for all Use Groups other than R-3 and R-5.**

- (a)** First 20 devices: \$125
- (b)** Each additional 25 devices: \$50

**(10) Minimum Electrical Subcode fee.**

- (a)** Use Groups R-3 and R-5: \$90
- (b)** All other Use Groups: \$125

**F. Fire Subcode fees.**

**(1) Sprinklers, wet and dry, based upon the number of heads being installed.**

- (a)** 1 to 20 heads: \$200
- (b)** 21 to 100 heads: \$400
- (c)** 101 to 200 heads: \$600
- (d)** 201 to 400 heads: \$900
- (e)** 401 to 1,000 heads: \$1,400
- (f)** Greater than 1,000 heads: \$1,600

**(2) Smoke and heat detectors.**

- (a) 1 to 8: \$90
  - (b) Each additional 8: \$40
- (3) Pre-engineered systems.
  - (a) CO<sub>2</sub> suppression: \$200
  - (b) Halon suppression: \$200
  - (c) Foam suppression: \$200
  - (d) Dry chemical: \$200
  - (e) Wet chemical: \$200
- (4) Standpipe: \$350
- (5) Standalone sprinkler system water main, designated under NFPA 13: \$250 per main
- (6) Kitchen hood exhaust system: \$125
- (7) Incinerators: \$1,000
- (8) Crematoriums: \$1,000
- (9) Gas, oil, or wood-fired appliance: \$90
- (10) Chimney liners: \$100 per flue
- (11) Exit and emergency lighting, including exit discharge lighting.
  - (a) 1 to 5: \$90
  - (b) Each additional 5: \$40
- (12) Fuel storage tanks.
  - (a) Unregulated storage tank.
    - [1] Installation pursuant to DCA Bulletin 95-1A: \$150
    - [2] Removal pursuant to DCA Bulletin 95-1B: \$150
  - (b) Regulated storage tank.
    - [1] Installation pursuant to DCA Bulletin 95-1C: \$1,500
    - [2] Removal pursuant to DCA Bulletin 95-1D: \$1,000
  - (c) Emergency shutoff device and gasoline dispensers: \$150 per device
- (13) Minimum Fire Subcode fees.
  - (a) Use Groups R-3 and R-5: \$90
  - (b) All other Use Groups: \$125

**G. Certificate of Continued Occupancy.**

- (1) All Use Groups: \$200
- (2) Change in use, all Use Groups: \$400
- (3) Reinspection of any of the above: \$75

**H. Variations pursuant to N.J.A.C. 5:23-2.10.**

- (1) Class I structures: \$500
- (2) Class II and III structures: \$150

**I. Non-use; lapse of permits.**

- (1) In the event that a permit once issued and paid for shall not be exercised or constructed, the permittee shall be entitled to a refund in the amount of the fees paid upon written application therefor and return of permit issued, less the 20% designated plan review fee.
- (2) In the event that a permit has lapsed by passage of time, the fee upon application of renewal shall be the full cost of the permit.

**J. General provisions.**

- (1) All debris must be disposed of by the contractor or by owners as required by law, as per the Department of Environmental Protection.
- (2) Removal or approval of soil being brought into the Borough must be regulated by the Borough Engineer.
- (3) For purposes of determining the estimated cost, the applicant shall submit to the Borough enforcing agency cost data produced by an architect or engineer of record or by a recognized estimating firm and will make the final decision regarding cost. All fee cost or fractions thereof shall be rounded off to the next highest dollar amount. Combinations of renovations and additions shall be computed separately.
- (4) Receipt of a fully completed application for a permit, signed by the applicant, is a prerequisite for conducting inspections and issuing permits.
- (5) All fees set forth shall cover the cost of two inspections made on any one application.
- (6) Each additional inspection on any one application shall require a minimum reinspection fee of \$75.
- (7) An authorized representative of the applicant having knowledge of the work being performed must be present at the work site for each inspection to be made.
- (8) After-working hours or Saturday inspections may be scheduled at the discretion of the inspector. The charge shall be \$150 per hour, with a four-hour minimum, in addition to the fees set forth in this section.
- (9) The estimated cost (value) of work for any subcode includes all costs normally associated with the work such as labor, materials, and contractor's profit. The amounts entered on forms shall be subject to review by the Construction Official who may approve or modify them as required by N.J.A.C. 5.23-2.14.

**K. Waiver of enforcing fees for the following:**

- (1) Construction performed by or on behalf of the Borough of Roselle, County of Union, or State of New Jersey.
- (2) Construction for a public building owned by the County of Union or Borough of Roselle Board of Education.

**L. Temporary Certificate of Occupancy**

- (1) May be issued by the Construction Official, provided that the building has been substantially completed to meet all the requirements of the Uniform Construction Code of the State of New Jersey and the plans and specifications which were filed with the Building Department. If one or more of the items has not been completed, then the applicant must post a cash escrow with the Building Department until such items are completed. Escrow will be charged the

same as the trades of today to be determined by the Construction Official. No interest will be paid on escrow being held.

- (a) Final grading and seeding
- (b) Final on-premises finished, blacktop paving course

(2) Temporary Certificates of Occupancy are valid for no more than 60 days.

### **Section 2. Severability**

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

### **Section 3. Effective Date**

This ordinance shall become effective immediately or as prescribed by law.

### **Recorded Vote on Introduction Ordinance No. XXXX-21 – April 21, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

### **Recorded Vote on Final Passage of Ordinance No. XXXX – May , 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

\_\_\_\_ Approved

\_\_\_\_ Vetoed and returned to the Municipal Clerk with the following statement and objections:

\_\_\_\_\_  
Donald Shaw, Mayor

DATE:

NOTICE is hereby given that Ordinance Number xxxx-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council \_\_\_\_ 2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ or via ZOOM ID# 835 9429 9741 /Phone 1-929-205-6099US (New York).

\_\_\_\_\_  
Lydia D. Massey, Acting Municipal Clerk

# **BOROUGH OF ROSELLE**



## **ORDINANCE NUMBER XXXX-21**

### **AN ORDINANCE AMENDING CHAPTER 650 "LAND USE" OF THE CODE OF THE BOROUGH OF ROSELLE TO UPDATE THE LAND USE FEE SCHEDULE**

**WHEREAS**, the Borough Council has reviewed the Land Use Chapter of the Borough Code and desires to update and officially adopt the following Land Use Fee Schedule.

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

#### **Section 1. Amendment**

Chapter 650 "Land Use," Article XI "Administration, Enforcement and Fees" of the Code of the Borough of Roselle is hereby amended by inserting the following section immediately after **§650-86 Violations and penalties**. Chapter 650 shall be further amended by renumbering all subsequent sections to consecutively follow the new section.

#### **§650-87 Fees and escrow deposits.**

##### **A. Fees.**

- (1) Fees for applications or for the rendering of any service by the Boards or any member of their administrative staffs shall be as follows:

Fees for applications or for the rendering of	<b>Application Fee</b>	<b>Escrow</b>
<b><i>Relief from use regulation</i></b>		
1 or 2 family	\$250/variance	\$500
3 or more units	\$250/variance	\$1,500
Commercial/business use	\$300/variance	\$1,500
Industrial	\$300/variance	\$1,500

	<b>Application Fee</b>	<b>Escrow</b>
<b><i>Relief from bulk regulations/site req. (each)</i></b>		
Sign variance	\$200	
Floodplain variance	\$250	
Bulk variances – 1 or 2 family	\$200 + \$50/variance	
Bulk variances – other residential	\$200 + \$100/variance	
Bulk variances – non-residential	\$200 + \$100/variance	

	<b>Application Fee</b>	<b>Escrow</b>
--	------------------------	---------------

<b><i>Conditional use authorization</i></b>		
1 or 2 family	\$250 res. & \$300 non-res.	
Other residential	\$250 res. & \$300 non-res.	
Non-residential	\$250 res. & \$300 non-res.	
Cond use without site plan or subdivision	\$250 res. & \$300 non-res.	
Cond use with site plan or subdivision	\$250 res. & \$300 non-res.	

	<b>Application Fee</b>	<b>Escrow</b>
<b><i>Preliminary site plan</i></b>		
1 or 2 units	\$0	\$500
3 or more units	\$0	\$1,500
Other residential	\$200 + \$50/1,000 SF floor area	\$1,500
Non-residential, lot area 0 to 20,000 SF	\$200 + \$50/1,000 SF floor area	\$1,500
Non-residential, lot area 20,000 to 50,000 SF	\$200 + \$50/1,000 SF floor area	\$3,000
Minor		\$1,000 min.
Major		\$1,500 min.

	<b>Application Fee</b>	<b>Escrow</b>
<b><i>Final site plan</i></b>		
1 to 6 units		\$2,500
Non-res, lot area 0 to 20,000 SF		\$3,500
Non-res, lot area 20,00 to 50,000 SF		\$4,500

	<b>Application Fee</b>	<b>Escrow</b>
<b><i>Subdivision</i></b>		
Sketch plan for major subdivision		\$500
Preliminary minor	\$300 + \$50 for each lot over 3 lots	\$750
Preliminary major	\$400 + \$100/lot	\$1,500
Final minor	\$400 + \$100/lot	\$750
Final major	\$400 + \$100/lot	\$1,500

	<b>Application Fee</b>	<b>Escrow</b>
<b><i>Miscellaneous items</i></b>		
Hearing scheduled for special meeting	\$350/meeting	
Special professional meeting	\$350/meeting	
Development Review Committee	\$250/meeting	
Legal notice publication fee	Actual cost of publication	

**(2) Fees for inspection of constructed improvements.**

- (a) Each applicant shall pay all reasonable costs for the municipal inspection of the construction site and off-site improvements. An escrow fund will be established with the Borough before construction begins and such funds shall be used to pay the fee and costs of professional services employed by the Borough to inspect the construction.
- (b) An initial fee, except for extraordinary circumstances, of the greater of \$500 or 5% of the cost of improvements shall be deposited prior to the issuance of any construction permit. The estimated cost of improvements shall be calculated by the Borough Engineer based on documented construction costs for public improvements prevailing in the general area of the municipality. For those developments for which the reasonably anticipated fees are less than \$10,000, fees may, at the option of the developer, be paid in two installments. The initial amount deposited by a developer shall be 50% of the reasonably anticipated fees. When the balance on deposit drops to 10% of the reasonably anticipated fees because the amount deposited by the developer has been reduced by the amount paid for inspections, the developer shall deposit the remaining 50% of the anticipated inspection fees. For those developments for which the reasonably anticipated fees are \$10,000 or greater, fees may, at the option of the developer, be paid in four installments. The initial amount deposited by a developer shall be 25% of the reasonably anticipated fees. When the balance on deposit drops to 10% of the reasonably anticipated fees because the amount deposited by the developer has been reduced by the amount paid for inspections, the Borough Chief Financial Officer shall provide the developer with a notice of insufficient deposit balance and the developer shall make additional deposits of 25% of the reasonably anticipated fees. The Borough Engineer shall not perform any inspection if sufficient funds to pay for those inspections are not on deposit, except that any required health and safety inspections shall be made and charged back against the replenishment of funds. If an inspection deposit contains insufficient funds to enable the Borough to perform required improvement inspections, the Borough Chief Financial Officer shall provide the developer with a notice of insufficient deposit balance. In order for work to continue on the development, the developer shall within 10 days post a deposit to the account in an amount to be agreed upon by the Borough and the developer. Upon the improvements being approved, the deposit shall be closed out in the same manner as is set forth for escrow accounts subsection.



**(3) All fees shall be paid as follows:**

- (a)** Fees shall be paid at the time of application.
- (b)** In the event that the application is for more than one category of relief or action, the fee shall consist of the total or the normal fees for each category of action.
- (c)** Additional fees. Applicants shall be required to pay any extraordinary costs relating to subdivision, site plan, or conditional use review and/or approval. Applicants shall be required to pay all inspection fees for professionals with respect to the installation of improvements. All such fees and charges shall be based upon a schedule established by resolution of the Borough Committee.
- (d)** Transcribing fees. The Boards may require the taking of testimony stenographically and having the same transcribed, the cost of which shall be borne and paid for by the appellant or applicant. The Boards may require such deposit to be made for such purposes as shall be reasonable in the circumstances.

**(4) Escrow account.**

- (a)** The escrow account is established to provide payment for the technical and professional costs of the review of applications and the review and preparation of documents and is based on the fee schedule of this section. Reviewing applications shall include, but shall not be limited to, all time spent at meetings by the professional staff.
- (b)** All deposits for technical, professional review and inspection fees shall be kept in an escrow account for that purpose by the Borough. This account shall be managed by the Chief Financial Officer of the Borough, in accordance with the terms of this section.
- (c)** Whenever an amount of money in excess of \$5,000 shall be deposited by an applicant with the Borough for professional services employed by the Borough or the approving Board to review applications for development, municipal inspection fees in accordance with this chapter, or to satisfy the guaranty requirements of this chapter, the money, until repaid or applied to the purposes for which it was deposited, including the applicant's portion of the interest earned thereon, except as otherwise provided by law, shall continue to be the property of the applicant and shall be held in trust by the Borough. Money deposited shall be held in escrow. The Borough receiving the money shall deposit it in a banking institution or savings and loan association in this state insured by an agency of the federal government or in any other fund or depository approved for such deposits by the state, in an account bearing interest at the minimum rate currently paid by the institution or depository on time or savings deposits. The Borough shall notify the applicant, in writing, of the name and address of the institution or depository in which the deposit is made and the amount of the deposit. The municipality shall not be required to refund an amount of interest paid on a deposit which does not exceed \$100 for the year. If the amount of interest exceeds \$100, that entire amount shall belong to the applicant

and shall be refunded to the applicant by the Borough annually or at the time the deposit is repaid or applied to the purposes for which it was deposited, as the case may be; except that the municipality may retain for administrative expenses a sum equivalent to no more than 1/3 of the entire amount, which shall be in lieu of all other administrative and custodial expenses.

**B. Professional fees.**

- (1) As used in this section, the following definitions shall apply:

**IN-HOUSE PROFESSIONAL**

Engineers, planners, attorneys, traffic officers, and other professionals whose salary, staff support, and overhead are provided by the Borough of Roselle.

**OUTSIDE PROFESSIONALS**

Time spent by a professional engineer, professional planner, attorney, traffic consultant, or other professionals in connection with review of an application and/or review and preparation of documents in regard to such application. In appropriate cases, such services shall include, without limitation, review of plans, reports, relevant ordinance provisions, statutory law, case law, and prior approvals for the same parcel; site inspections; and preparation of resolutions, developer's agreements, and other documents.

- (2) Prospective developers shall bear the cost of all fees for professional services in connection with land development matters under consideration by the Planning Board, Zoning Board of Adjustment, or the Borough Council.
- (a) Said land development matters shall include, but not be limited to, applications for development, appeals, interpretations, application approvals, amendments to the Land Development Ordinance, and amendments to the Master Plan.
- (b) All fees and deposits shall be paid at the time of application. In the event that any escrow deposit shall be depleted, the Zoning Officer shall determine the additional deposit required and shall notify the applicant. No application shall be heard or otherwise processed until and unless all fees and deposits have been paid.
- (3) Professional services are:
- (a) Services rendered by outside professionals to the Borough and/or the reviewing board in connection with an application, plus all actual out-of-pocket disbursements incurred in regard to such services. All charges for services by each outside professional shall be billed at the same rate as all other work of the same nature performed by such professionals for the Borough when fees are not reimbursed or otherwise imposed on an applicant. Charges for professional services of outside professionals shall be based upon a schedule of fees established by resolution, which may include a contract authorized by resolution. Such schedules shall be subject to annual review by the Borough Council.

- (b) Services rendered by in-house professionals to the Borough and/or the reviewing board in connection with an application. Services for in-house professionals shall be billed 200% of the hourly base salary multiplied by both the total number of hours of professional services spent by each in-house professional in connection with the application. The hourly base salary of each in-house professional shall be established by ordinance annually.
- (4) Applicable professional services shall be:
  - (a) Services which include but are not limited to inspections, investigations, reviews, and attendance at meetings by planners, engineers, architects, landscape architects, and other personnel and experts deemed necessary with respect to action on said land development matters.
  - (b) Attorney's services, including those of the board and/or municipal attorney in connection with an application which is presently pending before, or which has been approved by, a reviewing board. Such services include extraordinary legal research and preparation or review of documents, such as performance guarantees, developer and redeveloper agreements, easements, maintenance or property owners' agreements, or any other matters in connection with any approval. Such services shall not include review of applications, attendance at meetings, or preparations of resolutions granting or denying applications.
- (5) A professional shall not review items which are subject to approval by a state governmental agency, and which are not under municipal jurisdiction, except to the extent that research or consultation with a state agency is necessary due to the effect of a state approval on the applicant's application.
- (6) Developers or applicants in applications deemed routine shall be exempt from the payment of professional fees. The following applications shall be deemed routine:
  - (a) Variance applications pertaining to a single one- or two-family dwellings.
  - (b) Applications for which no escrow deposit is required by §650-87A(1) above.
- (7) At the time of filing any application, each applicant shall make a deposit for professional fees in accordance with the schedule contained at §650-87A(1) above. The applicant shall pay the deposit required for each approval which is requested or deemed necessary to cover the cost of professional services.
- (8) Payments.
  - (a) The Chief Financial Officer of the Borough shall make all of the payments to professionals for services rendered to the Borough or approving board for review for applications for development, review and preparation of documents, inspection of improvements, or other purposes under this chapter. Such fees or charges are to be based upon the ordinances herein.

- (b) Each payment charged to a deposit for review of applications, review and preparation of documents, and inspection of improvements shall be pursuant to a voucher from the professional, which voucher shall identify the personnel performing the service, and, for each date the service is performed, the hours spent in 1/4 of an hour increments, the hourly rate, and the expenses incurred. All professionals shall submit vouchers to the Chief Financial Officer on a monthly basis, in accordance with the schedules and procedures established by the Chief Financial Officer. The professional shall send an information copy of all vouchers or statements submitted to the Chief Financial Officer simultaneously to the applicant. The Chief Financial Officer shall prepare and send to the applicant a statement which shall include an accounting of the funds listing all deposits, interest earnings, disbursements, and the cumulative balance of the escrow account. This information shall be provided on a quarterly basis, if monthly charges are \$1,000 or less, or on a monthly basis, if the monthly charges exceed \$1,000. If an escrow account or deposit contains insufficient funds to enable the Borough or approving board to perform required application reviews or improvements inspections, the Chief Financial Officer shall provide the applicant with a written notice of the insufficient escrow or deposit balance. In order for work to continue on the development or the application, the applicant shall, within 10 days, post a deposit to the account in an amount to be agreed upon by the Borough or the approving board and the applicant. With regard to review fees, if the applicant fails to make said deposit within the time prescribed herein, the approving board shall be authorized to dismiss the application without prejudice, subject to the right of the applicant to seek reinstatement of said application by written notice to the Chief Financial Officer that the deposits have been posted. The application will be reinstated upon written notification by the Chief Financial Officer to the approving board that said deposits are, in fact, posted. In the interim, the required health and safety inspections shall be made and charged back against the replenishment of funds. With regard to inspection fees, the Borough Engineer shall not perform any inspection if sufficient funds to pay for the inspections are not on deposit. Failure to post or maintain balances in accordance with the requirements of these sections will subject the developer to a stop-work order and/or suspension of construction permits.
- (c) In addition, no hearing before any Borough board or committee may be convened and no construction permit or certificate of occupancy may be issued if such amounts are due and payable.
- (d) The applicant and Chief Financial Officer shall follow the following close-out procedures for all deposits and escrow accounts established herein. Said procedures shall commence after the approving authority has granted final approval of the development application, including completion of all conditions of said approval, and/or has signed the appropriate subdivision map or deed or after all of the improvements have been approved. The applicant shall send written notice, by certified mail, to the Chief Financial Officer and the approving board and to the relevant municipal professional that the application or the improvements, as the case may be, are completed. After receipt of such notice,

the professional shall render a final bill to the Chief Financial Officer within 30 days and shall send a copy simultaneously to the applicant. The Chief Financial Officer shall render a written final accounting to the applicant on the uses to which the deposit has been put within 45 days of the receipt of the final bill. Any balances remaining in the deposit or escrow account, including interest, shall be refunded to the applicant along with the final accounting.

- (e) All professional charges for review of the application for development, review and preparation of documents, or inspection of improvements shall be reasonable and necessary, given the status and progress of the application or construction review. Inspection fees shall be charged only for actual work shown on a subdivision or site plan or required by an approving resolution. Professionals inspecting improvements under construction shall charge only for inspections that are reasonably necessary to check the progress and quality of the work, and such inspections shall be reasonably based on the approval development plans and documents.
  - (f) If the municipality retains a different professional or consultant in the place of the professional originally responsible for development, application review, or inspection of improvements, the municipality or approving board shall be responsible for all time and expenses of the new professional to become familiar with the application or the project, and the municipality or approving board shall not bill the applicant or charge the deposit or the escrow for any such services.
- (9) Dispute of charge; appeals; rules and regulations. All disputes relating to charges and appeals thereof shall be in accordance with N.J.S.A. 40:55D-42.2a.

## **Section 2. Severability**

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

## **Section 3. Effective Date**

This ordinance shall become effective immediately or as prescribed by law.

### **Recorded Vote on Introduction Ordinance No. XXXX-21 – April 21, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

**Recorded Vote on Final Passage of Ordinance No. XXXX – May , 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

\_\_\_\_ Approved

\_\_\_\_ Vetoed and returned to the Municipal Clerk with the following statement and objections:

\_\_\_\_\_  
Donald Shaw, Mayor

DATE:

NOTICE is hereby given that Ordinance Number xxxx-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council \_\_\_\_ 2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ or via ZOOM ID# 835 9429 9741 /Phone 1-929-205-6099US (New York).

\_\_\_\_\_  
Lydia D. Massey, Acting Municipal Clerk

## **BOROUGH OF ROSELLE**



### **ORDINANCE NUMBER XXXX-21**

#### **AMENDMENT TO CHAPTER 650 "LAND USE" OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, STATE OF NEW JERSEY, TO APPEND THE ZONING MAP, ENVIRONMENTAL IMPACT WORKSHEET, AND APPLICATION CHECKLISTS TO THE CODE**

**WHEREAS**, the Borough Council has been made aware that during the codification process certain attachments to Chapter 650 "Land Use" were not included; and

**WHEREAS**, the Borough Council is also aware that the application checklists have not been formally adopted since the codification process;

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

Chapter 650 "Land Use" shall be amended to include attachments. Attachment 1 shall be the "Zoning Map", which was adopted via Ordinance 2561-17 on April 19, 2017. Attachment 2 shall be the "Preliminary Environmental Impact Worksheet". Attachment 3 shall be the "Preliminary Site Plan Checklist". Attachment 4 shall be the "Final Site Plan Checklist". Attachment 5 shall be the "Minor Subdivision Checklist". Attachment 6 shall be the "Preliminary Major Subdivision Checklist". Attachment 7 shall be the "Final Major Subdivision Checklist".

#### **Recorded Vote on Introduction Ordinance No. XXXX-21 – April 21, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

#### **Recorded Vote on Final Passage of Ordinance No. XXXX – May , 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

\_\_\_\_ Approved

\_\_\_\_ Vetoed and returned to the Municipal Clerk with the following statement and objections:

\_\_\_\_\_  
Donald Shaw, Mayor

DATE:

NOTICE is hereby given that Ordinance Number xxxx-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council \_\_\_\_2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ or via ZOOM ID# 835 9429 9741 /Phone 1-929-205-6099US (New York).

\_\_\_\_\_  
Lydia D. Massey, Acting Municipal Clerk

\_\_\_\_\_  
Lydia D. Massey, Acting Municipal Clerk



## **BOROUGH OF ROSELLE**



### **ORDINANCE NUMBER XXXX-21**

#### **ORDINANCE AUTHORIZING THE MAYOR TO REVOKE AN AGREEMENT FOR PAYMENT IN LIEU OF TAXES BETWEEN THE BOROUGH OF ROSELLE AND TELEFLORA REALTY GROUP URBAN RENEWAL ENTITLY LLC PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW**

**WHEREAS**, the Borough of Roselle ("Borough") had agreed, via Ordinance number 2528-15, on or about December 17, 2015, to provide for a tax abatement, transferrable to the final users of the property, through a long-term financial agreement ("Financial Agreement") with Teleflora Realty Group Urban Renewal Entity, L.L.C. ("Teleflora"); regarding property, commonly known on the Official Tax Map of the Borough of Roselle as Block 407, Lots 10 and 8, (hereinafter, the 'Project'); and

**WHEREAS**, based on information revealed in the Audit provided pursuant to the provisions of the Long-Term Tax Exemption Law, as amended and supplemented, N.J.S.A. 40A:20-1 et. Seq. (the "LTTE"), it was determined that the provisions of the LTTE were satisfied; and

**WHEREAS**, the assignee of the Financial Agreement Sheridan Estates Urban Renewal Entity, LLC ("Sheridan") does not operate as a Qualified Subsidized Housing Project under the LTTE, therefore Sheridan does not qualify for a long-term exemption pursuant to the LTTE; and

**WHEREAS**, Sheridan has been advised that the Financial Agreement provides that "The Project is a qualified Subsidized Housing Project under the LTTE and is being funded in part by the United States Department of Housing and Urban Development ("HUD") and the HOME investment Partnership Program ("HOME")" and thus would qualify under the Long-Term Tax Exemption law, however, since Sheridan Gardens does not operate as a qualified Subsidized Housing Project pursuant to N.J.S.A. 40A:20-13.1, Sheridan Gardens does not qualify under the Long-Term Tax Exemption Law and the Financial Agreement must be terminated.

**NOW THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Roselle, County of Union and State of New Jersey that Mayor, Borough Administrator or assignee, shall take any and all actions to revoke the Financial Agreement including direct the Tax assessor to take any action necessary to assess proper taxation on the Project, to advise the Department of Community Affairs, Director of Division of Local Government Services and any other actions as necessary to implement and carry out the intent of this Ordinance.

**Recorded Vote on Introduction Ordinance No. XXXX-21 – April 21, 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

**Recorded Vote on Final Passage of Ordinance No. XXXX – May , 2021**

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						

     Approved

     Vetoed and returned to the Municipal Clerk with the following statement and objections:

\_\_\_\_\_  
Donald Shaw, Mayor

DATE:

NOTICE is hereby given that Ordinance Number xxxx-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council \_\_\_\_ 2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ or via ZOOM ID# 835 9429 9741 /Phone 1-929-205-6099US (New York).

\_\_\_\_\_  
Lydia D. Massey, Acting Municipal Clerk

# **ORDINANCE – STORM WATER**

[To Be Provided]

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2021-**

**AUTHORIZING THE BOROUGH OF ROSELLE TO ENTER INTO A  
CONTRACT WITH TRINITAS REGIONAL MEDICAL CENTER, 300 NORTH  
AVE. EAST, CRANFORD, NEW JERSEY 07016  
FOR AN EMPLOYEE ASSISTANCE PLAN**

**WHEREAS**, Family Resource Center – C.A.R.E./EAP provides assistance to business and governmental organizations in connection with the design, implementation, and maintenance of Employee Assistance Programs; and

**WHEREAS**, the optimal productivity level of every employee in the workforce can be adversely affected by factors beyond the control of the employer; and

**WHEREAS**, a multitude of studies have shown that the cost of lost productivity is consistently greater than the cost of providing certain types of confidential assistance to employees; and

**WHEREAS**, Trinitas Hospital has diligently continued to administer the Borough's Employee Assistance Plan (EAP); and

**WHEREAS**, pursuant to N.J.A.C. 50:30-5.5(e) the award of the contract shall be subject to the availability and appropriation of funds in the CY 2020; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Roselle, County of Union, State of New Jersey that the Borough Administrator is hereby authorized to execute a contract with Trinitas Hospital for an Employee Assistance Plan at the cost of Four Thousand Five Hundred Dollars (\$4,500.00) from January 1, 2021 until December 31, 2021.

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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

Lydia Massey  
Acting Borough Clerk

Certification of Availability Funds:  
(Account#1-01-20-105-000-229)

*Anders T Hasseler* 08 Apr 21  
Anders Hasseler, CFO Date

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2021-**

**RESOLUTION APPOINTING JERMAINE RANDLE ASSISTANT DEPARTMENT OF  
PUBLIC WORKS (DPW) SUPERVISOR**

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

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

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

**NOW THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE**, appoint Jermaine Randle as a provisional Assistant DPW Supervisor, effective April 22, 2021, at a rate of \$29.81 per hour, pending the Civil Service Administration administering a competitive test.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

Lydia Massey, Acting Borough Clerk

Certification of Availability of Funds:  
(Account#1-01-26-291-000-111)

  
Anders Hasseler, CFO

13 Apr 21  
Date

**BOROUGH OF ROSELLE**

3.



**RESOLUTION NUMBER 2021-**

**RESOLUTION APPOINTING DAMIEN JOHNSON ASSISTANT DEPARTMENT OF  
PUBLIC WORKS (DPW) SUPERVISOR**

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

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

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


**NOW THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE**, appoint Damien Johnson as a provisional Assistant DPW Supervisor, effective April 22, 2021, at a rate of \$29.81 per hour, pending the Civil Service Administration administering a competitive test.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

Lydia Massey, Acting Borough Clerk

Certification of Availability of Funds:  
(Account#1-01-26-291-000-111)

  
Anders Hasseler, CFO

 13 Apr 2021  
Date:

4.

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2021-**

**AMENDING RESOLUTION 2021-126 AUTHORIZING AND DIRECTING THE  
BOROUGH OF ROSELLE PLANNING BOARD TO DETERMINE WHETHER  
CERTAIN PROPERTY BLOCK 2601 LOTS 10-16, BLOCK 2602, LOTS 7-17, BLOCK  
2603, LOTS 4/4.01, 5-9 AND BLOCK 2901, LOTS 14-19 IN THE BOROUGH OF  
ROSELLE, UNION COUNTY, NEW JERSEY CONSTITUTES AN AREA IN NEED OF  
REDEVELOPMENT AND APPROVING PROFESSIONAL PLANNING SERVICES IN  
CONNECTION THEREWITH**

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

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"), sets forth a specific procedure for establishing an area in need of redevelopment to empower and assist local governments in efforts to promote redevelopment; and

**WHEREAS**, N.J.S.A. 40A:12A-6 authorizes the governing body of the municipality by Resolution, to cause its Planning Board to conduct a preliminary investigation to determine whether the proposed area is an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Borough of Roselle has determined that an investigation and inquiry should be made to determine whether the area including Block 2601 Lots 10-16, Block 2602, Lots 7-17, Block 2603, Lots 4/4.01, 5-9 And Block 2901, Lots 14-19 (collectively, the "Study Area") meets the criteria set forth in the Redevelopment Law for designation as an area in need of redevelopment; and

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

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

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

**WHEREAS**, on January 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 Maser Consulting P.A. from the "Qualified" firms; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available within the current budget for said purpose; specifically, within Account # 1-01-20-175-000-229 for said planning services related to the potential redevelopment plan desired.

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

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

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

Section 3: The Planning Consultant is hereby authorized to perform the preliminary investigation to determine whether said properties in the Study Area qualify as an area in need of redevelopment in the amount not to exceed \$44,000.00 for the Borough of Roselle.

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

Section 5: The preliminary investigation, once complete, shall be submitted to the Borough Council for review and approval in accordance with the provisions of the Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq.

Section 6: This Resolution shall take effect immediately.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the 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 April 21, 2021.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

---

Lydia Massey  
Acting Borough Clerk

Certification of Availability of Funds  
(Account#1-01-20-175-000-229)  
(Account#1-01-21-180-000-229)

Anders T Hasseler 08 Apr 21  
Anders Hasseler, CFO      Date

**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-****RESOLUTION APPOINTING TEICHER GROUP AS REDEVELOPER  
FOR CERTAIN PROPERTIES LOCATED WITHIN THE BOROUGH OF  
ROSELLE 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;

**WHEREAS**, the Borough Council on March 17, 2021 following the Planning Board's review and comment upon the Redevelopment Plan, pursuant to the Redevelopment Law, adopted the Redevelopment Plan by Ordinance No. 2642-21 as it was in the best interests of the Borough and the redevelopment of the Redevelopment Area; and

**WHEREAS**, the Teicher Group (the "Redeveloper") is the owner of the property in the Redevelopment Area, the property being designated as Study Area at property commonly known on the Borough tax maps as Block 3801, Lots 2.01, 4, 5, and 6; and

**WHEREAS**, the Redeveloper is proposing the development of mixed use project including retail space and residential units in a multi-story structure on the Property (the "Project") and has submitted a Redevelopment Proposal Application; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council, acting as the Redevelopment Agency, of the Borough of Roselle that the Teicher Group shall be and hereby is conditionally designated as Redeveloper and has the exclusive option to negotiate a Redevelopment Agreement with the Borough of Roselle for the Project as described above and located within the Redevelopment Area; and

**BE IT FURTHER RESOLVED**, that the designation granted herein shall be for a period of one hundred twenty (120) days from the date hereof; and

**BE IT FURTHER RESOLVED**, that the designation granted herein may be further extended upon satisfactory demonstration that substantive progress has occurred in the meeting of one or more of the conditions enumerated below:

1. Within one hundred twenty (120) days of the date of adoption of this resolution, the Borough and Teicher Group must negotiate, approve and execute a Redevelopment Agreement and Financial Agreement for the properties contained in the Redevelopment Area.
2. Within one hundred twenty (120) days of the date of adoption of this resolution, the Teicher Group shall provide to staff a more detailed site plan of the project with a phasing plan, if applicable.

3. Within one hundred twenty (120) days of the date of adoption of this resolution, the Teicher Group shall provide the contract of sale between Teicher Group and the owner of Block 3801, Lot 5.

**BE IT FURTHER RESOLVED**, that upon completion of the negotiations on the Redevelopment Agreement, the Borough Council will be required to review and authorize execution of any and all related disposition and acquisition documents in order to effectuate the completion and implementation of the Project; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk shall be authorized to apply on behalf of the Borough, for any and all federal, state, county and/or agency funds to support or further the objectives of the Project.

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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

---

Lydia Massey  
Acting Borough Clerk

6.

Resolution Approving Financial Agreement  
With Oak Park Pursuant to NJSA 55:14K-37  
*[To Be provided]*

7.

One Resolution for a Month-to-Month Lease for J&J Car  
Care for Borough Property Use

*[To be provided]*

8.

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2021-**

**RESOLUTION AUTHORIZING FINAL PAYMENT BASED ON AS-BUILT  
QUANTITIES AND RELEASE OF RETAINAGE FOR THE FY2018 NJDOT  
VARIOUS STREET IMPROVMENTS PROJECT (WHEATSHEAF ROAD AND  
WEST 9<sup>TH</sup> AVENUE) FUNDED BY THE NEW JERSEY DEPARTMENT OF  
TRANSPORTATION (NJDOT) LOCAL AID GRANT PROGRAM AND THE  
MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY,  
NEW JERSEY**

**WHEREAS**, DLS Contracting Inc., 36 Montesano Road, Fairfield, NJ 07004 was previously awarded a contract for the above-referenced project in the amount of \$940,114.15 by way of Resolution Number 2019-225 and Change Order No.1 in the amount of \$40,357.39 for extra work to complete the project was approved by Resolution No.2021-129 for an adjusted contract amount of \$980,471.54; and

**WHEREAS**, the project has been completed to date in the total dollar amount of **\$980,471.54** (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 #2275386MB in the amount of \$147,070.73 has been received and approved and Colliers Engineering & Design recommends the release of DLS Contracting's Performance Bond 2275386 in the amount of \$940,114.15 and final payment amount of \$84,970.71 which includes the release of contract retainage; 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 **2586-18 and 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 **\$84,970.71** is authorized by way of final as-built quantities for the NJDOT FY2018 Various Streets Improvement Project to DLS Contracting, LLC.

**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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

\_\_\_\_\_  
Lydia Massey, Acting Borough Clerk

Certification of Availability of Funds:

(Account#C-04-55-258-618-004)

(Account#C-04-55-262-007-001)

Anders Hasseler, CFO

Date

Anders T Hasseler 08 Apr 21



**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-****RESOLUTION AUTHORIZING FINAL PAYMENT BASED ON AS-BUILT QUANTITIES AND RELEASE OF RETAINAGE FOR THE 2019 VARIOUS ROADWAY IMPROVEMENT PROJECT (WILLIAM STREET, WARREN STREET AND BROOKLAWN AVENUE) FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

**WHEREAS**, DLS Contracting Inc., 36 Montesano Road, Fairfield, NJ 07004 was previously awarded a contract for the above-referenced project in the amount of \$496,519.00 by way of Resolution Number 2020-136 and Change Order in the amount of \$26,066.15 for extra work to complete the project was approved by Resolution No.2021-130 for an adjusted contract amount of \$522,585.15; and

**WHEREAS**, the project has been completed to date in the total dollar amount of **\$522,585.15** (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 #2275391MB in the amount of \$78,387.77 has been received and approved and Colliers Engineering & Design recommends the release of DLS Contracting's Performance Bond 2275391 in the amount of \$496,519.00 and final payment amount of \$38,167.62 which includes the release of contract retainage; 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 **2586-18 and 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 **\$38,167.62** is authorized by way of final as-built quantities for the 2019 Various Roadway Improvement Project to DLS Contracting, LLC.

**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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

\_\_\_\_\_  
Lydia Massey, Acting Borough Clerk

Certification of Availability of Funds:  
(Account#C-04-55-258-618-004)  
(Account#C-04-55-262-007-004)

Anders Hasseler  
Anders Hasseler, CFO

08 Apr 21  
Date

**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-**

**RESOLUTION AUTHORIZING FINAL PAYMENT BASED ON AS-BUILT QUANTITIES AND RELEASE OF RETAINAGE FOR THE 2020 ROSELLE ROAD IMPROVEMENT PROGRAM EAST 7<sup>TH</sup> AVENUE (WALNUT STREET TO THOMPSON AVENUE) AND SHERIDAN AVENUE (EAST 7<sup>TH</sup> AVENUE TO EAST ST. GEORGES AVENUE) FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

**WHEREAS**, 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 \$473,961.05 by way of Resolution Number 2020-292; and

**WHEREAS**, the project has been completed to date in the total dollar amount of **\$396,596.60** (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 SC-227113M has been received and approved and Maser Consulting recommends the release of American Asphalt's Performance Bond CSC-227113 in the amount of \$473,961.05 and final payment amount of \$8,931.53; 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 **\$8,931.53** is authorized by way of final as-built quantities for the 2020 Roselle Road Improvement Project to American Asphalt & Milling Services, LLC.

**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, April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

\_\_\_\_\_  
Lydia Massey, Acting Borough Clerk

Certification of Availability of Funds:  
(Account#C-04-55-262-007-001)

  
\_\_\_\_\_  
Anders Hasseler, CFO

09 Apr 21  
\_\_\_\_\_  
Date

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2021-**

**RESOLUTION FOR A CHANGE ORDER AMENDMENT TO THE CONTRACT FOR S. BROTHERS, INC., REGARDING ADDITIONAL SITE WORK FOR THE COMPLETION OF THE 1419 ST. GEORGES DRAINAGE IMPROVEMENTS PROJECT**

**WHEREAS**, S. Brothers Inc., 16 Sobechko Road, Manalapan, NJ 07726 was awarded a contract for the above-referenced project in the amount of \$22,000.00 by way of Resolution Number 2020-296; and

**WHEREAS**, additional funds are required to complete the project due to unforeseen underground conditions as listed in the Colliers Engineering & Design correspondence dated March 29, 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 \$34,000.00; 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 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 S. Brothers Inc. as per the Colliers Engineering & Design correspondence dated March 29, 2021 and the following breakdown:

<b>Contract Amount</b>	<b>\$22,000.00</b>
<b><u>Change Order</u></b>	<b><u>\$12,000.00</u></b>
<b>Adjusted Contract Amount</b>	<b>\$34,000.00</b>

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

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held on April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>th</sup> day of April 2021.

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Lydia Massey  
Acting Municipal Clerk

Certification of Availability of Funds  
(C-04-55-262-007-001)

Anders T Hasseler 31 Mar 21  
Anders Hasseler, CFO Date

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2021-**

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE 2021 CAPITAL ROAD IMPROVEMENTS PROGRAM FOR EAST 5<sup>TH</sup> AVENUE (FROM HARRISON AVENUE TO CHANDLER AVENUE), HARRISON AVENUE (EAST 7<sup>TH</sup> AVENUE TO EAST 3<sup>RD</sup> AVENUE) AND MELVILLE TERRACE (EAST 6<sup>TH</sup> AVENUE TO TERMINUS) FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

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

**WHEREAS**, 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 March 31, 2021 correspondence; and

**WHEREAS**, Colliers Engineering & Design is familiar with the preparation of roadway improvement projects and have prepared same for the numerous New Jersey municipalities in prior years, and

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

**WHEREAS**, on January 3, 2020, the Borough Council, after review of the responses deemed certain firms as "Qualified" in accordance with the terms of the Request for Qualifications (Resolution No. 2020-021) and also the Borough Council subsequently awarded the Borough Engineering Contract (Resolution No. 2020-112); 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 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 2643-21 for said engineering services for the various roadway improvements.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer (Colliers Engineering & Design) is authorized to perform professional engineering design services in the amount of \$24,500.00 for the 2021 Capital Road Improvements Program.

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

I, Lydia Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

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Lydia Massey  
Acting Municipal Clerk

Certification of Availability of Funds:  
(Account#C-04-55-264-003-008)

Anders T Hasseler  
Anders Hasseler, CFO

08 Aug 21  
Date



**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-**

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SURVEY  
AND DESIGN SERVICES IN CONNECTION WITH THE 2021 VARIOUS  
ROADWAY IMPROVEMENTS PROJECT FOR LEON PLACE (FROM WENZ  
AVENUE TO ROSEWOOD AVENUE), WENZ PLACE (FROM LEON PLACE  
TO THOMPSON AVENUE) AND MORRIS STREET (FROM GRAND STREET  
TO 12TH AVENUE) PROGRAM FUNDED BY THE MUNICIPALITY WITHIN  
THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

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

**WHEREAS**, Colliers Engineering & Design dba Maser Consulting is familiar with the design procedures that are necessary for said improvements and shall perform the tasks as delineated in the March 31, 2021 correspondence; and

**WHEREAS**, Colliers Engineering & Design is familiar with the preparation of roadway improvement projects and have prepared same for the numerous New Jersey municipalities in prior years, and

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

**WHEREAS**, on January 3, 2020, the Borough Council, after review of the responses deemed certain firms as "Qualified" in accordance with the terms of the Request for Qualifications (Resolution No. 2020-021) and also the Borough Council subsequently awarded the Borough Engineering Contract (Resolution No. 2020-112); 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 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 2643-21 for said engineering services for the various roadway improvements.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer (Colliers Engineering & Design) is authorized to perform professional engineering design and survey services in the amount of \$37,250.00 for the 2021 Various Roadway Improvement Program.

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

I, Lydia Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

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Lydia Massey  
Acting Municipal Clerk

Certification of Availability of Funds:  
(Account#C-04-55-264-003-008)

  
Anders Hasseler, CFO

08 Apr 21  
Date

**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-****RESOLUTION AUTHORIZING GEOTECHNICAL SERVICES IN  
CONNECTION WITH THE FIELD HOUSE AT RALPH ARMINIO FELD  
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 geotechnical services that are necessary for said improvements and shall perform the tasks as delineated in the April 8, 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 **\$8,450.00** 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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

\_\_\_\_\_  
Lydia Massey  
Acting Municipal Clerk

Certification of Availability of Funds:  
(Account#C-04-55-262-007-003)

Anders T Hasseler      12 Apr 21  
Anders Hasseler, CFO      Date

**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-****RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE NORTH CHESTNUT STREET STREETScape IMPROVEMENT PROJECT FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

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

**WHEREAS**, Colliers Engineering & Design DBA Maser Consulting is familiar with the design procedures that are necessary for said improvements; and

**WHEREAS**, Colliers Engineering & Design is familiar with the preparation of roadway improvement projects and have prepared same for the numerous New Jersey municipalities in prior years, and

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

**WHEREAS**, on January 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 Maser Consulting P.A. from the "Qualified" firms; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically within bond ordinance number 2643-21 for said engineering services for the traffic safety improvements.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer (Colliers Engineering & Design DBA Maser Consulting) is authorized to perform professional engineering design services in the amount of **\$56,500.00** for the North Chestnut Street Streetscape Improvements.

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

I, Lydia Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

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Lydia Massey  
Acting Municipal Clerk

Certification of Availability of Funds:  
(Account#G-02-41-723-019-275)  
(Account#C-04-55-264-003-008)

Anders T Hasseler      12 Apr 21  
Anders Hasseler, CFO      Date

2019 Traffic Safety

***[To Be Provided]***

# SECTION 2 - UPON ADOPTION FOR YEAR 2021

## RESOLUTION

Be it Resolved by the ROSELLE County of UNION BOROUGH that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$	33,055,425.13	(Item 2 below) for municipal purposes, and
(b) \$	-	(Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
(c) \$	-	(Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in
Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of		
the following summary of general revenues and appropriations.		
(d) \$	-	(Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
(e) \$	-	(Sheet 44) Arts and Culture Trust Fund Levy
(f) \$	560,216.42	(Item 5 Below) Minimum Library Tax

**RECORDED VOTE**  
(Insert last name)

Ayes	Abstained
Nays	Absent

SUMMARY OF REVENUES			
1. General Revenues			
Surplus Anticipated	08-100	\$	3,000,000.00
Miscellaneous Revenues Anticipated	13-999	\$	11,493,447.27
Receipts from Delinquent Taxes	15-499	\$	1,800,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$	33,055,425.13
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-195	\$	
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY		\$	
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	560,216.42
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX	13-299	\$	49,908,088.82
Total Revenues			



**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-****RESOLUTION AUTHORIZING THE REFUND OF A CODE ENFORCEMENT FEE**

**WHEREAS, Joseph Nunes** has requested a refund for overpayment of 2020 ambulance fees;  
and

**WHEREAS,** the Fire Department has approved the refund.

**NOW, THEREFORE, BE IT RESOLVED,** by Mayor and Council of the Borough of Roselle that the Municipal Finance Officer is hereby authorized to refund ambulance fees in the amount of \$225.00.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held on April 21, 2021.

**IN WITNESS WHEREOF,** I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>th</sup> day of April 2020.

\_\_\_\_\_  
Lydia Massey  
Acting Borough Clerk

Certification of Availability of Funds:  
(Account#1-01-55-999-401-000)

Anders T Hasseler  
Anders Hasseler, CFO

08 Apr 21  
Date:

# **BOROUGH OF ROSELLE**



## **RESOLUTION NUMBER 2021-**

### **RESOLUTION CANCELING GRANT BALANCE**

**WHEREAS**, there exists Grant Receivables and Grant Reserves on the Balance Sheet;

**WHEREAS**, it is necessary to formally cancel the receivable balance and their offsetting appropriation balance from the balance sheet;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, that the following grant receivable and appropriation balance be cancelled:

Grant	Year	Cancel Appropriation	Cancel Receivable
CDBG	2017	57,250.00	57,250.00
CDBG	2018	97,710.89	97,710.89
Total			

1. The Borough Clerk is hereby authorized and directed to transmit to the Chief Financial Officer and Borough Auditor, a certified copy of this resolution.
2. This resolution shall take effect immediately.
3. A copy of this resolution shall be filed forthwith with the Director of New Jersey, Division of Local Government Services.

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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

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Lydia Massey, Acting Municipal Clerk

**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-****A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER  
FOR ANIMAL CONTROL FEES REQUIRED BY DLGS**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, the Borough of Roselle provides for receipt of Animal Control Fees by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Animal Control Fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of Animal Control Fees.
2. This resolution shall take effect immediately.
3. The Clerk of the Borough of Roselle, County of Union is hereby directed to forward two certified copies of this resolution to the Director of New Jersey, Division of Local Government Services.

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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

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Lydia Massey, Acting Municipal Clerk

**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-****A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER  
FOR FIRE DEPARTMENT DONATIONS REQUIRED BY DLGS**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, the Borough of Roselle provides for receipt of Fire Acceptance of Donations by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Fire Acceptance of Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of Animal Control Fees.
2. This resolution shall take effect immediately.
3. The Clerk of the Borough of Roselle, County of Union is hereby directed to forward two certified copies of this resolution to the Director of New Jersey, Division of Local Government Services.

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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

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Lydia Massey, Acting Municipal Clerk

**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-****A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER  
FOR PUBLIC ASSISTANCE REQUIRED BY DLGS**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, the Borough of Roselle provides for receipt of Public Assistance by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from Public Assistance are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of Animal Control Fees.
2. This resolution shall take effect immediately.
3. The Clerk of the Borough of Roselle, County of Union is hereby directed to forward two certified copies of this resolution to the Director of New Jersey, Division of Local Government Services.

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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

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Lydia Massey, Acting Municipal Clerk

# **BOROUGH OF ROSELLE**

23.



## **RESOLUTION NUMBER 2021-**

### **CANCEL IMPROVEMENT AUTHORIZATION FUNDS - GENERAL CAPITAL**

**WHEREAS**, there are certain improvement authorizations that were funded in total or in part by proceeds of bonds issued, BANS, or utilization of the Capital Surplus / Capital Improvement Fund; and

**WHEREAS**, there are unexpended balances of aforementioned improvement authorizations and no further expenditures will be disbursed from said authorizations.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Roselle, County of Union, State of New Jersey that the unexpended balances of improvement authorizations be canceled and be credited to the Capital Surplus or Deferred Charged unfunded as appropriate.

<b><u>Improvement Authorization</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>
2297-07	\$ 81,410.13	Westbrook Flood Project
2510-14	\$ 25,882.00	Comm Equip - soft costs
2547-16	\$ 216,485.66	Prop Acq - CVS Parking Lot, 150 E. 8th, 112 W 1st

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 meeting of said Council held April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April, 2021.

\_\_\_\_\_  
Lydia D. Massey, Acting Municipal Clerk

**BOROUGH OF ROSELLE****RESOLUTION NUMBER 2021-****RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE NEW JERSEY HAZARDOUS DISCHARGE SITE REMEDIATION FUND (HDSRF)**

**WHEREAS**, the Mayor and Council of the Borough of Roselle reasonably believe and have determined that there has been a discharge of hazardous substances or waste at the property commonly known as 1211 Morris Avenue, being more specifically identified as Block 2603, Lot 10 on the Tax Map of the Borough of Roselle, hereinafter referred to as the "Property"; and

**WHEREAS**, the Mayor and Council of the Borough of Roselle wish to file an application with the New Jersey Hazardous Discharge Site Remediation Fund (HDSRF) requesting funding for the assessment and investigation of the Property in order to determine the extent or the existence of any hazardous substance or waste; and

**WHEREAS**, a HDSRF application cannot be filed by or on behalf of the Borough of Roselle without the approval of the Governing Body

**WHEREAS**, the Borough of Roselle has acquired the Property by voluntary conveyance for the purpose of redevelopment and is committed to the redevelopment of the Property for use as a residential establishment that will conform with the surrounding community; and

**WHEREAS**, the project will be called the 1211 Morris Street Redevelopment Project with the intention to offer it for redevelopment within a three-year period after the completion of the site remediation either through the 1211 Morris Street Redevelopment Project or through an alternative redevelopment plan satisfactory to the Borough of Roselle; and .

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

1. The Mayor and Council of the Borough of Roselle as a matter of public policy, hereby endorse, support and authorize the filing of an application with the New Jersey Hazardous Discharge Site Remediation Fund requesting funding for the assessment and investigation of the Property in order to determine the extent or the existence of any hazardous substance or waste.
2. Upon the completion of the HDSRF site remediation, the Property shall be offered for redevelopment either through the 1211 Morris Street Redevelopment Project or through an alternative redevelopment plan that conforms to the surrounding community and is satisfactory to the Borough of Roselle.
3. This Resolution shall take effect immediately.

I, Lydia Massey, Deputy Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, at a Regular meeting of said Council held on April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey, this 21<sup>st</sup> day of April, 2021.

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Lydia Massey, Acting Municipal Clerk



# **BOROUGH OF ROSELLE**

25.



## **RESOLUTION NUMBER 2021-**

### **ACCEPTANCE OF THE RESIGNATION OF SCHOOL CROSSING GUARD DEBORAH EMANUEL**

**WHEREAS**, Resolution 2021-247 appointed Deborah Emanuel to the position of Crossing Guard, effective August 19, 2021; and

**WHEREAS**, Deborah Emanuel has submitted a letter of resignation, effective November 19, 2020.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle hereby accepts the resignation in good standing of School Crossing Guard Deborah Emanuel this date.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

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Lydia Massey,  
Acting Borough Clerk

# **BOROUGH OF ROSELLE**

26.



## **RESOLUTION NUMBER 2021-**

### **ACCEPTANCE OF THE RESIGNATION OF SCHOOL CROSSING GUARD LOU VATA WILLIAMS**

**WHEREAS**, Resolution 2021-247 appointed Lou Vata Williams to the position of Crossing Guard, effective August 19, 2021; and

**WHEREAS**, Lou Vata Williams has submitted a letter of resignation, effective March 12, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle, hereby accepts the resignation in good standing of School Crossing Guard Lou Vata Williams, this date.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

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Lydia Massey,  
Acting Borough Clerk

**BOROUGH OF ROSELLE**

27.



**RESOLUTION NUMBER 2021-**

**APPOINTING JEAN R. DUROGENE ALTERNATE SCHOOL  
CROSSING GUARD**

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

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

**WHEREAS**, it has been determined by the Chief of Police that the following individual is qualified for appointment to the position of School Crossing Guard: Jean R. Durogene.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey that this person listed above be and are hereby appointed to the position of School Crossing Guard in the Borough of Roselle, effective April 26, 2021, for a term not to exceed one year, with a salary range of \$15.53 per hour as set forth in the collective negotiations agreement between the Borough and the OPEIU.

I, Lydia D. Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

Lydia D. Massey, Acting Borough Clerk

Certification of Availability of Funds:  
(Account#1-01-25-240-001-112)

Anders T Hasseler 08 Apr 21  
Anders Hasseler, CFO Date

**BOROUGH OF ROSELLE**



28.

**RESOLUTION NUMBER 2021-**

**APPOINTING WILLIAM A. CARTER ALTERNATE SCHOOL  
CROSSING GUARD**

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

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

**WHEREAS**, it has been determined by the Chief of Police that the following individual is qualified for appointment to the position of School Crossing Guard: William A. Carter.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey that this person listed above be and are hereby appointed to the position of School Crossing Guard in the Borough of Roselle, effective April 26, 2021, for a term not to exceed one year, with a salary range of \$15.53 per hour as set forth in the collective negotiations agreement between the Borough and the OPEIU.

I, Lydia D. Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

\_\_\_\_\_  
Lydia D. Massey, Acting Borough Clerk

Certification of Availability of Funds:  
(Account#1-01-25-240-001-112)

\_\_\_\_\_  
Anders Hasseler, CFO

\_\_\_\_\_  
Date

*Anders J Hasseler* 08 Apr 21

**BOROUGH OF ROSELLE**

29.



**RESOLUTION NUMBER 2021-**

**AUTHORIZING THE POLICE DEPARTMENT TO DISPOSE OF  
ABANDONED AND UNCLAIMED BICYCLES BY PUBLIC AUCTION**

**WHEREAS**, the Roselle Police Department has accumulated in excess of 50 bicycles, in varying conditions which have been unclaimed or abandoned; and

**WHEREAS**, the Department has no need for the bicycles which occupy space required for other uses nor given the general condition of the bicycles, does any other department or agency of the Borough have any use for the bicycles; and

**WHEREAS**, the bicycles are abandoned property; and

**WHEREAS**, the Roselle Police Department has requested authority to sell the bicycles at public auction.

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

1. The Roselle Police Department is hereby authorized to sell at public auction any and all bicycles, in any condition, that the Department deems to be abandoned or surplus property.
2. The Roselle Police Department shall hold a public auction on May 8, 2021 at 9:00 AM at Roselle Borough Hall Parking Lot to sell the bicycles.
3. The Roselle Police Department shall conduct the auction in the manner provided by law.
4. This resolution is effective 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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

\_\_\_\_\_  
Lydia Massey, Acting Municipal Clerk

## **BOROUGH OF ROSELLE**

### **AUCTION NOTICE**

The undersigned shall expose for sale at public auction on May 8, 2021 at 10:00 AM at the Borough of Roselle, Parking Lot, Police Department, 210 Chestnut St., Roselle, NJ, over 50 bicycles in varying conditions, which came into the possession of the Roselle Police Department through abandonment or failure of owners to claim same. Minimum bid for bicycles is \$1. All bicycles may be examined at the aforementioned location on May 8, 2021 at 9:00AM

Roselle Police Department

Brian K Barnes, Chief of Police

# **BOROUGH OF ROSELLE**



## **RESOLUTION NUMBER 2021-**

### **A RESOLUTION CONCERNING THE EAST FIRST AVENUE STORAGE URBAN RENEWAL, LLC, BLOCK 403, LOT 1**

**WHEREAS**, East First Avenue Storage Urban Renewal, LLC is the owner of real property commonly known as Block 403, Lot 1 on the tax map of the Borough of Roselle; and

**WHEREAS**, the Borough of Roselle has heretofore has entered into a Financial Agreement with East First Avenue Storage Urban Renewal, LLC, an urban renewal entity formed and qualified to do business under the provisions of the New Jersey Long Term Tax Exemption Law, N.J.S.A.40A:20-1, et seq. ("LTTEL"); and

**WHEREAS**, the Financial Agreement provides for a tax exemption and an Annual Service Charge (ASC) for payments in lieu of taxes (PILOT) on all improvements on the subject property made in the redevelopment of the property; and

**WHEREAS**, said Financial Agreement does not provide for the land to be exempt, provides for payment of land taxes, and further provides for a land tax credit to be given against the ASC for the land taxes paid in the year preceding payment of the ASC; and

**WHEREAS**, the improvement portion of the tax assessment of the above-named lot has not been recorded as exempt, as follows:

#### **BLOCK: 403, LOT: 1**

	<u>Assessment</u>	<u>Property Class</u>
Land	\$ 325,500	4A
Improvements	\$ 3,441,400	
Total	\$ 3,766,900	

**WHEREAS**, the assessment for said real property for the tax year 2021 should be, as per the aforementioned Financial Agreement between the Borough of Roselle and East First Avenue Storage Urban Renewal, LLC, the following:

#### **BLOCK: 403, LOT: 1**

	<u>Assessment</u>	<u>Property Class</u>
Land	\$ 325,500	4A
Improvements	\$ 0	
Total	\$ 325,500	

**BLOCK: 403, LOT: 1X**

	<u>Assessment</u>	<u>Property Class</u>
Land	\$ 0	15 F
Improvements	\$ 3,441,400	
Total	\$ 3,441,400	

**WHEREAS**, a method exists in the Tax Law for the Municipality to appeal from the current assessment;

**WHEREAS**, the Borough Council of the Borough of Roselle is in agreement that the assessment for such real property should be corrected;

**NOW, THEREFORE**, be it resolved by the Borough Council of the Borough of Roselle that the Borough Tax Assessor and Borough Special Tax Counsel be and are hereby authorized to file an appeal from the current assessment, pursuant to N.J.S.A. 54:3-21, with the Union County Board of Taxation to correct the above assessment for the tax year 2021 with respect to the above premises owned by East First Avenue Storage Urban Renewal, LLC, commonly known and designated as Block 403, Lot 1 on the tax map of the Borough of Roselle as aforesaid.

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 April 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of April 2021.

\_\_\_\_\_  
Lydia Massey  
Acting Municipal Clerk



A Bills List dated April 21, 2021

**[To Be Provided]**