

**BOROUGH OF ROSELLE  
MAYOR & COUNCIL  
REGULAR MEETING MINUTES  
JUNE 16, 2021**

Mayor Shaw called the Regular meeting of the Mayor and Council of the Borough of Roselle, Union County, New Jersey, held at Borough Hall, 210 Chestnut Street, Roselle, New Jersey to order on June 16, 2021 at 6:32 P.M. The flag salute was done and the invocation was given by Mayor Shaw.

The Acting Municipal Clerk, Ms. Massey, read the "Open Public Meetings Act" compliance statement.

**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**

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

**ALSO PRESENT:**

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

**PROCLAMATIONS**

Council President Wilkerson read the Pride Month 2021 proclamation into the record.  
Mayor Shaw read the Juneteenth 2021 proclamation into the record.

Councilman Bernier read the National Scoliosis Awareness Month 2021 proclamation into the record.

Councilman Fortuna read a Men of Distinction for Father's Day proclamation for Leon McCamery into the record.

Council President Wilkerson read a Men of Distinction for Father's Day proclamation for James Alexander Lewis into the record.

Councilwoman Johnson read a Men of Distinction for Father's Day proclamation for Walter Johnson into the record.

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

Motion by Councilman Bernier, seconded by Councilwoman Johnson to approve the minutes of meetings.

Minutes of the Mayor and Council Workshop Meeting – May 12, 2021

Minutes of the Mayor and Council Regular Meeting – May 19, 2021

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 Withdrawn				

### **COMMITTEE REPORTS**

Councilman Bernier, Finance Committee, reported that CFO Anders Hasseler has recouped approximately \$367,000.00 in federal grant funds for the Samhsa Grant where money had not been collected from the federal government dating back to 2016, and announced that more federal money will come to Roselle from the American Rescue Plan passed by Congress a few months ago. He said there will be guidance from the State on how to use the money; it will be split in two payments of approximately \$1,141,62.92 for this year and next year; and Finance will explore options on how to best use the money to help the Borough. He reported that the Planning Board met on May 26, 2021 to review a redevelopment designation for the Borough owned library lots, and met on June 10, 2021 where they recommended the adoption of the

amendment for the North Chestnut Street redevelopment plan, as well as the amendment #9 of the Central Roselle Revitalization Plan. He announced that the next meeting Planning Board meeting will be on July 7, 2021 to determine the redevelopment area for Block 305, Lots 4 and 5, the Park View Apartment complex that burned down and is located near Warinanco Park.

Council President Wilkerson, Governance Committee, announced that the Council will accept the resignation of Brian Barnes, Chief of Police, and she thanked him for his service to the Borough of Roselle; and said they started the process to put leadership in place as there are good people in the Police Department. She spoke to the revocation of Sheridan Gardens and hopes for support of the governing body as it relates to a pilot agreement to rehabilitate Oak Park Apartments where low-income families live. She spoke to the redevelopment plans that Councilman Bernier mentioned in his report and said progress is being made on the Planning Board to move things forward and is excited to see the Library project come to life.

Councilman Fortuna, Department of Public Works, announced that due to the Juneteenth Holiday on Friday, there will be no garbage pickup on the West Side of Roselle and it will resume on the following Tuesday. He also said recycling will not be picked and will resume the following Friday. He reported that DPW is on a regular schedule now and will maintain every park in town and vacant lot in town by alternating their schedule so that the East side will be maintained one week and the West side the next week; and expects the maintenance to continue through the Fall. He also spoke to a resolution on the agenda to purchase carts for residents to go along with the new garbage trucks, and he explained that the term one-arm bandit is a nickname for the new garbage trucks which has a robotic arm. He also said he was happy about a resolution on the agenda for a shared services agreement with the City of Linden to pave North Wood Avenue to Amsterdam Avenue and that it hasn't been paved in about 40 years and is well overdue.

Councilwoman Johnson, Public Safety Committee, reported that recruits are graduating from the Police Academy on June 30, 2021, and the Police department anticipates having four new recruits to patrol the streets in early July. She spoke to the retirement of Chief Barnes and said that plans are to promote Captain Williams to Police Chief at the July Council meeting with an effective date of August 1, 2021; she reported that the Police Department installed and started using new data in April 2021 collected from a radar boards; she reported that there were 2,526 calls for service in May and 2278 in April; there were 337 area check park and walks in May and 377 in April; there were 52 motor vehicle accidents in May and 42 in April; there were 5 DWIs in May and 7 in April; there were 142 ambulance calls in May, and 145 in April, and their average response was 3 minutes and 29 seconds. She commented that Chief Brian Barnes stated that it was a pleasure to serve the Borough, it was an honor to serve as a Police Chief, he appreciated the support of Council. She reported that the Fire Department would like two provisional Battalion Chiefs, more recruits, and fill positions of personnel who retiree to make sure there is no gap in service, and they want to go out to bid for a new ambulance service. She reminded residents to make sure their smoke detectors and carbon monoxide detectors are

working properly, and reported that OEM continues to provide COVID-19 testing at Roselle Catholic High School.

Councilwoman Thomas, Recreation Committee, congratulated Eugenia Simms on her appointment as Recreation Leader for the Borough and thanked her for accepting the position, said she looks forward to working with her in the coming months and the coming year. She advised the public to look at for new and exciting recreation events along with the Summer program which they are anxious to get off the ground this year; she said to look for more information on the website for applications and other information. She announced there will be an opening of the Grove Street Park which will take place on Saturday, June 26, 2021, at 12 Noon. She said is she really excited about the new park and it is a well-deserved renovation in the 4<sup>th</sup> Ward.

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

### **ORDINANCE ON SECOND READING & FINAL PASSAGE**-Ordinance Number 2651-21

#### **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**

Mayor Shaw read Ordinance Number 2651-21 by title and opened the public hearing on the ordinance.

1. Robert Goldsmith said it is a drastic action that the governing body is considering and that a public body has the obligation to engage in good faith and fair dealing; the courts have established that a municipal governing body has the obligation to turn square corners, and the last communication they had in the matter was in August 2020, and the Council indicated that there was progress being made on negotiations to resolve it the issue and that was the last they heard; he said it was astounding and doesn't constitute good faith and fair dealing or turning square corners; he said he didn't know the institutional memory of the Council members, but his understanding was that when the building was acquired by predecessor of interest, the building was owned by the Borough, in terrible condition, not in compliance with statutory requirements, financing requirements, with code, fire safety requirements; the predecessors in reliance on an agreement with the municipality invested more than \$1.2 million dollars to bring the building up to code to acquire it from the Borough; routinely senior citizens who lived in the building when it was owned by the Borough would come to meetings and complain about the awful conditions, terrible management, and unacceptable living conditions; their predecessors in reliance on an agreement for a payment structure in lieu of taxes negotiated by the municipality and entered into by their seller, spent in excess of \$1,000,000 to bring the building to code to address storm damage, water damage and fire damage in the building that had been

neglected by the Borough; subsequently, when his client was about to buy the building, they requested that the governing body transfer the financial agreement. That was done by an active governing body, and they reacted upon the reliance of that act which is recognized by the courts as a significant fact. He said the claim is that the project is not a qualified subsidized housing project, and nothing has been offered which substantiates the claim and there is a case handled by one of his partners Four Fields v. his township that deals with the question of a qualified subsidized housing project, specifically stating that Section 8 housing is the basis for classifying a project as a qualified subsidized housing project under the long term tax exemption law; exactly the statute that the long term abatement is granted; there is case law citing the position of his client and he said the tax exemption was never conditioned on it being a qualified subsidized housing project; and the financial agreement makes no reference to it and case law supports the fact that it meets that requirement. Nothing has changed since the Council approved the transfer to his client who relied upon that transfer, and the sad reality is that if the financial agreement is revoked, the property may well revert to a status of blight and returning it to the situation when the Borough owned the property; the agreement provides for a 60 day period of notice and an opportunity to cure; and if in fact, Roselle believes that there is something that prevents the project from being a qualified project, then there should be an opportunity for discussion so they understand what it would take to conform with the Borough requirements, and there has been no such discussion along those lines; he said it is a matter of substantial importance to his clients and noted that the agreement provides for arbitration and they made a request for arbitration that has never been answered. He asked the governing body to defer action on this to engage in fruitful good faith negotiations to see if the matter can be resolved; if in fact they do act, they will have little recourse than to force the matter to be resolved by the courts. It is not something they prefer to do but they are putting his client in an absolute untenable position have not engaged in good faith conduct which is an obligation of the governing body and is terribly disappointing, and hopes the governing body will defer action on the second reading and engage in good faith negotiation.

Diane Dabulas, Redevelopment Attorney for the Borough of Roselle, thanked Mr. Goldsmith for his presentation and said she was aware that those were statements he already made in his letter in August and his recent letter, and she stated that she made arguments to all of his positions put forth such as the arbitration clause which is not mandatory; she said the Borough does not want to go on as it may end up in litigation, and she will be happy to give him a call and discuss it further and see if they can try to resolve it but this is action that the Council has been aware of and has believed it is necessary, and will now see if the second reading will go through.

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

Motion by Councilman Bernier, seconded by Councilman Fortuna to adopt Ordinance Number 2651-21 on 2<sup>nd</sup> Reading and Final Passage.

## **Discussion:**

Councilman Bernier stated that this Council has been talking about the project for a number of years as the owners are paying \$15,000 flat rate for a period of 30 years, less than many residents are paying in taxes; in the years since the transfer was put through, they hoped to find an amendable resolution, and he said he hopes the Council supports it to move to the next step for an agreement that is fair to the residents of the Borough and taxpayers.

Councilwoman Johnson commented that as an incoming Councilwoman she agreed on how the property was handled and turned over to the new owners and definitely a tax abatement, and that she will stand on what she did two years ago by sticking to the agreement that stands now, and she said she will abstain on the ordinance as she did not support the agreement that is going on now and questioned why it is being changed now.

**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.

<p><b>Vote Record – Ordinance Number 2651-21–Second Reading &amp; Final Passage</b></p>
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	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson		x		
Councilwoman Thomas	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

**ORDINANCE ON SECOND READING & FINAL PASSAGE**-Ordinance Number 2655-21

**ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, APPROVING AMENDMENT TO CENTRAL ROSELLE REVITALIZATION PLAN**

Mayor Shaw read Ordinance Number 2655-21 by title and opened the Public Hearing. Seeing no one come forward, Mayor Shaw closed the public comment on the ordinance.

Motion by Councilman Fortuna, seconded by Councilwoman Wilkerson to adopt Ordinance Number 2655-21 on 2<sup>nd</sup> Reading and Final Passage.

**WHEREAS**, on October 11, 2007, the Mayor and Borough Council (the “Borough Council”) of the Borough of Roselle (the “Borough”) adopted a resolution designating the entire Borough as an area in need of rehabilitation pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Redevelopment Law”); and

**WHEREAS**, the Borough Council on November 7, 2007, and amended on April 14, 2008, July 20, 2011, April 16, 2014, September 17, 2014, February 17, 2016, May 11, 2016, and March 20, 2019, adopted the Central Roselle Revitalization Plan (as amended, the “Central Roselle Revitalization Plan”), a redevelopment plan applicable to the area described as follows:

The Revitalization Plan Area begins at the corner of Chestnut Street and St. Georges Avenue, north on Chestnut Street to Eighth Avenue, east on Eighth Avenue to Spruce Street, north on Spruce Street to Seventh Avenue, East on Seventh Avenue to Chandler Avenue, south on Chandler Avenue to Morris Place, east on Morris Place to Harrison Avenue, south on Harrison Avenue to Georges Place, east on Georges Place to the western border of Warinanco Park, south along the eastern border of Blocks 1402 and 1404 to St. Georges Avenue, and St. Georges Avenue west to Chestnut Street (the “Central Roselle Revitalization Area”); and

**WHEREAS**, the Borough finds that some of the standards set forth in the Central Roselle Revitalization Plan impose practical challenges that potential redevelopers cannot overcome; and

**WHEREAS**, the Borough Council requested the Borough Planner to revise the Central Roselle Revitalization Plan, revising the plan to change the permitted uses in a particular portion of the Central Roselle Revitalization Area (the “9<sup>th</sup> Proposed Amendment); and

**WHEREAS**, the Borough has reviewed the Proposed Amendment and believes it will be in the best interests of the Borough because it will permit the redevelopment of the property subject to the Proposed Amendment to be developed in accordance with the terms of a development agreement between the Borough, which will return the subject property to productive use and created a needed housing opportunity within the Borough; an

**WHEREAS**, the Borough refers the Proposed Amendment to the Planning Board for conformity to the Master Plan; and

**WHEREAS**, the Borough Council now desires to amend the Central Roselle Revitalization Plan therewith.

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

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

Section 2. The Central Roselle Revitalization Plan is hereby amended in accordance with the version of said plan attached hereto as **Exhibit A** (additions are underlined and deletions are struck through).

Section 3. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 4. All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby rescinded.

Section 5. This ordinance shall take effect in accordance with applicable law.

<b>Vote Record – Ordinance Number 2655-21–Second Reading &amp; Final Passage</b>				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson	x			
Councilwoman Thomas	x			



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

**ORDINANCE ON SECOND READING & FINAL PASSAGE** –Ordinance Number 2656-21

AN ORDINANCE PROVIDING FUNDING FOR BASKETBALL COURT IMPROVEMENTS FOR GROVE STREET PARK FOR THE BOROUGH OF ROSELLE AND APPROPRIATING \$42,500 FOR SUCH PURPOSE [Public Hearing June 16, 2021]

Mayor Shaw read Ordinance Number 2656-21 by title and opened the Public Hearing. Seeing no one come forward, Mayor Shaw closed the public comment on the ordinance.

Motion by Councilwoman Thomas, seconded by Councilwoman Johnson to adopt Ordinance Number 2656-21 on 2<sup>nd</sup> Reading and Final Passage.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Roselle, in the County of Union, New Jersey, authorizes basketball court improvements for Grove Street Park, including all structures and appurtenance, work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereof on file in the office of the Clerk, for the Borough of Roselle to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$42,500 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Capital Improvement Fund in the amount of \$42,500.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Roselle may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

<b>Vote Record – Ordinance Number 2656-21–Second Reading &amp; Final Passage</b>				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson	x			
Councilwoman Thomas	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

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

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

1. Sylvia Turnage spoke to the resolution about renting garbage trucks and she asked how they went from purchasing the garbage trucks to renting them and asked what the cost savings is, as well as the yearly cost to rent them, and if there is a timeframe to purchase the trucks.

Councilman Fortuna stated that they are not renting the one-arm bandit garbage trucks, they are renting read-loader trucks to get through to the end of the year and he said they are renewing the rental

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

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

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

<b>Vote Record – To Adopt the Consent Agenda</b>				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson	x			
Councilwoman Thomas	x			

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

## **CONSENT AGENDA**

### **RESOLUTION NUMBER 2021-210**

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

**WHEREAS**, all Plenary Retail Consumption, Plenary Retail Distribution, Limited Distribution and Club Licenses will expire on June 30, 2021; and

**WHEREAS**, all A.B.C. Licenses are required by the State of New Jersey to be renewed annually by June 30<sup>th</sup>; and

**WHEREAS**, the Applicants having complied, in accordance with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and in accordance with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control, and applicable thereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey that it hereby authorizes the Borough Clerk to issue the ABC licenses to the following:

#### **CLUB LICENSE - \$150.00 Fee**

2014-31-026-001      Unity Post 229 of the American Legion, 115 Grove Street

#### **PLENARY RETAIL CONSUMPTION LICENSES W/Broad- \$1,050.00 Fee**

2014-32-009-012      Big Head Liquors, T/A Skylark Discount Liquors, 350 West First Avenue

#### **PLENARY RETAIL CONSUMPTION LICENSES - \$1,050.00 Fee**

2014-33-021-008      Amikle Restaurant, T/A Central Park, 2401 North Wood Avenue

2014-33-013-006      L JACL, LLC T/A Lun Wah, 587 Raritan Road

2014-33-006-010      Ceilo Management T/A Villa Tequila Lounge, 1305 Wood Avenue

2014-33-018-008      Hamilton's Tavern, 639 West First Avenue

2014-33-017-004      Samara, Inc. dba Sphinx Restaurant, 121 East Second Avenue

2014-33-008-005      Vaszg, LLC T/A Garibaldi Tequila Bar, 105 Linden Road

2014-33-022-007      Weis Buffet Corporation, T/A Wei's Buffet 711 East First Avenue

#### **PLENARY RETAIL DISTRIBUTION LICENSES - \$720.00 Fee**

2014-44-001-009      Amipuja, LLC, T/A C&B Liquors

2014-44-014-006      ASGP Enterprises, Inc., T/A Crown Liquors, LLC, 711 East 1st Ave.

2014-44-015-009	CSS Liquor, LLC, T/A Paul and Joe Deli Liquors, 500 Chandler Ave.
2014-44-016-014	Jayaraj, Inc., dba Alman Liquors, 111 East Second Avenue
2014-44-011-006	Jay Corp of NJ, Inc., T/A Rick's Wine & Liquors, 915 Wood Ave.
2014-44-002-006	Krishma Liquors, Inc., T/A Prince Liquor Store, 310 Amsterdam Avenue
2014-44-020-014	Anik and Arin, LLC, T/A Liquor Basics, 585 Raritan Road
2014-44-023-008	Roselle Beverage, Inc., T/A T&J Liquors, 1201 St. Georges Avenue

I, Lydia D. Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held June 16, 2021.

## **RESOLUTION NUMBER 2021-211**

### **TAX ABATEMENT RESOLUTION**

**WHEREAS**, Cherry Garden Preservation, L.P. (hereinafter referred to as the "Sponsor") proposes to acquire and rehabilitate a 254 unit affordable housing project including non-revenue employee units (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing hereinafter referred to as the "HMFA Requirements") within the municipality of Roselle (hereinafter referred to as the "Municipality") on a site described as Lot 1502, Block 01 as shown on the Official Assessment Map of the Borough of Roselle, Union County and commonly known as Oak Park Apartments (to be renamed Cherry Garden Apartments), 1 Garden Dr N, Roselle NJ 07203; and

**WHEREAS**, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

**WHEREAS**, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the Agency; and

**WHEREAS**, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

**WHEREAS**, the Sponsor has presented to the Municipal Council a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Roselle (the "Council") that:

- (1) The Council finds and determines that the proposed Project will meet or meets an existing housing need;

- (2) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and
- (3) The Council does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit "B"; and
- (4) The Council hereby authorizes and directs the Mayor of the Borough of Roselle to execute, on behalf of the municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit "B"; and
- (5) The Council understands and agrees that the revenue projections set forth in Exhibit "A" are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and municipality.

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 June 16, 2021.

### **RESOLUTION NUMBER 2021-212**

#### **RESOLUTION RESCINDING RESOLUTIONS NOS. 2013-366, 2013-367 AND 2015-345 AND RESCINDING OFFER TO SELL PREMISES COMMONLY KNOWN AS BLOCK 2802, LOTS 1, 8 AND 14 ON THE TAX MAP OF THE BOROUGH OF ROSELLE**

**WHEREAS**, on October 7, 2013, the Borough Council of the Borough of Roselle adopted Resolution No. 2013-366, authorizing the sale of property commonly known as Block 2802, Lot 1 and Lot 8, on the Tax Map of the Borough of Roselle, to Roselle Senior Housing, Inc., and Resolution No. 2013-367, authorizing an agreement for payments in lieu of taxes (PILOTs) pertaining to Block 2802, Lot 1 and Lot 8; and

**WHEREAS**, on August 19, 2015, the Borough Council of the Borough of Roselle adopted Resolution No. 2015-345, which included Block 2802, Lot 14 as property authorized to be sold in accordance with Resolution No. 2013-366; and

**WHEREAS**, although the Borough of Roselle offered to sell the above-described premises to the Developer named in Resolution No. 2013-366, a contract of sale has not been executed and the proposed project has not moved forward; and

**WHEREAS**, the Borough Council now desires to formalize the cancellation of the proposed transaction;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Roselle that Resolutions No. 213-366 and 2013-367, adopted October 7, 2013, and Resolution No. 2015-345, adopted August 19, 2015, be and are hereby rescinded; and

**BE IT FURTHER RESOLVED**, the appropriate Borough officials are hereby authorized and directed to notify the prospective developer that said resolutions have been rescinded.

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 June 16, 2021.

### **RESOLUTION NUMBER 2021-213**

#### **RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE CDBG YEAR 47 – ROSELLE STREET IMPROVEMENT PROJECT FUNDED BY THE UNION COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

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

**WHEREAS**, Colliers Engineering & Design dba Maser Consulting is familiar with the design procedures that is necessary for said improvements and shall perform the tasks as delineated in the June 2, 2021 correspondence; and

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

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

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

**WHEREAS**, on January 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 also the Borough Council subsequently awarded the Borough Engineering Contract (Resolution No. 2021-112); 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 Business Administrator and/or Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically within existing bond ordinance 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 is authorized to perform professional engineering design services in the amount of \$29,500.00 for the CDBG Year 47 – Roselle Street Improvement Project.

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

I, Lydia Massey, Acting Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the forgoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held June 16, 2021.

#### **RESOLUTION NUMBER 2021-214**

#### **RESOLUTION AUTHORIZING PETTY CASH FUNDS**

**WHEREAS**, N.J.S.A. 40A:5-21 authorized the establishment of petty cash funds for various departments in the Borough of Roselle; and

**WHEREAS**, said Petty Cash Funds were established by resolutions of the Borough of Roselle; and

**WHEREAS**, said Petty Cash Funds received approval from the director of Local Government Services; and

**WHEREAS**, it is the desire of the Council that the following funds be established and be allowed to continue under the control of the designated custodians.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Roselle, County of Union, and State of New Jersey that the following departments and custodians are approved and hereby appointed custodian of petty cash and authorized and permitted to establish a petty cash fund in the amount indicated pursuant to the provisions of N.J.S.A. 40A:5-21.

<b>DEPARTMENT</b>	<b>CUSTODIAN</b>	<b>AMOUNT</b>
Police	Stacey Williams	\$300.00
Fire	Eric Pearson	\$300.00
Clerk	Lydia Massey	\$200.00

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held on June 16, 2021.

#### **RESOLUTION NUMBER 2021-215**

#### **ACCEPTANCE OF THE RETIREMENT OF FIREFIGHTER MICHAEL CHREBET**

**WHEREAS**, Firefighter Michael Chrebet has notified the Borough that he will be retiring from the Fire Department; and

**WHEREAS**, Firefighter Chrebet has been a member of the Roselle Fire Department, in good standing, for twenty-six years.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Roselle, hereby accept the retirement of Firefighter Michael Chrebet this date with an effective retirement date of July 1, 2021.

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

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held June 16, 2021.

**RESOLUTION NUMBER 2021-216**

**RESOLUTION HIRING A FULL-TIME DEPUTY COURT ADMINISTRATOR  
IN THE OFFICE OF THE MUNICIPAL COURT AT THE CONTRACTUAL  
ANNUAL SALARY OF \$60,000.00**

**WHEREAS**, the position of Deputy Court Administrator is required by N.J.S.A.2B:12-10, Court; and

**WHEREAS**, Latrina Cohen was interviewed and judged to be qualified for employment in the title of Full-Time Deputy Court Administrator in the Municipal Court Office; and

**WHEREAS**, Judge Karen Cassidy, the Assignment Judge of the Union County Superior Court of New Jersey approved Latrina Cohen for appointment as the Deputy Court Administrator.

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

1. Latrina Cohen is hereby appointed to the non-union position of Full-Time Deputy Court Administrator for the Municipal Court of the Borough of Roselle, effective June 21, 2021.
2. Latrina Cohen shall be compensated in accordance with the salary guidelines for the position of Deputy Court Administrator as set forth by the Borough's salary ordinance, with an annual salary of \$60,000.00.
3. Latrina Cohen shall be eligible for the following benefits and emoluments upon the effective date of her employment with the Borough:
  - a. Fifteen (15) paid holidays, plus one (1) annual floating holiday.



- b. Vacation earned at a rate of one (1) day per month during the first year of employment; subsequent to the first year of employment, twelve (12) work days of annual vacation will be available pursuant to Borough Policy as applicable to non-union employees.
  - c. Sick leave earned at the rate of one (1) day per month during the first year of employment; in subsequent years, fifteen (15) work days of sick leave will be credited annually, in anticipation of continued employment. Sick leave days are available for use in the year earned.
  - d. Five (5) annual personal days are credited every calendar year, including the first year of employment. Personal days may not be utilized during the first ninety (90) days of employment.
  - e. Enrollment in the Borough's medical, prescription, and dental plans subject to each plan's waiting period.
- 4. The requirements of the Borough Code Section 4-10 as to residency in the Borough are hereby waived by the Borough Council as to Latrina Cohen.
  - 5. The provisions in this resolution are severable. To any extent that any clause, phase, sentence, paragraph, or provision of the Resolution shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer has been certified that sufficient funds are available within the CY 2021 Budget.

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 June 16, 2021.

#### **RESOLUTION NUMBER 2021-217**

#### **ACCEPTANCE OF THE RESIGNATION OF DREW HANUSOSKY**

**WHEREAS**, Drew Hanusosky has notified the Municipal Court that he will be resigning from the position of Per- Diem Court Attendant and

**WHEREAS**, Drew Hanusosky has been a member of the Roselle Municipal Court in good standing; and

**WHEREAS**, Drew Hanusosky has submitted a letter of resignation, effective as of February 5, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle, hereby accepts the resignation of Drew Hanusosky, this date.

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 June 16, 2021.

**RESOLUTION NUMBER 2021-218**

**ACCEPTANCE OF THE RETIREMENT OF  
POLICE CHIEF BRIAN K. BARNES**

**WHEREAS**, Police Chief Brian K. Barnes has notified the Borough that he will be retiring from the Police Department; and

**WHEREAS**, Police Chief Brian K. Barnes has been a member of the Roselle Police Department, in good standing, for over twenty-seven (27) years.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Roselle hereby accept the retirement of Police Chief Brian K. Barnes this date, with an effective retirement date of July 31, 2021; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council thank Police Chief Brian K. Barnes for his service to the Borough and wish him luck in his future endeavors.

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held June 16, 2021.

**RESOLUTION NUMBER 2021-219**

**RESOLUTION AUTHORIZING THE RENTAL OF GARBAGE TRUCKS THROUGH  
THE U.S. COMMUNITIES COOPERATIVE PRICING SYSTEM**

**WHEREAS**, the Borough of Roselle is in temporary need of two (2) rear loader Garbage Trucks; and

**WHEREAS**, pursuant to Resolution No. 2021-062, the Borough of Roselle is a member of the U.S. Communities Cooperative Pricing System; 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 U.S. Communities Cooperative Pricing System, located in Franklin, Tennessee, offers voluntary participation in its cooperative purchasing system for the purchase of goods and services from its vendors and purchases through U.S. Communities Cooperative Pricing System comply with the Local Public Contract Law Requirements; and

**WHEREAS**, the Borough of Roselle wishes to rent the following items through the U.S. Communities Cooperative Pricing System vendor, Big Truck Rental, with a corporate office located at 5001 W. Lemon St, Tampa, FL 33609:

(2) Rear Loading Garbage Trucks

**WHEREAS**, The Chief Financial Officer has certified that sufficient funds are available, in 2021 Budget Account# 1-01-26-291-000-246 in the amount of \$84,000.00;

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

1. That authorization for the renting of two (2) rear loading garbage trucks from Big Truck Rental through U.S. Communities Cooperative Pricing System at a monthly rate of \$6,000.00 per garbage truck for a total purchase price not-to-exceed \$84,000.00 for seven (7) months June – December 31, 2021.
2. That an executed copy of the Contract between the Borough and Big Truck Rental 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 Regular meeting of said Council held June 16, 2021.

#### **RESOLUTION NUMBER 2021-220**

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

**WHEREAS**, the Borough of Roselle is in need of 95-gallon trash carts to be used with the new side loader 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:

95 Gallon Garbage Carts

**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 \$248,440.00;

**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 Carts through ESCNJ for a total purchase price not-to-exceed \$248,440.00.

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 Regular meeting of said Council held June 16, 2021.

#### **RESOLUTION NUMBER 2021-221**

#### **RESOLUTION AUTHORIZING THE TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C72**

WHEREAS, due to the late adoption of the State of New Jersey's budget the County Board of Taxation is unable to certify the tax rate at this time and the Tax Collector will be unable to mail the tax bills on a timely basis;

WHEREAS, the Tax Collector in consultation with the Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION AND THE STATE OF NEW JERSEY as follows:

1. The Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2021 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c72 (N.J.S.A. 54:4- 66.2 and 54:4-66.3).
2. The estimated tax levy for 2021 is hereby set at \$67,190,334.14.
3. In Accordance with law the third installment of 2021 taxes shall not be subject to interest until the later of; the grace period or the twenty-fifth calendar day after the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date which interest may begin to accrue.

I certify that the foregoing is a true and correct copy of resolution adopted by the Mayor and Council of the Borough of Roselle at a meeting held June 16, 2021.

**RESOLUTION NUMBER 2021-222**

**AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE  
PURSUANT TO N.J.S.A. 54:5-52.1**

**WHEREAS**, the Tax Collector of the Borough of Roselle has previously issued a tax sale certificate to CHRISTIANATc/fCE1/FIRSTTRUSTBNK which certificate is dated December 1, 2020 covering premises commonly known and referred to as Lot 3 in Block 4602 as set out on the municipal tax map then in use which certificate bears number 20-00047.

**WHEREAS**, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto.

**NOW, THEREFORE**, be it resolved by the Mayor and Governing Body of the Borough of Roselle that the Tax Collector of the municipality be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit and the payment of a fee of \$100.00 per certificate, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

**BE IT FURTHER RESOLVED** that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

I certify that the foregoing is a true and

correct copy of resolution adopted by the  
Mayor and Council of the Borough of Roselle  
at a meeting held June 16, 2021.

### **NON-CONSENT**

Mayor Shaw asked Borough Administrator Rick Smiley to speak to the resolution on non-consent. Borough Administrator Smiley commented that this resolution was the one that Councilman Fortuna spoke to in his comments earlier to address the paving needs on North Wood Avenue, and it will allow the Borough to sign an agreement with the City of Linden to move forward.

### **Discussion:**

Councilwoman Johnson asked what the cost will be for the paving project. Councilman Fortuna said the cost will come out of capital and Linden will do all the work, and the Borough will pay their share of the asphalt and the striping and all the metal on the Roselle side which is one manhole.

Councilman Bernier stated that the amount stated in the resolution is approximately \$245,000.00 and the Borough's portion is roughly \$114,000.00.

Motion by Councilman Fortuna, second by Councilwoman Johnson to adopt Resolution Number 2021-223.

### **RESOLUTION NUMBER 2021-223**

#### **RESOLUTION AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE CITY OF LINDEN FOR THE RESURFACING OF NORTH WOOD AVENUE**

**WHEREAS**, North Wood Avenue between Raritan Road and Amsterdam Avenue is situated on the border of the City of Linden and the Borough of Roselle, and is in need of resurfacing and other necessary improvements; and

**WHEREAS**, the City of Linden and the Borough of Roselle have agreed to share the costs associated with said resurfacing and improvements; and

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, with Roselle's share estimated to be \$114,512.40 of an estimated total cost of \$245,228.80; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE** that, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., a shared services agreement with the City of Linden for the resurfacing and related work of North Wood Avenue between Amsterdam Avenue (County Route

617) and Raritan Road (County Route 607), traversing through the City of Linden and the Borough of Roselle, with the City of Linden serving as the lead agency, is hereby authorized and directed.

**BE IT FURTHER RESOLVED** that the City of Linden will act as the lead agency with respect to the use of services through the Morris County Cooperative Pricing Council and, if necessary, the bidding and award of a contract for the above purpose; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of a formal Interlocal Service Agreement between the City of Linden and the Borough of Roselle; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk be and hereby are authorized and directed to execute said agreement with the Borough of Linden to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that the Borough Clerk be and is hereby authorized and directed to file a copy of the shared services agreement with the Division of Local Government Services in the New Jersey Department of Community Affairs, pursuant to NJSA 40A:65-4(b); and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published in accordance with applicable law.

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 June 16, 2021.

<b>Vote Record – To Adopt Resolution Number 2021-223</b>				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson	x			
Councilwoman Thomas	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

### **PAYMENT OF BILLS**

Motion by Councilman Bernier, second by Councilman Fortuna to adopt Resolution Number

2021-224.

		<b>Resolution # 2021-224</b>		
RESOLVED: That the following be paid by the borough by checks drawn on				
TD Bank made payable to those persons for whom the warrants are drawn:				
		<b>BILL LIST</b>		
			<b>16-Jun-21</b>	
<b><u>FUND</u></b>				
ANIMAL CONTROL				
CAPITAL ACCOUNT		\$	114,800.31	
CDBG TRUST				
CURRENT FUND		\$	3,290,622.07	
ESCROW TRUST		\$	360.00	
FSLEF			1079.75	
SLEF				
GENERAL TRUST ACCOUNT			4170.97	
TRUST DCA FEES				
GRANT ACCOUNT		\$	44,717.32	
NJ HEALTH BENEFITS				
SUI				
MAY 21, 2021 PAYROLL			\$733,077.76	
JUNE 4, 2021 PAYROLL		\$	685,175.12	
MANUAL CHECK		\$	131,240.08	
POAA				
REDEMPTION PREMIUM ACCOUNT				
PUBLIC DEFENDER				
REDEMPTION TRUST				
RESERVE FOR ESCROW				
SALARY DEDUCTION				
GRAND TOTAL			\$5,005,243.38	
LYDIA MASSEY				
ACTING BOROUGH CLERK				



DATED: JUNE 16, 2021						

Vote Record – To Adopt Resolution Number 2021-224				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	x			
Councilman Bernier	x			
Councilwoman Johnson	x			
Councilwoman Thomas	x			
Councilman Fortuna	x			
Councilwoman Wilkerson	x			
<input checked="" type="checkbox"/> <b>Adopted</b> <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

## **PUBLIC COMMENT**

1. Sylvia Turnage commented on the paved streets in the Borough and said they look and feel marvelous. She thanked Elizabethtown gas and those who put the plan together to have the streets paved. She talked about the Community Center and said it's been closed for 15 months, is in shambles and the kitchen is inoperable. She questioned why painting and improvements were not done while the Borough was closed and asked if last year's Recreation budget money could have been expended to improve the facility. She asked what is being offered to the children and families this Summer and said the Recreation Chair never has anything to report. She talked about redevelopment and said if the current trend is to build apartments and give developers sweetheart deals, it will definitely not work. She talked about rent control in the Borough for residents and said she did not vote rent control out, and the only option will be to raise taxes. She said the focus needs to be in the business area. She said there are no organized activities at Sylvester Land Field and Arminio Field and that former leagues were priced out.
2. Michele Johnson announced that she was speaking on behalf of her neighbors regarding parking on Walnut Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue; she advised that there is also an apartment complex on Walnut Street, and No Parking signs were installed last week from the corner to the middle of the block, and there is a need for sufficient parking spaces. She feels there was a vote taken on the project and a decision made to do the survey. She said the issue was the speeding on 2<sup>nd</sup> Avenue, and now there is a blind spot when cars turn onto 2<sup>nd</sup> Avenue because the signs are so huge, and would like for the parking and speeding issue to be readdressed. She said she spoke to her Councilwoman and thanked the Borough Clerk for taking her calls. She asked for an additional minute to continue

her comments. On a motion by Councilwoman Wilkerson, seconded by Councilwoman Thomas. A Roll call vote was taken and all Council members voted yes to extend the public comment by one minute and the motion carried.

Mrs. Johnson then thanked the governing body for all the work that is being done in Roselle, and said the paved streets are wonderful. She echoed the sentiment of Ms. Turnage regarding the types of redevelopment arrangements Council makes and said people plan to leave Roselle. She has been a homeowner in Roselle for 27 years and enjoyed the time that she lived here, but doesn't know how people can sustain living in Roselle with the flipping of houses and the increase in taxes, and that Council needs to encourage more businesses to come in.

3. Mrs. Forman asked when the Library and Borough Hall will be open and she also talked about the fireworks that were going off in her neighborhood on the 4<sup>th</sup> of July and she said garbage was all over the place. She said she called the Police Department several times and wanted to know if things have been put in place to make sure it doesn't happen again to feel safe in the neighborhood.
4. Ms. Chandler praised the Council for the honoring men of distinction for Father's Day in the midst of children in school system are experiencing education and learning loss and hopes the Council continues to promote representation of strong successful black men and women and figure out ways to have those individuals engage with students in the school system which will be a pivotal shift in the children's education.
5. Mr. Patton asked what the plans are for the industrial parks and how they can create economic growth in the area, he asked what the Council would like to see from those aspiring to get into the Cannabis industry, what the Council wishes to see from them in regards to a social equity plan.

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

Mayor Shaw then asked if anyone wanted to respond to the public comment questions.

Rick Smiley, Borough Administrator commented that there are continued talks with the Board of Education as they continue to develop the facility with a field house and other amenities. He said he could not speak to rent control until the governing body comes to a decision. Regarding fireworks, he remarked that the Borough has to follow the laws and he encouraged residents to contact the Roselle Police Department and they will respond and try to abate the situation as soon as possible. He said he will talk to the officer in charge to come up with a more amenable solution to address the issue. He announced that Borough Hall and the Library will be open to the public on June 21, 2021, and said it was necessary to keep Borough Hall closed for an additional week based on safety reasons as it related to Covid-19 numbers. He announced that when Borough Hall opens up, the Summer modified hours will be 8:30 am to 4:30pm Monday through Thursday, and 8:30 am to 1:00pm on Friday. He will have to look into the No Parking

signs on Walnut Street and asked Ms. Johnson to give him a call. He then asked if anyone from the governing body wanted to address industrial park and economic growth.

Council President Wilkerson said the governing body is concerned with all areas of redevelopment and the issue with Roselle is that it is landlocked and they can't take over private property. She said they are creating a plan and a strategy talk to owners about what their plans are as owners. She said they always welcome new businesses and constantly try to attract new businesses, and the effort is everywhere. She also said that Code Enforcement is actively addressing the issues in the Borough to sure that it is up to code and a place that people want to move to.

Rick Smiley, Borough Administrator, added that they are making staffing recommendations for the Department of Recreation, Code Enforcement and Public Works and understands that the Borough needs additional bodies to move forward, and the recommendations will be put forth to the governing body as the July Council meeting.

Councilwoman Johnson said she spoke to Ms. Johnson about the No Parking signs and assured her that they will get back to her and that there is a process for everything. She also said there were a lot of issues about parking and safety on 2<sup>nd</sup> Avenue. She also said she that she can set up a meeting with Ms. Johnson and the Engineers and go in-depth about her concerns. She also spoke to the firework situation, and agreed with the resident that it was terrible last year. She also said that penalties will be posted, but fireworks are legal now and sold everywhere, and there are is a noise ordinance in place as well. She thanked Ms. Johnson for coming out.

Council President Wilkerson thanked Eugenia Simms for putting something together for the Summer camp activities and announced that the schools did not allow the use of their facilities this year; and the program offered by the Borough will be at no cost to the parents. She commended Ms. Simms for working feverishly on the job since promoted and will come up with a schedule of Recreation events that will run. She also agrees that the signage on 2<sup>nd</sup> and Walnut Street need to be looked at knows the fireworks have been a major problem. She thanked the Police Department for putting a plan together to address fireworks this year.

### **COUNCIL COMMENT**

Councilman Villeda thanked God for continuing to bless the 1<sup>st</sup> Ward and the entire community of Roselle. He thanked the residents of the 1<sup>st</sup> Ward for attending his Zoom meeting to discuss important topics. He also talked about speeding on Sheridan Avenue and other streets in the 1<sup>st</sup> Ward, and said it is time to come together to make Roselle a great community. He congratulated Councilman Bernier and Councilman Fortuna on their re-election as Council Members. He also congratulated Mayor Shaw, Council President Wilkerson, Councilwoman Johnson and Councilwoman Thomas on their respective positions and for working in a unified manner. He asked questions about the rental of garbage trucks and asked Councilman Fortuna to answer his

questions during his comments. He also asked Councilman Bernier to address paving on Harrison Avenue.

Councilman Bernier gave a status update on paving on Harrison Avenue and said Engineering has gone out to bid, and plan is to put a resolution forth to award a contract at the July meeting to pave Harrison Avenue. He thanked Chief Brian Barnes for his 27 years of service to the Borough and his retirement and said he knows he will enjoy it and hopes he will visit the Borough from time to time. He also congratulated Firefighter Chrebet on his retirement after 26 years of service to the Borough. He also wished everyone a Happy Father's day and said that Council made a lot of good progress on items that have been discussed for years, such as the paving of North Wood Avenue, the Sheridan Avenue Project, and that government takes time and are finally moving forward. He answered the cannabis question and said that there will be a listening session next Thursday via Zoom, June 24, 2021 at 7:00 p.m., for residents to bring any feedback as far as where and what types of businesses that should be allowed in Roselle. He said the Borough is looking forward to the financial benefit that it can bring to Roselle and looks forward to input from the residents. He also stated that 75 percent of Roselle voted in favor for legalization. He spoke to the comment about the only option Council has is to raise taxes, and he said he is thankful that the members of the governing body today no longer believe that and have been digging into the books over the last few years to make financial decisions to get the finances in order to prevent additional burden on taxpayers; he remarked that the Council held the taxes flat and will continue. He thanked CFO Anders Hasseler for doing everything possible to clean up finances which put the Borough in a much better position; and he reiterated that raising taxes is not the only option, and they must continue to make solid decisions on behalf of the taxpayers. He announced that his next 2<sup>nd</sup> Ward meeting will be on Zoom on June 29, 2021 at 7:00p.m., and he said to bring any questions and concerns, and he gave his contact information.

Councilwoman Johnson wished all the fathers in Borough Hall a Happy Father's Day, and she also wished women who had to play the role of a father and mother the same. She talked about the firework situation and said it was discussed in the Public Safety committee meeting and will be addressed. She also talked about cleaning up the Borough and commended the DPW Shade Tree Division for pruning and take down trees. She announced that her 3<sup>rd</sup> Ward meetings will start back up as the Borough is reopening back up. She thanked Mr. Johnathan Frasier for his support and congratulated everyone who ran in the primary election. She said it is an honor to work with Councilman Bernier and Councilman Fortuna again as they can agree to disagree. She congratulated and commended Leonard Washington and Lisa Palin on running for election, and looks forward to the Borough opening back up on June 21, 2021. She thanked Chief Pearson for a job well done and said Happy Juneteenth to everyone.

Councilwoman Thomas congratulated Councilman Bernier and Councilman Fortuna for running a good race and doing a good job. She then congratulated Chief Brian Barnes on his retirement and congratulated all the men that were acknowledged as men of distinction for Father's Day.

She addressed the concerns that Ms. Turnage had about recreation and said she agrees and hears her concerns. She talked about how the leadership position in Recreation needed to be filled, and said Ms. Simms has a lot of ideas for Recreation. She announced that there will be a Summer Day Camp program for the children and applications and flyers will be posted on the Borough website by the end of the week. She also remarked that Ms. Simms will roll-out more recreation activities starting in July and is feverishly working to get the Department up and running. She talked about the condition of the Community Center and said it is of concern to her and she is working with Borough Administrator Smiley and Recreation Leader Simms to get it resolved. She wished everyone a Happy Father's Day.

Councilman Fortuna congratulated Chief Barnes on his retirement and said it's been a pleasure to working with him and wishes him the best. He announced that his next 5<sup>th</sup> Ward meeting will be held in July with the location to be provided after July 4<sup>th</sup>. He talked about the paving project on North Wood Avenue and said discussion began in 2019. He thanked the Borough Engineer and the Linden Engineer and the Linden 9<sup>th</sup> Ward Councilman Medina for being a great asset and bringing the project together. He said it is satisfying to know the paving will be done and the residents will be very happy and they are the big winners. He thanked the 500 voters who came out for the primary election and voted for him in the inclement weather. He echoed the sentiment of Councilwoman Johnson regarding Leonard Washington and Lisa Palin and thanked them for stepping up to the challenge. He said as an American, he believes that no one should run unopposed, and he said free and open elections are our cornerstone and brings great ideas to the surface. He wished everyone a Happy Father's Day.

Council President Wilkerson gave condolences to the family of Marie Denise Belfort Henry and said she was a lovely woman who loved the color red and battled cancer for 14 years. She congratulated the recipients of Men of Distinction for Father's Day proclamations, and said that men are the corner stones of the community. She then congratulated Brianna Thomas on graduating, all the graduates of the Roselle school district, and her two daughters who graduated. She said it an honor to serve on the dais to make Roselle a better place for all children. She congratulated Chief Brian Barnes on his retirement and then congratulated Councilman Bernier and Councilman Fortuna on their re-election. She talked about the salary of \$15,000 for Council members and said no one can do the job unless they truly care, and that it is a huge commitment. She announced that the stop sign ordinance is being reviewed by legal to make sure they are doing the right thing. She said she is honored to work with Councilman Bernier and Fortuna and all the members of the governing body to keep pushing Roselle forward. She talked about taxes and said they are doing their best to stabilize them and they did this by having a zero increase in 2020 and 2021. She spoke to the upcoming cannabis listening meeting on June 24, 2021 at 7:00p.m., for residents. She said that her At-Large meeting will be held on June 23, 2021 outdoors and the location will be announced in a couple of days. She said a special Father's Day to two special men in her life Tony and her father who is sick and on hospice, and thanked Tony for being an amazing man and father to their children. She also thanked her daughter's boyfriend Davon for being an amazing father. She said Happy Father's Day to Mayor Shaw and

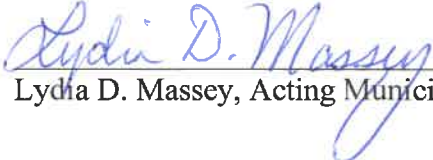
Councilman Villeda. She said they are doing great things and she encouraged the residents to be patience.

### **MAYOR'S COMMENTS**

Mayor Shaw gave condolences to the family of Marie Denise Belfort Henry and the family of Susan Dougherty, a member of the Mayor's Senior Citizen Advisory Board. He congratulated Chief Brian Barnes on his retirement and said that they are very good friends. He said Brian Barnes is a man of honor and integrity who spoke his mind and he loved him for that, and will usher in a new Chief of Police with the same admiration, love and respect. He congratulated the winners of the primary election and echoed the sentiment of Council President Wilkerson regarding the pay and the commitment that elected officials make on a daily basis. He talked about a recent Urban Mayors meeting and said he had the privilege to speak to bail reform, and is happy and thankful to be the Mayor of the Borough of Roselle after hearing what other towns have to deal with on a daily basis. He said they are working diligently to resolve issues in Roselle, and he is proud to work with the members of the governing body. He congratulated Councilman Berner and Fortuna and looks forward to working with them, and sad that they will accomplish what they set out to do concerning budgets and taxes and is here for the fight, struggle and work. He wished all fathers a Happy Father's Day and thanked the Department Heads and Borough Administrator Smiley for the work they do. He then announced that the mother of Jo-Ann Drake passed away at 98 years old and to keep their family in prayer.

### **ADJOURNMENT**

On a motion by Council President Wilkerson, seconded by Councilwoman Thomas; all were in favor, none were opposed and the Regular meeting was duly adjourned at 8:19 p.m.

  
Lydia D. Massey, Acting Municipal Clerk