

**BOROUGH OF ROSELLE
MAYOR AND COUNCIL
REGULAR MEETING – AGENDA
JULY 21, 2021 – 6:30 P.M.
[Amended]**

MEETING CALLED TO ORDER

FLAG SALUTE / NATIONAL ANTHEM

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

PROCLAMATIONS

Retirement of Brian Barnes Police Chief
S.O.A.R. Hospitality & Travel

RESOLUTION

<u>Borough Administrator</u>	
2021-237	Resolution Granting the Council's Advice and Consent to the Appointment of Stacey Williams as Provisional Police Chief Effective August 1, 2021 at the Salary of \$161,000.00

OATH OF OFFICE ADMINISTERED TO PUBLIC SAFETY PERSONNEL

APPROVAL OF MINUTES OF MEETINGS

Minutes of the Mayor and Council Workshop Meeting – June 9, 2021
Minutes of the Mayor and Council Closed Executive Session – June 9, 2021
Minutes of the Mayor and Council Regular Meeting – June 16, 2021
Minutes of the Mayor and Council Special Meeting – June 21, 2021

COMMITTEE REPORTS

INTRODUCTION, CONSIDERATION AND PASSAGE OF ORDINANCES

ORDINANCE ON SECOND READING & FINAL PASSAGE – Ordinance Number 2658-21

AN ORDINANCE AMENDING CHAPTER 370 “SMOKE-FREE POLICY,” ADDING CHAPTER 155 “CANNABIS ESTABLISHMENTS,” AMENDING CHAPTER 620 “SIGNS,” AND ADDING CHAPTER 465 “CANNABIS TRANSFER TAX AND USER TAX” [Proposed Public Hearing Date July 21, 2021]

ORDINANCE ON SECOND READING & FINAL PASSAGE – Ordinance Number 2659-21

AN ORDINANCE TO AMEND AND SUPPLEMENT THE LAND USE CODE OF THE BOROUGH OF ROSELLE, CHAPTER 650, ARTICLE II, SECTION 650-4 DEFINITIONS; ARTICLE XII, ZONING, SECTION 650-88 D(7) USES, STRUCTURES AND BUILDINGS PROHIBITED IN THE BOROUGH OF ROSELLE; ARTICLE XII, ZONING, SECTION 650-95 B(1) and B(4) PERMITTED USES WITHIN THE BUSINESS/COMMERCIAL ZONE; ARTICLE XII, ZONING, SECTION 650-96 B(1) PERMITTED USES WITHIN THE PROFESSIONAL OFFICE ZONE; ARTICLE XII, ZONING, SECTION 650-97 B(1) PERMITTED USES WITHIN THE INDUSTRIAL ZONE; ARTICLE XII, ZONING, SECTION 650-99 B(1) and B(3) PERMITTED USES WITHIN THE COMMERCIAL-INDUSTRIAL ZONE; TO AMEND AND SUPPLEMENT THE CENTRAL ROSELLE REVITALIZATION PLAN, AMENDMENT #9, TABLE 1 TO ADD PERMITTED USES; TO AMEND AND SUPPLEMENT THE FIRST AVENUE REDEVELOPMENT PLAN, AMENDMENT #2 TO ADD PERMITTED AND CONDITIONALLY-PERMITTED USES; TO AMEND AND SUPPLEMENT THE REDEVELOPMENT PLAN FOR BLOCK 3801, SECTION 6.2.A.1 TO ADD PERMITTED USES; AND TO AMEND AND SUPPLEMENT THE NORTH CHESTNUT STREET REDEVELOPMENT PLAN, AMENDMENT #2, SECTIONS B.1, B.2 and B.3 TO ADD PROHIBITED USES [Proposed Public Hearing Date July 21, 2021]

ORDINANCE ON INTRODUCTION & FIRST READING – Ordinance Number 2662-21

ORDINANCE OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTIES BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID PROPERTIES BEING IDENTIFIED ON THE ANNEXED SCHEDULE AND PARCEL MAPS [Proposed Public Hearing Date August 18, 2021]

ORDINANCE ON INTRODUCTION & FIRST READING – Ordinance Number 2663-21

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 August 18, 2021]

ORDINANCE ON INTRODUCTION & FIRST READING – Ordinance Number 2664-21

AMENDING AN ORDINANCE ENTITLED “AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS AND EMPLOYEES OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY” [Proposed Public Hearing Date August 11, 2021]

PUBLIC COMMENTS (on Pending resolutions only)

CONSENT AGENDA

<u>Borough Administrator</u>	
2021-233	A Resolution Appointing Fund Commissioner and Alternate Fund Commissioner for the Public Entity Joint Insurance Fund
2021-234	Resolution Adjusting the Salaries of the Seasonal Temporary Laborers and Part-Time Laborers in the Department of Public Works
2021-235	A Resolution Authorizing the Mayor and Municipal Clerk of the Municipality of the Borough of Roselle to Execute An Agreement With the County of Union to Modify the Cooperative Agreement Dated June 2014, As Amended July 12, 2017
2021-236	Acceptance of the Resignation of Michael Schnurr
<u>Borough Clerk</u>	
2021-238	Authorizing Renewal of A.B.C. License and Authorizing the Municipal Clerk to Issue Same – A Special Ruling Pursuant to N.J.S.A. 33:1-12.39
2021-239	A Resolution Approving A.B.C. Person to Person License Transfer
<u>Economic Development</u>	
2021-240	Resolution Authorizing Professional Services In Connection With Redevelopment Engagement Within the Borough of Roselle, Union County, New Jersey
<u>Engineering</u>	
2021-241	Resolution Authorizing Professional Engineering Design Services in Connection With the NJDOT Fiscal Year 2021 Various Streets Improvements Funded by the Municipality Within the Borough of Roselle, Union County, New Jersey
2021-242	Resolution Awarding Construction Contract for the 2020 Traffic Safety Improvements Project Funded by The Municipality Within the Borough of Roselle, Union County, New Jersey
2021-243	Resolution Authorizing Professional Engineering Construction Administration Services in Connection With the 2020 Traffic Safety Improvements Project Funded by the Municipality Within the Borough of Roselle, Union County, New Jersey
2021-244	Resolution Awarding Construction Contract for the 2021 Capital Road Improvements Project (East 5 TH Avenue – Chandler Avenue to Drake Avenue and Harrison Avenue – East 3 RD Avenue to East 7 TH Avenue) Funded by the Municipality Within the Borough of Roselle, Union County, New Jersey
2021-245	Resolution Authorizing Professional Engineering Construction Administration Services in Connection With the 2021 Capital Road Improvements for East 5 TH Avenue (From Chandler Avenue to Drake Avenue) and Harrison Avenue (From

	East 3 RD Avenue to East 7 th Avenue) Project Funded by the Municipality Within the Borough of Roselle, Union County, New Jersey
2021-246	Resolution Authorizing Final Payment Based on As-Built Quantities and Release of Retainage for the CDBG YR46 Road Improvement Columbus Ave Project Funded by Community Development Block Grant (CDBG) and the Municipality Within the Borough of Roselle, Union County, New Jersey
2021-247	Approval to Submit a Grant Application and Execute A Grant Contract with the New Jersey Department of Transportation for the MA-2022-Roselle 8 th Ave, 7 th Ave, & Walnut S-00053 Project
<u>Finance</u>	
2021-248	Resolution Authorizing the Insertion of Special Items of Revenues and Appropriations in the 2021 Municipal Budget, Pursuant to N.J.S.A. 40A:4-87 - Alcohol Education Rehabilitation DWI Grant
2021-249	Resolution Authorizing the Insertion of Special Items of Revenues and Appropriations in the 2021 Municipal Budget, Pursuant to N.J.S.A. 40A:4-87 – Clean Communities Grant
2021-250	Resolution Authorizing the Insertion of Special Items of Revenues and Appropriations in the 2021 Municipal Budget, Pursuant to N.J.S.A. 40A:4-87 - County of Union Greening Grant
2021-251	Resolution Authorizing the Insertion of Special Items of Revenues and Appropriations in the 2021 Municipal Budget, Pursuant to N.J.S.A. 40A:4-87 - COVID Firefighters Grant
<u>Grant Writer</u>	
2021-252	Green Acres Enabling Resolution – Arminio Field
<u>Purchasing Agent</u>	
2021-253	Resolution Authorizing A Contract with Deegan Roofing for the Provision of Roofing Replacement and Repairs

NON-CONSENT

<u>Borough Clerk</u>	
2021-254	Approving Application for Loudspeakers or Sound Amplifiers and Authorizing the Borough Clerk to Endorse Same
<u>Economic Development</u>	
2021-255	Resolution of the Borough Council of the Borough of Roselle Designating the Area Known and Designated on the Borough Tax Map as Block 305, Lots 4 and 5 As An Area In Need of Redevelopment With Condemnation Pursuant to the Local Redevelopment Housing Law, N.J.S.A. 40A:12A-1 Et Seq.
<u>Engineering</u>	
2021-256	Resolution for a Change Order Amendment to the Contract for DLS Contracting, Inc., Regarding Additional Site Work for the Completion of the 2020 NJDOT Various Streets Improvements Project
<u>Borough Administrator</u>	
2021-257	Resolution Rescinding Resolution Number 2021-188

2021-258	Resolution Hiring Seasonal Temporary Laborers in the Department of Public Works
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PAYMENT OF BILLS

2021-259	A Bills List Dated July 21, 2021
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PUBLIC COMMENT

COUNCIL COMMENT

MAYOR'S COMMENTS

ADJOURNMENT

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-237

RESOLUTION GRANTING THE COUNCIL'S ADVICE AND CONSENT TO THE APPOINTMENT OF STACEY WILLIAMS AS PROVISIONAL POLICE CHIEF EFFECTIVE AUGUST 1, 2021 AT THE SALARY OF \$161,000.00

WHEREAS, the Police Department has an immediate need for a Police Chief to efficiently maintain the health, welfare and safety of the public; and

WHEREAS, the Mayor has nominated Stacey Williams for appointment as provisional Police Chief, which appointment requires the advice and consent of Council; and

WHEREAS, Civil Service Regulations permit the provisional appointment of a Police Chief pending the successful completion of an exam.

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

1. That the advice and consent of Council is granted to the provisional appointment of Stacey Williams to the position of Police Chief, effective August 1, 2021, subject to the successful completion of the Civil Service exam process.
2. The annual salary for Stacey Williams shall be \$161,000.00, prorated, contingent on the availability and appropriation of funds in the CY 2021 budget.
3. Stacey Williams shall retain all other benefits and emoluments he received as a member of the Roselle Superior Officers' Association Local 99A.

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

Lydia Massey, Acting Borough Clerk

Certification of Availability of Funds:
(Account#1-01-25-240-000-111)

Anders T Hasseler
Anders Hasseler, CFO

18 Jul 21
Date

BOROUGH OF ROSELLE



ORDINANCE NUMBER 2658-21

AN ORDINANCE AMENDING CHAPTER 370 "SMOKE-FREE POLICY," ADDING CHAPTER 155 "CANNABIS ESTABLISHMENTS," AMENDING CHAPTER 620 "SIGNS," AND ADDING CHAPTER 465 "CANNABIS TRANSFER TAX AND USER TAX"

WHEREAS, the Mayor and Council of the Borough of Roselle, in the County of Union, New Jersey (the "Borough"), a public body corporate and politic of the State of New Jersey (the "State"), wishes to create licensing requirements and land use regulations for regulated cannabis establishments that also protect the health, safety and general welfare of the community; and

WHEREAS, the Jake Honig Compassionate Use Medical Cannabis Act (the "Act"), N.J.S.A. § 24:6I-1 to -30, permits the authorized cultivation, processing, manufacturing, preparing, packaging, transferring, sale, purchase, research, possession, use and consumption of medical cannabis and products created from or which include cannabis; and

WHEREAS, the Borough finds that expansion of the medical cannabis program in the State has provided needed compassionate relief to the many persons suffering from chronic and/or serious debilitating illnesses who may benefit; and

WHEREAS, on November 3, 2020, the citizens of the State voted to approve Public Question No. 1, amending and supplementing Section VII of Article IV of the New Jersey Constitution to authorize the growth, cultivation, processing, manufacturing, preparing, packaging, transferring, and retail purchasing and consumption of cannabis, or products created from or which include cannabis for persons twenty-one (21) years of age or older in the State, and further authorized municipalities to enact an additional municipal tax of up to two (2) percent on the receipts from each sale of cannabis, or products created from or which include cannabis, by any duly licensed Class 2 and 5 cannabis establishment and up to one (1) percent on the receipts from each sale of cannabis, or products created from or which include cannabis, by any duly licensed Class 3 cannabis establishment; and

WHEREAS, the Borough finds, given the Schedule I status of cannabis under the federal Controlled Substances Act, complexities with access to banking and the level of cash transactions in cannabis related businesses, and other concerns associated with cannabis-related businesses, that only qualified operations should be permitted to safely operate strictly regulated cannabis facilities in the municipality on a limited basis and subject to reasonable time, manner, and place restrictions, in order to balance

patients' and consumers' interests and the creation of jobs and economic opportunity within the Borough with public safety; and

WHEREAS, in light of the enactment of N.J.S.A. § 24:6I-31 to 56, the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, it is in the best interest of the Borough to proactively establish licensing requirements for regulated cannabis establishments and imposing a municipal tax to support enforcement activities.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Roselle that the Code of the Borough of Roselle, Part IV, is hereby amended as follows:

SECTION I. The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION II. The Code of the Borough of Roselle, Part IV, General Ordinances, Chapter 370 Smoke-Free Policy, Section 3, Entitled "Definitions," is hereby amended and supplemented as follows (additions in **bold**, deletions ~~struck through~~):

§370-3 Definitions: As used in this chapter, the following terms shall have the meanings indicated:

SMOKING

The burning of any tobacco, **cannabis, or cannabis derived product**, whether used in a pipe, cigar, ~~or~~ cigarette, **or cannabis paraphernalia**.

SECTION III. The Code of the Borough of Roselle, Part IV, General Ordinances, is hereby supplemented by adding the following:

Chapter 155 Cannabis Establishments

§ 155-1 Definitions.

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

CANNABIS.

A substance that is bought, sold, and used in accordance and consistent with the laws of New Jersey and the regulations promulgated by the New Jersey Cannabis Regulatory Commission.

CANNABIS DELIVERY SERVICE

Any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a

consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer. Cannabis delivery services refer to those uses that require possession of a Class 6 Cannabis Delivery license.

CANNABIS DISTRIBUTOR

Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. Cannabis distributors refer to those uses that require possession of a Class 4 Cannabis Distributor license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

CANNABIS ESTABLISHMENT

A cannabis cultivator, delivery service, distributor, manufacturer, retailer, and/or wholesaler.

CANNABIS MANUFACTURER

Any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. Cannabis manufacturers refer to those uses that require a Class 2 Cannabis Manufacturer license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

CANNABIS RETAILER

Any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. Cannabis retailers refer to those uses that require possession of a Class 5 Cannabis Retailer license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.” This

includes medical cannabis alternative treatment centers. A cannabis retailer shall possess prior to commencing operations a permit or permit endorsement issued by the State of New Jersey that authorizes the dispensation or sale of cannabis or cannabis-derived or infused products.

CANNABIS WHOLESALER

Any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. Cannabis wholesalers refer to those uses that require of a Class 3 Cannabis Wholesaler license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

§ 155-2 Cannabis establishments prohibited.

Pursuant to Section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all Class 1 cannabis establishments are hereby prohibited from operating anywhere in the Borough of Roselle.

§ 155-3 Cannabis establishments allowed.

Class 2 through 6 Cannabis establishments shall be permitted, pursuant to this Chapter, only if the following requirements are complied with:

- A. The regulations of this Section are subject to the enabling authority of the State and are subject to compliance with all statutes and/or regulations adopted by the State or its instrumentalities. If any provision of this Section is inconsistent with the statutes and/or regulations of the State, the State statutes and/or regulations shall prevail.
- B. Prior to the operation of any cannabis establishment, a permit or license must be obtained from the State and from the Borough of Roselle for the applicable type of cannabis establishment. No cannabis establishment shall be permitted to operate without State and municipal permits or licenses.
- C. Permitted and conditional uses shall, at all times, comply with the terms and conditions of the licensee’s cannabis establishment license for permits or licenses issued by the State of New Jersey and the Borough of Roselle.
- D. No cannabis establishment shall be allowed as a Home Occupation.
- E. No cannabis establishment shall be housed in a vehicle or any moveable or mobile structure.
- F. No cannabis establishment shall operate an outdoor cannabis consumption area within the Borough of Roselle.
- G. Odor. Cannabis establishments shall have equipment to mitigate odor. The building shall be equipped with a ventilation system with carbon filters sufficient in type and capacity to mitigate cannabis odors emanating from the interior of the premises.

H. Noise. Outside generators and other mechanical equipment used for any kind of power supply, cooling, or ventilation shall be enclosed and have appropriate baffles, mufflers, and/or other noise reduction systems to mitigate noise pollution.

I. Security.

- (1) All cannabis establishments shall be secured in accordance with State of New Jersey Statutes and regulations; shall be equipped with security cameras covering all exterior parking and loading areas, points of entry, and interior spaces which are either open to the public or used for the storage or processing of cannabis, cannabis-derived or cannabis-infused products. Such footage must be maintained for the duration required under State law.
- (2) to the extent not already required by the entity's State license, all licensed facilities must provide at least one security guard (or more if required by the State) during all times the facility is open to the public. The security guard(s) shall be a State Certified Security Officer whose certification is in good standing and shall provide sufficient security to prevent the sale or diversion of cannabis items to persons under the legal age.
- (3) Hours. No cannabis retailer may open to customers for business before 7:00 am or remain open to customers for business after 10:00 pm.
- (4) Prohibited uses. Except as expressly permitted by this Chapter 155 of the Code of the Borough of Roselle, entitled Cannabis Establishments, any activity involving the cultivation manufacture, processing, testing, dispensation, distribution and/or sale of cannabis, cannabis-derived or infused products are expressly prohibited in all Public Use Zones, as defined in § 650-98 of this Code.

§ 155-4 On-Site signage.

- A. No State-licensed cannabis business shall display signage containing text and/or images intended to promote excessive consumption of legal cannabis products.
- B. Signage shall otherwise comply with the requirements of Chapter 620 Signs of this Code, to the extent permissible by applicable State laws and regulations governing signage standards for licensed cannabis establishments.

§ 155-5 Licensing.

A. Local licensing authority.

- (1) The governing body is hereby designated to act as the local licensing authority for the Borough for all cannabis establishments. Under all circumstances in which State law requires communication to the Borough by the Cannabis Regulatory Commission or any other State agency with regard to the licensing of cannabis establishments by the State, or in which State law requires any review or approval by the Borough of any action taken by the State licensing authority, the

exclusive authority for receiving such communications and granting such approvals shall be exercised by the Borough Administrator.

- (2) Under no circumstances shall a local license for a cannabis establishment issued by the governing body be effective until or unless the State has issued the requisite permits or licenses to operate such a facility. It is in the intent of this Chapter that no cannabis establishment may lawfully operate in the Borough without the issuance of a State permit or license and full regulatory oversight of the cannabis establishment by the Cannabis Regulatory Commission or other state licensing authority as well as oversight and issuance of a license by the Borough.

B. Classification of licenses.

The Borough, subject to land use approval and State licensure, may issue the following municipal licenses to operate a cannabis establishment:

Class 2: Cannabis Manufacturer license

Class 3: Cannabis Wholesaler license

Class 4: Cannabis Distributor license

Class 5: Cannabis Retailer license

Class 6: Cannabis Delivery license

C. Maximum Number of Licenses.

The Borough may issue a maximum of two (2) Class 2 licenses, two (2) Class 3 licenses, two (2) Class 4 licenses, three (3) Class 5 licenses, and five (5) Class 6 licenses. To the extent permissible by State law, licensure in all classes may be, but are not required to be, held by the same entity or individual, but an entity may not hold more than one cannabis retailer license. Any license conditionally issued by the Borough is contingent upon the locally licensed entity's or individual's subsequent receipt of a State permit or license of the same class or type of regulated cannabis activity.

D. Application.

Individuals or entities wishing to obtain any classification of cannabis license shall file a license application with the Borough Clerk, on a standardized form established by the Administrator and available in the Clerk's office. The Administrator shall establish a reasonable application period and deadline for all applications. An application shall be deemed incomplete and shall not be processed by the Borough Clerk unless all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

- (1) The applicant(s) shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to

lease the premises to the applicant contingent upon successful licensing.

- (2) The applicant(s) shall submit an affidavit and documentary proof of compliance with all State and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant(s) shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin or ancestry, disability, marital status, sexual orientation, or military status, in any of its activities or operations.
- (3) The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in this Code.
- (4) The applicant(s) shall submit, to the satisfaction of the Clerk, proof of financial capability to open and operate the cannabis establishment for which the applicant is seeking a license. Standards for proof of financial capacity shall be determined by the governing body.
- (5) The applicant(s) shall submit all required nonrefundable fees for the application and conditional license in accordance with the following fee schedule:

(a) Standard Fee Schedule

Class 2 (Manufacturer):	\$ 10,000 per location
Class 3 (Wholesaler):	\$ 10,000 per location
Class 4 (Distributor):	\$ 10,000
Class 5 (Retailer):	\$ 10,000
Class 6 (Delivery):	\$ 5,000

(b) Reduction of Licensure Fee for Local, Minority, Women, and Veteran Owned Businesses

For all State licensed cannabis business operations, the licensing fee established within Section 155-5D(5) of the Borough Code shall be reduced by the following amounts if the business entity can demonstrate that it falls within one or more of the following categories:

- i. Any business that can provide a Minority Business Enterprise, or Women's Business Enterprise Certification from the State of New Jersey shall be entitled to a 25% reduction of the licensure application fee, or remaining fee if a reduction has already been applied under this section.
- ii. Any business that can provide proof that at least 1/3 of its employees are residents of the Borough of Roselle shall be entitled to a 25% reduction of the licensure fee, or

remaining fee if a reduction has already been applied under this section.

- iii. Any business that can provide proof that at least 50% of the business is owned by a military veteran, by producing a DD-214 for the owner or partial owner as well as proof of said veteran's ownership interest in the business, shall be entitled to a 25% reduction of the licensure fee, or remaining fee if a reduction has already been applied under this section.
- iv. In any event, a cannabis business shall be entitled to a maximum reduction of 50% of the licensure application fee, based on the categories listed within this section.

(6) The applicant(s) shall submit all annual license fees required in accordance with the following fee schedule, which shall be refunded in the event the applicant does not receive a license:

(a) Standard Annual License Fee Schedule

Class 2:	\$ 10,000 per year
Class 3:	\$ 10,000 per year
Class 4:	\$ 10,000 per year
Class 5:	\$ 10,000 per year
Class 6:	\$ 5,000 per year

(b) Reduction of Annual License Fee for Local, Minority, and Women Owned Business

For all State licensed cannabis business operations, the annual registration established within Section 155-5D(6) of the Borough Code shall be reduced by the following amounts if the business entity can demonstrate that it falls within one or more of the following categories:

- i. Any business that can provide a Minority Business Enterprise, or Women's Business Enterprise Certification from the State of New Jersey shall be entitled to a 25% reduction of the annual registration fee, or remaining fee if a reduction has already been applied under this section.
- ii. Any business that can provide proof that at least 1/3 of its employees are residents of the Borough of Roselle shall be entitled to a 25% reduction of the annual registration fee,

or remaining fee if a reduction has already been applied under this section.

- iii. In any event, a cannabis business shall be entitled to a maximum reduction of 50% of the annual registration fee, based on the categories listed within this section.

- (7) In addition to complying with any State requirement related to good character and criminal background, any person proposed to have an ownership interest in the license shall not have had any cannabis license or permit revoked for a violation affecting public safety in the State of a subdivision thereof within the preceding five (5) years.
- (8) The applicant(s) and the application shall otherwise comply with any and all qualification standards set forth in the State and Borough laws or regulations.
- (9) In the event there are multiple applicants for a license, the governing body shall evaluate all applicants and issue a notification of award after consideration and evaluation of the following criteria:
 - (a) Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, healthcare, pharmaceutical manufacturing, and retail pharmacies, with preference to experience operating such businesses within the State and where the value of owners' experience shall outweigh the experience of non-owner principals (twenty percent, not to exceed 2,500 words);
 - (b) Applicant's qualifications and experience related to public safety and security, including any of the applicant's owners' or principals' experience in law enforcement and drug enforcement (five percent, not to exceed 1,000 words), and a summary of the applicant's plan for storage of products and currency, physical security, video surveillance, security personnel, and visitor management (five percent, not to exceed 2,500 words);
 - (c) Applicant's or its owners' experience conducting or supporting or plans to conduct institutional review board-approved research involving human subjects that is related to medical cannabis or substance abuse, where the value of past or ongoing clinical research with IRB approval shall outweigh plans to conduct such research (five percent, not to exceed 2,500 words), whether the applicant has had any assurance accepted by the U.S. Department of Health and Human Services indicating the applicant's commitment to complying with 45 CFR Part 46 (five percent), and whether the applicant has a research collaboration or partnership agreement in effect

with an accredited U.S. school of medicine or osteopathic medicine with experience conducting cannabis-related research (five percent);

- (d) Applicant's or its owners' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a party to a labor peace agreement or the applicant entity or its parent company being a party to a collective bargaining agreement in the regulated cannabis industry for at least one year prior to application for a Cannabis Establishment license, in an effort to create well-paying jobs with employee benefits in the municipality (twenty percent in total; five points for labor peace, full twenty points for collective bargaining agreement in effect for at least one year);
 - (e) Summary of the applicant's environmental impact and sustainability plan (four percent, not to exceed 500 words); whether the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey State environmental regulators for innovation in sustainability (three percent); and whether the applicant entity or its parent company holds any certification under international standards demonstrating the applicant has an effective environmental management system or has a designated sustainability officer to conduct internal audits to assess the effective implementation of an environmental management system (three percent);
 - (f) Applicant's ties to the host community, demonstrated by at least one shareholder's proof of residency in the Borough of Roselle for five (5) or more years in the past ten (10) years or at least one shareholder's continuous ownership of a business based in the Borough of Roselle for five (5) or more years in the past ten (10) years (five percent); and
 - (g) Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices and whether the applicant entity or its parent company holds any certifications as a NJ minority-owned, women-owned, or veteran-owned business (twenty percent in total; ten points for one certification and twenty points for two or more).
- (10) Notwithstanding the foregoing competitive application process, a notification of award and conditional municipal license shall entitle the recipient applicant to pursue a State permit or license in the appropriate classification on for up to twelve (12) months, which may be extended in the Administrator's discretion for an additional 6 months for good cause. No license to operate shall issue until the

applicant has received a State permit and satisfied other prerequisites of municipal licensure. If the recipient of a notice of award and conditional license has not received a State permit or license within 12 months from issuance, unless extended for good cause, the Administrator shall issue a new request for applications and evaluate all applicants for licensure under the above criteria.

(11) **Reconsideration/Appeal Procedure.**

Unsuccessful applicant(s) may petition the governing body within thirty (30) days of issuance of a final determination regarding the subject application for a review of the evaluation by the governing body and opportunity to clarify any portion of the application which resulted in an unfavorable final determination by the governing body. Final Determinations of the Mayor and Council regarding issuance of a license to operate a cannabis establishment shall only be overturned upon a showing by the applicant that the denial of a license was based on arbitrary, capricious, or unreasonable evaluations by the governing body, or due to any recognized injustice. However, under no circumstances will the governing body be obligated to award licenses above the limits established in Section 155-5C.

E. Term of License and License Renewals.

- (1) Any local license issued pursuant to this Chapter shall be valid for a period of one (1) year from the date of issuance and shall be renewed in accordance with the provisions of this Chapter.
- (2) The Administrator may, at their discretion, adjust the renewal date of the local license to correlate with an applicant's State licensing and renewal schedule.
- (3) Renewal of any license shall be governed by any Code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed.
- (4) Transfer of ownership of any local license or change of location of any license or modification to expand a licensed premises shall be subject to Borough Planning review and zoning approval.
- (5) Except where the Borough Clerk has received a complete renewal application along with the requisite fees and the governing body has issued a license renewal, it shall be unlawful for any person to manufacture, sell, distribute, transfer, transport, or otherwise remove cannabis or cannabis products from the premises of any license after the expiration date recorded on the face of the license.

§ 155-6 Disciplinary actions; sanctions; penalties.

A. Disciplinary actions.

Procedures for investigation of license violations and for suspension, revocation, or other licensing sanctions as a result of any such violation shall be as follows:

- (1) First offense: Up to \$250 per violation per day;
- (2) Second offense: Up to \$500 per violation per day;
- (3) Third violation shall result in summary suspension.

B. Summary suspension.

Notwithstanding the foregoing section, when the Administrator has reasonable grounds to believe that a license has engaged in deliberate and willful violation of any applicable law or regulation, or that the public health, safety, and/or general welfare has been jeopardized and requires emergency action, the Administrator may enter a summary suspension order for the immediate suspension of such license pending further investigation.

- (1) The summary suspension order shall be in writing and shall state the reasons therefore. The license shall be afforded an opportunity for a hearing as outlined herein.
- (2) The Administrator shall convene a review panel consisting of the Administrator, a second administrative officer designated by the Public Safety Committee, and the Chief of Police. The hearing shall be scheduled within 30 days of the date of the summary suspension order.
- (3) The review panel is authorized to impose any fines, conditions, restrictions, suspensions, or combination(s) thereof authorized by the State. In the absence of State specified penalties, the Borough may issue fines up to, but not to exceed, \$2,000 per offense and/or suspension of license for a period not to exceed ninety (90) days.

C. Inactive licenses.

Following the commencement of retail sales of cannabis or cannabis products, the Administrator may suspend or revoke any license if the licensed premises have been inactive or unoccupied by the licensee for at least six (6) months.

D. State license.

The Administrator may suspend or revoke any license if the corresponding State license or permit for the subject location is expired, surrendered, suspended, or revoked.

SECTION IV. The Code of the Borough of Roselle, Part V, Taxation, is hereby supplemented by adding the following:

Chapter 465 Cannabis Transfer Tax and User Tax

§ 465-1 Cannabis transfer tax.

A transfer tax is hereby imposed on the sale of cannabis or cannabis items by cannabis establishments in the Borough of Roselle. The tax shall be imposed on receipts from the sale of cannabis items from one cannabis establishment to

another cannabis establishment and receipts from the retail sales of cannabis items by a cannabis retailer to retail consumers who are 21 years of age or older according to the following rates:

- A. Cannabis Manufacturer (Class 2): two percent (2%) of receipts from each sale
- B. Cannabis Wholesaler (Class 3): one percent (1%) of receipts from each sale
- C. Cannabis Retailer (Class 5): two percent (2%) of receipts from each sale

§ 465-2 Cannabis user tax.

A user tax is hereby imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to § 465-1, from the license holder's establishment that is located in the Borough to any of the other license holder's establishments, whether located in the Borough or another municipality. The user tax rate shall be equivalent to the rate specified in § 465-1.

§ 465-3 Additional tax.

The cannabis transfer tax and user tax imposed by this Chapter is in accordance with the provisions of State law and shall be in addition to any other tax or charge.

§ 465-4 Collection.

The cannabis transfer tax or user tax shall be collected or paid, and remitted to the Borough by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the municipality by the cannabis retailer selling the cannabis item to that consumer.

§ 465-5 Transparency.

The cannabis transfer tax or user tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.

§ 465-6 Liability.

Each cannabis establishment required to collect the transfer tax or user tax imposed by this Chapter shall be personally liable for the tax imposed, collected, or required to be collected under this Chapter.

§ 465-7 Payment to Borough.

All revenues collected by a cannabis establishment from the transfer tax or user tax imposed by this Chapter shall be remitted to the Borough's Chief Financial Officer on a quarterly basis according to the same schedule as payment of municipal real property taxes.

§ 465-8 Late payment; interest; lien.

The Borough shall enforce the payment of delinquent taxes under this Chapter in the same manner as provided for the collection of municipal real property taxes. Any unpaid balance shall accrue interest according to the same schedule and rates as delinquent property taxes. In the event that the tax imposed by this Chapter is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. Any such lien shall be filed in the office of the Tax Collector and enforced as a municipal lien in the same manner as all other municipal liens are enforced.

§ 465-9 Annual audit.

Each cannabis establishment required to collect the transfer tax or user tax imposed by this Chapter shall provide to the Borough's Chief Financial Officer an annual audited statement which clearly identifies the calculation of gross receipts for the cannabis establishment during the previous year. The annual audited statement shall be prepared by a certified public accountant and shall be submitted to the Borough within 90 days of the close of the fiscal year. Failure to timely submit the annual audit may be considered grounds for non-renewal of the establishment's license.

SECTION V. The Code of the Borough of Roselle, Part VIII, Chapter 620-2 Prohibited signs is hereby supplemented by adding the following:

- P. Signs containing text and/or images intended to promote excessive consumption of legal cannabis products.

SECTION VI. If any section, subsection, provision, clause, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefore.

SECTION VII. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby replaced and/or repealed to the extent of such inconsistency.

SECTION VIII. This Ordinance shall take effect at the time and in the manner provided by law.

Recorded Vote on Introduction Ordinance No. 2658-21 – June 21, 2021

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

Recorded Vote on Final Passage Ordinance No. 2658-21 - July 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 2658-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council on July 21, 2021 after 6:30 P.M., 210 Chestnut St., Roselle, NJ.

Lydia D. Massey, Acting Municipal Clerk

BOROUGH OF ROSELLE



ORDINANCE NUMBER 2659-21

AN ORDINANCE TO AMEND AND SUPPLEMENT THE LAND USE CODE OF THE BOROUGH OF ROSELLE, CHAPTER 650, ARTICLE II, SECTION 650-4 DEFINITIONS; ARTICLE XII, ZONING, SECTION 650-88 D(7) USES, STRUCTURES AND BUILDINGS PROHIBITED IN THE BOROUGH OF ROSELLE; ARTICLE XII, ZONING, SECTION 650-95 B(1) and B(4) PERMITTED USES WITHIN THE BUSINESS/COMMERCIAL ZONE; ARTICLE XII, ZONING, SECTION 650-96 B(1) PERMITTED USES WITHIN THE PROFESSIONAL OFFICE ZONE; ARTICLE XII, ZONING, SECTION 650-97 B(1) PERMITTED USES WITHIN THE INDUSTRIAL ZONE; ARTICLE XII, ZONING, SECTION 650-99 B(1) and B(3) PERMITTED USES WITHIN THE COMMERCIAL-INDUSTRIAL ZONE; TO AMEND AND SUPPLEMENT THE CENTRAL ROSELLE REVITALIZATION PLAN, AMENDMENT #9, TABLE 1 TO ADD PERMITTED USES; TO AMEND AND SUPPLEMENT THE FIRST AVENUE REDEVELOPMENT PLAN, AMENDMENT #2 TO ADD PERMITTED AND CONDITIONALLY-PERMITTED USES; TO AMEND AND SUPPLEMENT THE REDEVELOPMENT PLAN FOR BLOCK 3801, SECTION 6.2.A.1 TO ADD PERMITTED USES; AND TO AMEND AND SUPPLEMENT THE NORTH CHESTNUT STREET REDEVELOPMENT PLAN, AMENDMENT #2, SECTIONS B.1, B.2 and B.3 TO ADD PROHIBITED USES

WHEREAS, the Mayor and Council of the Borough of Roselle, in the County of Union, New Jersey (the “Borough”), a public body corporate and politic of the State of New Jersey (the “State”), wishes to create licensing requirements and land use regulations for regulated cannabis establishments that also protect the health, safety and general welfare of the community; and

WHEREAS, the Jake Honig Compassionate Use Medical Cannabis Act (the “Act”), N.J.S.A. § 24:6I-1 to -30, permits the authorized cultivation, processing, manufacturing, preparing, packaging, transferring, sale, purchase, research, possession, use and consumption of medical cannabis and products created from or which include cannabis; and

WHEREAS, the Borough finds that expansion of the medical cannabis program in the State has provided needed compassionate relief to the many persons suffering from chronic and/or serious debilitating illnesses who may benefit; and

WHEREAS, on November 3, 2020, the citizens of the State voted to approve Public Question No. 1, amending and supplementing Section VII of Article IV of the New Jersey Constitution to authorize the growth, cultivation, processing, manufacturing, preparing, packaging, transferring, and retail purchasing and consumption of cannabis, or products created from or which include cannabis for persons twenty-one (21) years of age or older in the State,

and further authorized municipalities to enact an additional municipal tax of up to two (2) percent on the receipts from each sale of cannabis, or products created from or which include cannabis, by any duly licensed Class II and V cannabis establishment and up to one (1) percent on the receipt from each sale of cannabis, or product created from or which include cannabis, by any duly licensed Class III cannabis establishment; and

WHEREAS, the Borough finds, given the Schedule I status of cannabis under the federal Controlled Substances Act, complexities with access to banking and the level of cash transactions in cannabis related businesses, and other concerns associated with cannabis-related businesses, that only qualified operations should be permitted to safely operate strictly regulated cannabis facilities in the municipality on a limited basis and subject to reasonable time, manner, and place restrictions, in order to balance patients' and consumers' interests and the creation of jobs and economic opportunity within the Borough with public safety; and

WHEREAS, in light of the enactment of N.J.S.A. § 24:6I-31 to 56, the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, it is in the best interest of the Borough to proactively establish zoning requirements for regulated cannabis establishments; and

WHEREAS, the establishment of these new cannabis zoning requirements within the Borough shall also cause the need to amend various Redevelopment Plans pertaining to any affected zones and/or areas.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Roselle that the Code of the Borough of Roselle, Chapter 650, the Central Roselle Revitalization Plan, Amendment #9, Table 1 and Section 3.2, the First Avenue Redevelopment Plan Amendment #2, Section VIII.A.1, First Avenue Redevelopment Plan Amendment #2, Section VIII.A.3, First Avenue Redevelopment Plan Amendment #2, Section VIII.B.1, the Redevelopment Plan for Block 3801, Section 6.2.A.1, the North Chestnut Street Redevelopment Plan Amendment #2, Section B.1, North Chestnut Street Redevelopment Plan Amendment #2, Section B.2, and North Chestnut Street Redevelopment Plan Amendment #2, Section B.3 are hereby amended as follows:

SECTION I. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-4 Definitions is hereby supplemented by adding the following alphabetically:

CANNABIS DELIVERY SERVICE

Any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer . Cannabis delivery services refer to those uses that require possession of a Class 6 Cannabis Delivery license.

CANNABIS DISTRIBUTOR

Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in

bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. Cannabis distributors refer to those uses that require possession of a Class 4 Cannabis Distributor license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

CANNABIS ESTABLISHMENT

A cannabis cultivator, delivery service, distributor, manufacturer, retailer, and/or wholesaler.

CANNABIS MANUFACTURER

Any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. Cannabis manufacturers refer to those uses that require a Class 2 Cannabis Manufacturer license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

CANNABIS RETAILER

Any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. Cannabis retailers refer to those uses that require possession of a Class 5 Cannabis Retailer license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.” This includes medical cannabis alternative treatment centers. A cannabis retailer shall possess prior to commencing operations a permit or permit endorsement issued by the State of New Jersey that authorizes the dispensation or sale of cannabis or cannabis-derived or infused products.

CANNABIS WHOLESALE

Any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. Cannabis wholesalers refer to those uses that require of a Class 3 Cannabis Wholesaler license under the P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.”

SECTION II. The Code of the Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 88.D(7) Uses, structures and buildings prohibited in the Borough of Roselle is hereby supplemented by adding the following:

- (b) No cannabis establishment shall be allowed as a Home Occupation.
- (c) No cannabis establishment shall be housed in a vehicle or any moveable or mobile structure.
- (d) No cannabis establishment shall operate an outdoor cannabis consumption area within the Borough of Roselle.

SECTION III. The Code of the Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 95.B(1) Permitted uses in Business/Commercial Zone is hereby supplemented by adding the following:

- (j) Cannabis delivery service.

SECTION IV. The Code of the Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 95.B(4) Conditional uses in Business/Commercial Zone is hereby supplemented by adding the following:

- (l) Cannabis retailer, which shall meet the following conditions:
 - [1] Said establishment shall be licensed and shall be located more than 1000 feet from the property line of any elementary or secondary school property.
 - [2] No outdoor consumption areas are permitted.

SECTION V. The Code of the Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 96.B(1) permitted uses in Professional Office Zone is hereby supplemented by adding the following:

- (f) Cannabis delivery service.

SECTION VI. The Code of the Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 97.B(1) permitted uses in Industrial Zone, is hereby supplemented by adding the following:

- (f) Cannabis delivery service.
- (g) Cannabis manufacturer.
- (h) Cannabis wholesaler.
- (i) Cannabis distributor.

SECTION VII. The code of the Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 99.B(1) Permitted Uses in Commercial-Industrial Zone, is hereby supplemented by adding the following:

- (l) Cannabis delivery service.

- (m) Cannabis manufacturer.
- (n) Cannabis wholesaler.
- (o) Cannabis distributor.

SECTION VIII. The Code of the Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 99.B(3) conditional uses in Commercial-Industrial Zone, is hereby supplemented by adding the following:

- (l) Cannabis retailer, which shall meet the following conditions:
 - [1] Said establishment shall be licensed and shall be located more than 1000 feet from the property line of any elementary or secondary school property.
 - [2] No outdoor consumption areas are permitted.

SECTION IX. The Central Roselle Revitalization Plan, Amendment #9, Table 1 is hereby supplemented by adding the following:

1. To the Commercial Mixed-Use Sub Zone cannabis delivery service, cannabis manufacturer that makes or assembles cannabis products for an integrated cannabis retailer. However, no outdoor cannabis consumption areas are permitted.
2. To the Flex Industrial Sub Zone cannabis delivery service, cannabis manufacturer, and cannabis distributor.

SECTION X. The Central Roselle Revitalization Plan, Amendment #9, Section 3.2 Permitted Land Uses, page 6 is hereby supplemented by adding the following: B. Cannabis retailer, when the following conditions are met:

1. Said establishment shall be licensed and shall be located more than 1000 feet from the property line of any elementary or secondary school property.
2. No outdoor consumption areas are permitted.

SECTION XI. The First Avenue Redevelopment Plan Amendment #2, Section VIII.A.1. “Permitted Uses” is hereby amended by adding the following:

- j. Cannabis delivery service.

SECTION XII. The First Avenue Redevelopment Plan Amendment #2, Section VIII.A.3. “Conditional Uses” is hereby amended by adding the following:

- a. Cannabis retailer, which shall meet the following conditions:
 - i. Said establishment shall be licensed and shall be located more than 1000 feet from the property line of any elementary or secondary school property.
 - ii. No outdoor consumption areas are permitted.

SECTION XIII. The First Avenue Redevelopment Plan Amendment #2, Section VIII.B.1. is hereby supplemented by adding the following:

- h. Cannabis retailer. However, no outdoor consumption areas are permitted.

- i. Cannabis delivery service.

SECTION XIV. The Redevelopment Plan for Block 3801, Section 6.2.A.1, is hereby supplemented by adding the following:

- (e) Cannabis retailer. However, no outdoor consumption areas are permitted.

SECTION XV. The North Chestnut Street Redevelopment Plan Amendment #2, Section B entitled “Land Use Regulations,” Subsection 1. entitled “North Chestnut Street Redevelopment Sub-Zone” is hereby amended and supplemented as follows (additions in **bold**, deletions ~~struck through~~):

- (d) ~~Bulk Regulations: All Permitted Principal Uses, Except for Automotive Gasoline and/or Service Stations~~ **Prohibited Uses**
 - (1) Cannabis Establishments (all classes)**
- (e) ~~Bulk Regulations: Automotive Gasoline and/or Service Stations~~ **Bulk Regulations: All Permitted Principal Uses, Except for Automotive Gasoline and/or Service Stations**
- (f) ~~Buffers: Commercial uses shall provide a buffer along any property line shared with a property containing a one- or two-family residential use or zoned for one- or two-family residential development. Said buffer shall be at least 15 feet wide; with a six-foot-high board on board fence, or approved equivalent fence, constructed along the property line. The buffer strip shall be planted with dense evergreen trees not less than 6 feet tall at the time of planting and spaced not less than 10 feet on center; along with flowering deciduous and broadleaf evergreen material to create a visual barrier and aesthetically appealing appearance.~~ **Bulk Regulations: Automotive Gasoline and/or Service Stations.**
- (g) ~~Off-Street Parking Requirements.~~ **Buffers: Commercial uses shall provide a buffer along any property line shared with a property containing a one- or two-family residential use or zoned for one- or two-family residential development. Said buffer shall be at least 15 feet wide; with a six-foot-high board on board fence, or approved equivalent fence, constructed along the property line. The buffer strip shall be planted with dense evergreen trees not less than 6 feet tall at the time of planting and spaced not less than 10 feet on center; along with flowering deciduous and broadleaf evergreen material to create a visual barrier and aesthetically appealing appearance.**
- (h) ~~Bicycle Parking & Storage Requirements.~~ **Off-Street Parking Requirements.**
- (i) ~~Loading Requirements: Facilities for loading and unloading shall be provided on the property in other than the front yard. Each development shall demonstrate the adequacy of the proposed loading areas to meet the requirements of the proposed use.~~ **Bicycle Parking & Storage Requirements:**
- (j) **Loading Requirements: Facilities for loading and unloading shall be provided on the property in other than the front yard. Each development shall demonstrate the adequacy of the proposed loading areas to meet the requirements of the proposed use.**

SECTION XVI. The North Chestnut Street Redevelopment Plan Amendment #2, Section B entitled “Land Use Regulations,” Subsection 2. entitled “Third Avenue Residential Stabilization Sub-Zone,” is hereby amended and supplemented as follows (additions in **bold**, deletions ~~struck through~~):

(c) ~~Bulk Regulations Prohibited Uses~~

(1) Cannabis Establishments (all classes)

(d) ~~Off-Street Parking Requirements: Residential Site Improvement Standards (RSIS)~~ **Bulk Regulations**

(e) **Off-Street Parking Requirements: Residential Site Improvement Standards (RSIS)**

SECTION XVII. The North Chestnut Street Redevelopment Plan Amendment #2, Section B entitled “Land Use Regulations,” Subsection 3. entitled “Library Sub-Zone,” is hereby amended and supplemented as follows (additions in **bold**, deletions ~~struck through~~):

(c) ~~Bulk Regulations: Prohibited Uses~~

(1) Cannabis Establishments (all classes)

(d) ~~Off-Street Parking Requirements: Municipal uses shall provide sufficient parking for the associated use.~~ **Bulk Regulations:**

(e) ~~Bicycle Parking Requirements: Provide at least 10 bicycle parking spaces.~~ **Off-Street Parking Requirements: Municipal uses shall provide sufficient parking for the associated use.**

(f) **Bicycle Parking Requirements: Provide at least 10 bicycle parking spaces.**

SECTION XVIII. If any section, subsection, provision, clause, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefore.

SECTION XIX. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby replaced and/or repealed to the extent of such inconsistency.

SECTION XX. This Ordinance shall take effect at the time and in the manner provided by law.

Recorded Vote on Introduction Ordinance No. 2659-21 – June 21, 2021

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

Recorded Vote on Final Passage Ordinance No. 2659-21 – July 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 2659-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council on July 21, 2021 after 6:30 P.M., 210 Chestnut St., Roselle, NJ.

Lydia D. Massey, Acting Municipal Clerk

BOROUGH OF ROSELLE



ORDINANCE NUMBER 2662-21

ORDINANCE OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTIES BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID PROPERTIES BEING IDENTIFIED ON THE ANNEXED SCHEDULE AND PARCEL MAPS

WHEREAS, DM & Julia LLC ("Owner") presently owns the real property located within the Borough of Roselle (the "Municipality") at 114 West First Avenue("Property"), and designated as Block 3801, Lot 5, on the Official Tax Map of the Municipality, as more particularly described in the attached Map and legal description attached hereto as Exhibit A (the "Property"); and

WHEREAS, the Mayor and Governing Body of the Municipality have concluded that the Property, as more particularly identified in the attached Map, was designated as an area in need of redevelopment, with condemnation pursuant to Resolution 2020-135 on April 15, 2020 ; and

WHEREAS, the Mayor and Governing Body of the Municipality are authorized by the New Jersey State Constitution, N.J.S.A. 40A:12-5(a), N.J.S.A. 20:3-1 et seq., and/or any other provision of applicable law to proceed with acquiring certain property interests by condemnation/ eminent domain as long as just compensation is paid for the same; and

WHEREAS, the Mayor and Governing Body of the Municipality find that a public use and purpose would be served for the benefit of Municipality and surrounding communities, including, but not limited to, the promotion, protection, and preservation of the public health, safety, and welfare of the Municipality and its inhabitants, by acquiring certain property interests in the Property for the revitalization of the First Avenue corridor; and

WHEREAS, by adoption of this Ordinance, the Municipality authorizes the taking by condemnation/ eminent domain of fee simple ownership of the Property identified in the attached Map; and

WHEREAS, by adoption of this Ordinance, the Municipality further authorizes the taking by condemnation/ eminent domain of a perpetual reciprocal access easement in a certain portion of the Property as more particularly described in the attached Map, so that the Municipality and other entities or agents acting on behalf of the Municipality shall have access onto, over, and through said privately-owned real property for the purpose of taking any and all actions

necessary for completing, maintaining and operating public improvement measures set forth above.

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

Section 1. Recitals Incorporated: The above recitals are incorporated into this section of the Ordinance as if specifically set forth at length herein.

Section 2. Specific Findings: The Mayor and Governing Body of the Municipality find that the revitalization of the First Avenue Corridor through the acquisition of the Property will promote and protect the health, safety, and welfare of residents of the Municipality, and further find that any purchase or taking by condemnation/ eminent domain of any and all property interests necessary for the same are all in the furtherance of a public use and purpose.

Section 3. Authorize Condemnation: The Mayor and Governing Body of the Municipality specially authorize any and all necessary and appropriate actions by Municipality officials including the Mayor, Municipal Clerk, Municipal Attorney, and/or Special Condemnation Attorney, for the taking and obtaining of certain property interests in the property as set forth herein through negotiation, purchase, or condemnation/ eminent domain, including, but not limited to, the hiring of any experts, engaging the services of land surveyors, title insurance companies, appraisers, and any other professional whose services are necessary or appropriate to implement the purposes of this Ordinance, the making of any offer by the Municipality to the property owners in the full amount of the appraised value of the property interest that the Municipality seeks to acquire in said property, and to negotiate in good faith with the record owners of the property for its voluntary acquisition in accordance with N.J.S.A. 20:3-6, and in the event that the negotiations for the voluntary acquisition of the property interest are unsuccessful for any reason, to commence a condemnation action by the filing of a Verified Complaint and Declaration of Taking, depositing the estimated just compensation with the Clerk of the Superior Court, filing a Lis Pendens, and taking any and all other actions of any administrative or other nature necessary to complete the process contemplated by this Ordinance.

Section 4. Identification of Property: The property for which a taking of property interests is authorized by negotiation, purchase, or condemnation/ eminent domain pursuant to this Ordinance are located in the Municipality and listed on the Municipality tax map, which is attached as Exhibit A to this Ordinance and specifically incorporated into this Ordinance by reference. The property interests to be acquired are irrevocable, perpetual, permanent easements in the portions of the property identified herein.

Section 5. Officials Authorized: All appropriate officials of the Municipality, including, but not limited, to the Mayor, Municipal Clerk, Municipal Attorney, Special Condemnation Attorney, and any and all experts or others acting on behalf of the Municipality, are authorized by this Ordinance to sign any and all documentation and take any and all action necessary to effectuate the purposes and intention of this Ordinance.

Section 7. Repealer: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

Section 8. Severability: If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

Section 9. Effective Date: This Ordinance shall take effect immediately upon final adoption and publication as required by law.

Recorded Vote on Introduction Ordinance No. 2662-21 – July 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. 2662-21 – August 18, 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 2662-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council August 18, 2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ.

Lydia D. Massey, Acting Municipal Clerk

BOROUGH OF ROSELLE



ORDINANCE NUMBER 2663-21

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:

Address of Residence	Street	Location	Name of Person	Placard#
321 East 4th Avenue	East 4th Avenue	Northern side of E. 4th Avenue in front of 321 E. 4th Avenue	Linda Kowalsky	P1958229

- (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. 2663-21 – July 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. 2663-21 – August 18, 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 2663-21 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council August 18, 2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ.

Lydia D. Massey, Acting Municipal Clerk

BOROUGH OF ROSELLE



ORDINANCE NUMBER 2664-21

AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS AND EMPLOYEES OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, STATE OF NEW JERSEY"

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

SECTION I: The following are the Calendar Year 2021 salaries for the Mayor and Borough Council:

Mayor:	\$20,000.00
Council President:	\$15,000.00
Council Member-at-Large:	\$15,000.00
Council Member:	\$15,000.00

SECTION II: The following named officials and employees of the Borough of Roselle shall be entitled to an annual salary within the range as set forth for the respective classifications:

CLASSIFICATION	MINIMUM	MAXIMUM
Administrative Analyst	\$40,000.00	\$80,000.00
Alternate Deputy Registrar	\$1,000.00	\$2,500.00
Assistant Borough Administrator	\$40,000.00	\$135,000.00
Assistant Public Works Superintendent	\$70,000.00	\$100,000.00
Assistant Supervisor Public Works	\$55,000.00	\$80,000.00
Assistant Tax Assessor	\$30,000.00	\$85,000.00
Board of Health, Secretary	\$2,500.00	\$5,000.00
Borough Administrator	\$50,000.00	\$155,000.00
Borough Attorney	\$65,000.00	\$130,000.00
Borough Labor Attorney	\$60,000.00	\$80,000.00
Building Inspector	\$10,000.00	\$25,000.00
Building Maintenance Worker	\$23,000.00	\$30,000.00
Chief Code Enforcement Officer	\$55,000.00	\$95,000.00
Chief Financial Officer	\$40,000.00	\$125,000.00
Code Enforcement Officer	\$40,000.00	\$80,000.00
Code Enforcement Trainee	\$30,000.00	\$40,000.00
Community Center Director	\$5,000.00	\$15,000.00
Construction Code Official	\$50,000.00	\$100,000.00
Confidential Assistant	\$35,000.00	\$50,000.00
Confidential Secretary	\$45,000.00	\$80,000.00

CLASSIFICATION	MINIMUM	MAXIMUM
Coordinator of Emergency Management	\$5,000.00	\$20,000.00
Deputy Coordinator of Emergency Management	\$2,500.00	\$10,000.00
Deputy Municipal Clerk	\$40,000.00	\$65,000.00
Deputy Registrar of Vital Statistics	\$2,500.00	\$5,000.00
Deputy Tax Collector	\$15,000.00	\$30,000.00
Deputy Court Administrator	\$50,000.00	\$75,000.00
Economic Development Representative 4	\$40,000.00	\$80,000.00
Electrical Sub Code Official/Inspector	\$12,000.00	\$25,000.00
Everett Hatcher Alliance Secretary	\$2,500.00	\$5,000.00
Executive Assistant	\$45,000.00	\$80,000.00
Emergency Management, Secretary	\$2,500.00	\$5,000.00
Fire Chief	\$85,000.00	\$200,000.00
Fire Sub Code Official/Inspector	\$19,000.00	\$25,000.00
Municipal Court Administrator	\$65,000.00	\$90,000.00
Municipal Clerk	\$60,000.00	\$100,000.00
Municipal Judge	\$20,000.00	\$100,000.00
Municipal Treasurer	\$40,000.00	\$80,000.00
Omni Bus Driver (per hour)	\$8.00	\$15.00
Part Time Dispatchers (per hour)	\$15.00	\$25.00
Payroll Supervisor	\$40,000.00	\$60,000.00
Planning Board Secretary	\$2,500.00	\$5,000.00
Plumbing Sub Code Official/Inspector	\$19,000.00	\$25,000.00
Police Chief	\$85,000.00	\$200,000.00
Prosecutor Chief	\$20,000.00	\$40,000.00
Prosecutor Assistant	\$10,000.00	\$30,000.00
Public Defender	\$9,000.00	\$20,000.00
Public Information Officer	\$45,000.00	\$80,000.00
Purchasing Agent	\$40,000.00	\$90,000.00
Recreation Aide (per hour)	\$10.00	\$25.00
Recreation Leader	\$40,000.00	\$80,000.00
Recycling Coordinator	\$2,500.00	\$5,000.00
Registered Environmental Health Specialist/Health Officer	\$75,000.00	\$135,000.00
Registrar of Vital Statistics	\$2,500.00	\$5,000.00
Sanitation Inspector (per hour)	\$10.00	\$25.00
Seasonal Employees (per hour)	\$12.00	\$25.00
Senior Advisory Board Secretary	\$2,500.00	\$5,000.00
Senior Code Enforcement Officer	\$45,000.00	\$90,000.00
Superintendent of Public Works	\$75,000.00	\$130,000.00
Supervising Equipment Operator	\$65,000.00	\$95,000.00
Supervisor Public Works	\$65,000.00	\$95,000.00
Tax Assessor	\$30,000.00	\$100,000.00
Tax Collector	\$50,000.00	\$90,000.00
Violations Clerk	\$42,000.00	\$55,000.00
Zoning Board Secretary	\$2,500.00	\$5,000.00

SECTION III. If any section, subsection, provision, clause, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefore.

SECTION IV. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby replaced and/or repealed to the extent of such inconsistency.

SECTION V. This Ordinance shall take effect at the time and in the manner provided by law.

Recorded Vote on Introduction Ordinance No. 2664-21 – July 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. 2664-21 – August 11, 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 2664-21 was passed and adopted on second and final reading at a Workshop meeting of the Mayor and Council August 11, 2021, after 6:30 P.M., 210 Chestnut St., Roselle, NJ.

Lydia D. Massey, Acting Municipal Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-233

A RESOLUTION APPOINTING FUND COMMISSIONER AND ALTERNATE FUND COMMISSIONER FOR THE PUBLIC ENTITY JOINT INSURANCE FUND

WHEREAS, the Borough of Roselle is a member of the Public Entity Joint Insurance Fund; and

WHEREAS, it is required for the Borough of Roselle to have representation on the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED on this 21th day of July, 2021 by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey that:

1. R. Allen Smiley is hereby appointed as Fund Commissioner representing the Borough of Roselle on the Public Entity Joint Insurance Fund Board of Commissioners.
2. Everett Falt is hereby appointed as Alternate Fund Commissioner representing the Borough of Roselle on the Public Entity Joint Insurance Fund Board of Commissioners.

I do hereby certify that the foregoing is a true copy of a resolution passed by the Borough Council of the Borough of Roselle at a regular meeting held on the 21st day of July 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 21st day of July, 2021.

Lydia D. Massey, Acting Borough Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-234

RESOLUTION ADJUSTING THE SALARIES OF THE SEASONAL TEMPORARY LABORERS AND PART TIME LABORERS IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, N.J.S.A. 11A:4-13(c) and NJAC 4A:4-1.7, allow the changing of the salaries for the seasonal temporary and part time employees in the Borough of Roselle in the Department of Public Works; and

WHEREAS, the Appointing Authority of the Borough of Roselle has agreed to adjust the salaries of the seasonal temporary and part time employees for the purpose of hiring and retention of employees at the Department of Public Works; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Roselle that the salary changes for the Seasonal Temporary Laborer and Part Time Laborers in the Department of Public Works in the Borough of Roselle, will become effective August 1, 2021, at the salary of \$18.00 per hour, from account 1-01-26-291-000-111.

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

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

Lydia Massey
Acting Borough Clerk

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

Anders Hasseler, CFO

18 Jul 21

Date

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-235

A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF THE BOROUGH OF ROSELLE TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 2014, AS AMENDED JULY 12, 2017

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of Roselle and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Borough of Roselle that the agreement entitled **“COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES,”** dated June 2014, as amended July 12, 2017 for the Purpose of Inserting a Description of Activities for Fiscal Year 2021-2022 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

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, July 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 21st day of July 2021.

Lydia Massey, Acting Borough Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-236

ACCEPTANCE OF THE RESIGNATION OF MICHAEL SCHNURR

WHEREAS, Michael Schnurr has notified the Municipal Court that he will be resigning from the position of Tax Collector; and

WHEREAS, Michael Schnurr has been a Tax Collector of the Borough of Roselle in good standing; and

WHEREAS, Michael Schnurr has submitted a letter of resignation, effective as of June 30, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby accepts the resignation of Michael Schnurr, 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 July 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 21st day of July, 2021.

Lydia D. Massey,
Acting Borough Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-238

AUTHORIZING RENEWAL OF A.B.C. LICENSE AND AUTHORIZING THE MUNICIPAL CLERK TO ISSUE SAME – A SPECIAL RULING PURSUANT TO N.J.S.A. 33:1-12.39

WHEREAS, the Director of A.B.C. granted a Special Ruling pursuant to N.J.S.A. 33:1-12.39 for the 2021-2022 License Term; and

WHEREAS, the Applicant 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 Municipal Clerk to renew the ABC license with “pocket status” due to the following:

PLENARY RETAIL CONSUMPTION LICENSES - \$1,050.00 Fee

2014-33-019-003 El Mercado Roselle, LLC

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 July 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 21st day of July 2021.

Lydia D. Massey, Acting Municipal Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-239

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

WHEREAS, application has been filed for a Person-to-Person transfer of Plenary Retail Consumption active License, License Number 2014-33-021-008 heretofore issued to Amikle Restaurant Inc.; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey, do hereby authorize the transfer of the aforesaid Plenary Retail Consumption License, and do hereby authorize the Municipal Clerk to endorse the license to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Central Park NJ, LLC, Inc., effective July 22, 2021.

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 July 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 21st day of July 2021.

Lydia D. Massey
Acting Borough Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-240

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES IN CONNECTION WITH REDEVELOPMENT ENGAGEMENT WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY

WHEREAS, the Borough of Roselle is desirous in undertaking redevelopment engagement services, economic revitalization, development and/or redevelopment which the Borough believes will be in the best interest of the health, safety and welfare of the general public of the Borough of Roselle; and

WHEREAS, JGSC Group is familiar with redevelopment engagement services, previously having completed over 500 consumer surveys and two-dozen stakeholder interviews in the Borough in 2018, which identified strong community support for Borough redevelopment action; and

WHEREAS, JGSC GROUP is able to provide services aimed at stimulating economic development, attracting new stores, restaurants, businesses, housing, and job development within the Borough, as delineated in their June 14, 2021 Proposal to Provide Economic Revitalization Services for the Borough of Roselle; and

WHEREAS, the varied services JGSC Group proposes and will provide include examining and updating the status of economic development projects in Roselle and any conditions that have changed since JGSC Group's prior 2018 involvement; seeking direction from Borough officials as to which commercial neighborhoods require priority attention; exploring redevelopment and revitalization concepts consistent with findings from earlier analysis; presenting said concepts to the Borough's Redevelopment Committee for review and approval; creating marketing materials and implementation strategies to advance the approved projects; conducting outreach to build a prospective list of pertinent Roselle property owners, business operators and appropriate developers to implement the approved development projects; facilitate the agreement of all parties necessary to implement initiatives through communication, to include attendance at related meetings, making phone calls and sending email messages; and exploring funding opportunities from the NJ Redevelopment Authority, the NJ EDA ERG program, the NJ DCA NPP grant, the NJ HMFA LIHTC program, possible UEZ funding, Borough tax abatements, and any other DCA/EDA grant programs available for redevelopment.

WHEREAS, these services facilitating redevelopment engagement for development opportunities are desired by the Borough and are in the best interest of the health, safety and welfare of the general public of the Borough of Roselle; and

WHEREAS, the Business Administrator and/or Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted operating budget for said purpose; specifically for said redevelopment engagement services.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle, Union County, New Jersey that JGSC Group is authorized to perform professional services up to an amount of **\$25,000.00** for the calendar year ending December 31, 2021.

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 July 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 July 21st day of July 2021.

Lydia Massey
Acting Municipal Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-241

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN
SERVICES IN CONNECTION WITH THE NJDOT FISCAL YEAR 2021
VARIOUS STREETS IMPROVEMENTS 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 July 1, 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 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 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 \$72,500.00 for the Fiscal Year 2021 NJDOT Various Streets 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 July 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 21st day of July 2021.

Lydia Massey
Acting Municipal Clerk

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

Anders T Hasseler 02 JUL 21
Anders Hasseler, CFO Date

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-242

RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR THE 2020 TRAFFIC SAFETY IMPROVEMENTS PROJECT FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY

WHEREAS, bids were received on Thursday, June 10, 2021, at 10:15 A.M. for the above-referenced project; and

WHEREAS, there were two (2) of bids received with the low bidder for the project being S. Brothers Inc., 16 Sobeckko Road, Manalapan, NJ 07726 with a Base Bid amount of \$298,508.80; and

WHEREAS, Colliers Engineering & Design dba Maser Consulting and other appropriate Borough Officials have reviewed the bids and recommend award of contract for this project, to S. Brothers Inc.; and

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

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

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

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced construction project is awarded to S. Brothers Inc., 16 Sobeckko Road, Manalapan, NJ 07726 with a Total Bid amount of **\$298,508.80**.

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 July 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 21st day of July 2021.

Lydia Massey
Acting Municipal Clerk

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

Anders T Hasseler 18 Jul 21
Anders Hasseler, CFO Date

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-243

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING CONSTRUCTION ADMINISTRATION SERVICES IN CONNECTION WITH THE 2020 TRAFFIC SAFETY IMPROVEMENTS PROJECT FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY

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

WHEREAS, Colliers Engineering & Design DBA Maser Consulting is familiar with the construction administration procedures that is necessary for said improvements and shall perform the tasks as delineated in the June 28, 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, 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 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 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 is authorized to perform professional engineering construction administration services in the amount of **\$37,500.00** for the 2020 Traffic Safety Improvements Project.

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

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

Lydia Massey
Acting Municipal Clerk

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

Anders T Hasseler
Anders Hasseler, CFO

18 Jul 21
Date

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-244

**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR THE 2021
CAPITAL ROAD IMPROVEMENTS PROJECT (EAST 5TH AVENUE –
CHANDLER AVENUE TO DRAKE AVENUE AND HARRISON AVENUE –
EAST 3RD AVENUE TO EAST 7TH AVENUE) FUNDED BY THE
MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY,
NEW JERSEY**

WHEREAS, bids were received on Thursday, June 10, 2021, at 10:00 A.M. for the above-referenced project; and

WHEREAS, there were seven (7) of bids received with the low bidder for the project being DLS Contracting, Inc with a Base Bid amount of \$308,909.80; and

WHEREAS, Colliers Engineering & Design dba Maser Consulting and other appropriate Borough Officials have reviewed the bids and recommend award of contract for this project, to DLS Contracting, Inc.; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose capital budget and/or grant appropriations; specifically, within bond ordinance number 2643-21, for said construction services; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced construction project is awarded to DLS Contracting, Inc., 36 Montesano Road, Fairfield, NJ 07004 with a Total Base Bid amount of **\$308,909.80**.

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 July 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 21st day of July 2021.

Lydia Massey
Acting Municipal Clerk

Certification of Availability of Funds
(Account# C-04-55-264-003-001)

Anders T Hasseler 18 Jul 21
Anders Hasseler, CFO Date

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-245

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING
CONSTRUCTION ADMINISTRATION SERVICES IN CONNECTION WITH
THE 2021 CAPITAL ROAD IMPROVEMENTS FOR EAST 5TH AVENUE (FROM
CHANDLER AVENUE TO DRAKE AVENUE) AND HARRISON AVENUE
(FROM EAST 3RD AVENUE TO EAST 7TH AVENUE) PROJECT FUNDED BY
THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION
COUNTY, NEW JERSEY**

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

WHEREAS, Colliers Engineering & Design DBA Maser Consulting is familiar with the construction administration procedures that is necessary for said improvements and shall perform the tasks as delineated in the June 28, 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, 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 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 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 is authorized to perform professional engineering construction administration services in the amount of **\$29,500.00** for the 2021 Capital Road Improvements Project.

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

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

Lydia Massey
Acting Municipal Clerk

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

Anders T Hasseler 02 Jul 21
Anders Hasseler, CFO Date

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-246

**RESOLUTION AUTHORIZING FINAL PAYMENT BASED ON AS-BUILT
QUANTITIES AND RELEASE OF RETAINAGE FOR THE CDBG YR46 ROAD
IMPROVEMENT COLUMBUS AVE PROJECT FUNDED BY COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) AND 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 \$174,735.64 by way of Resolution Number 2020-318; and

WHEREAS, the project has been completed to date in the total dollar amount of **\$173,129.89** (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-227173M has been received and approved and Colliers Engineering & Design recommends the release of American Asphalt's Performance Bond CSC-227173 in the amount of \$174,735.64 and final payment amount of \$8,246.29; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose, specifically Bond Ordinance **2627-20**; 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 **\$8,246.29** is authorized by way of final as-built quantities for the CDBG YR 46 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, July 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 21st day of July 2021.

Lydia Massey, Acting Borough Clerk

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

Anders T Hasseler
Anders Hasseler, CFO

18 Jul 21
Date

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-247

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MA-2022-ROSELLE 8TH AVE, 7TH AVE, & WALNUT S-00053 PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Borough of Roselle formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Clerk and Colliers Engineering & Design are hereby authorized to submit an electronic grant application identified as MA-2022-Roselle 8th Ave, 7th Ave, & Walnut S-00053 to the New Jersey Department of Transportation on behalf of the Borough of Roselle; and

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Roselle and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Mayor and Council on this 21st day of July, 2021.

Lydia Massey
Acting Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Lydia Massey
Acting Municipal Clerk

Donald Shaw
Mayor

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-248

RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE 2021 MUNICIPAL BUDGET, PURSUANT TO N.J.S.A. 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Roselle in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$5,679.97 as a result of a wire in this amount having been received by the Borough of Roselle from the State of New Jersey, Judiciary, for an Alcohol Education Rehabilitation DWI Grant.

BE IT FURTHER RESOLVED, that the like sum of \$5,679.97 be appropriated under the caption:

Revenue: Alcohol Education Rehabilitation DWI Grant - 2021

Appropriations: Alcohol Education Rehabilitation DWI Grant – 2021

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 July 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 21st day of July 2021.

Lydia Massey
Acting Municipal Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-249

RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE 2021 MUNICIPAL BUDGET, PURSUANT TO N.J.S.A. 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Roselle in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$35,182.69 as a result of a wire in this amount having been received by the Borough of Roselle from the State of New Jersey, Solid Waste Administration for a Clean Communities Grant.

BE IT FURTHER RESOLVED, that the like sum of \$35,182.69 be appropriated under the caption:

Revenue: Clean Communities Grant - 2021

Appropriations: Clean Communities Grant – 2021

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 July 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 21st day of July 2021.

Lydia Massey
Acting Municipal Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-250

RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE 2021 MUNICIPAL BUDGET, PURSUANT TO N.J.S.A. 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Roselle in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum \$5,000.00 as a result of a letter received by the Borough of Roselle from County of Union, Office of Open Space, Recreation and Historic Fund, informing the Borough of Roselle of such award for a 2020 Greening Grant.

BE IT FURTHER RESOLVED, that the like sum of \$5,000.00 be appropriated under the caption:

Revenue: County of Union Greening Grant - 2021

Appropriation: County of Union Greening Grant - 2021

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 July 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 21st day of July 2021.

Lydia Massey
Acting Municipal Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-251

RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE 2021 MUNICIPAL BUDGET, PURSUANT TO N.J.S.A. 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Roselle in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$22,727.27 as a result of a letter from FEMA informing the Borough of Roselle of such award for COVID relief funds.

BE IT FURTHER RESOLVED, that the like sum of \$22,727.27 be appropriated under the caption:

Revenue: COVID Firefighters Grant - 2021

Appropriations: COVID Firefighters Grant – 2021

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 July 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 21st day of July 2021.

Lydia Massey
Acting Municipal Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-252

GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough has previously obtained a grant of \$2,100,000 from the State to fund the following project(s):

#2014-12-020

Arminio Field Improvements; and

WHEREAS, the State and Borough of Roselle intend to increase Green Acres funding by \$1,000,000; and;

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project(s);

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

1. The Mayor of the Borough of Roselle is hereby authorized to execute an agreement and any amendment thereto with the State for the project known as Arminio Field.
2. The Borough of Roselle has its matching share of the project, if a match is required, in the amount of \$333,333.00.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project.
4. The Borough of Roselle agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This Resolution shall take effect immediately.

CERTIFICATION

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

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-252

GREEN ACRES ENABLING RESOLUTION

IN WITNESS WHEREOF, I have hereunder set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21st day of July, 2021.

Lydia Massey, Acting Municipal Clerk

Certification of Availability of Funds: Anders T Hassler 18 Jul 21
Anders Hassler, CFO Date

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-253

RESOLUTION AUTHORIZING A CONTRACT WITH DEEGAN ROOFING FOR THE PROVISION OF ROOFING REPLACEMENT AND REPAIRS

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-6.1(a); and

WHEREAS, there is presently a need to procure goods and the performance of roofing replacement and repairs for the Borough of Roselle Fire Department; and

WHEREAS, informal requests for quotes were solicited by the contracting agent for the provision and performance of roofing replacement and repairs; and

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

1. That a contract is awarded to Deegan Roofing to provide the performance of roofing replacement and repairs to the Borough of Roselle Fire Department for a total contract amount not to exceed \$38,500.00.
2. The Chief Financial Officer has certified that sufficient funds are available within the CY 2021 Budget in the amount of \$38,500.00 in Account#C-04-55-264-003-007.
3. Pursuant to N.J.A.C. 50:30-5.5(e) the award of the contract shall be subject to the availability and appropriation of funds in the CY 2021 Budget in **account#C-04-55-264-003-007**; and
4. If funds are not available for the contract in the 2021 budget, the contract will be terminated.
5. That an executed copy of the Contract between the Borough and Deegan Roofing 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.
6. All previous Resolutions and/or orders and directives of Borough employees or officials, which are contrary to or inconsistent with the terms of this instant Resolution, are hereby rescinded, repealed and otherwise deemed ineffectual, to the extent of their inconsistency.
7. This Resolution shall take effect immediately.

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

Lydia Massey
Acting Borough Clerk

Certification of Availability of Funds: Anders T Hasseler 18 Jul 21
(Account#C-04-55-264-003-007) Anders Hasseler, CFO Date:

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-254

APPROVING APPLICATION FOR LOUDSPEAKERS OR SOUND AMPLIFIERS AND AUTHORIZING THE BOROUGH CLERK TO ENDORSE SAME

WHEREAS, the following application for Loud Speakers and Sound Amplifiers has been submitted to the Borough Clerk; and

The First Haitian Church of God of Roselle, 1100 Frank Street, Roselle, NJ 07203, request permission to use Loud Speakers or Sound Amplifiers on August 1, 2021, between the hours of 5:00 p.m. to 7:00 p.m. The event will be a parade in the Borough of Roselle.

WHEREAS, the aforesaid submitted application forms are complete, and the application has been reviewed; and

WHEREAS, the applicant is qualified to use Loud Speakers or Sound Amplifiers.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey do hereby grant the aforesaid application and do hereby authorize the Borough Clerk to endorse the respective application to the applicant.

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 July 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 21th day of July 2021.

Lydia D. Massey, Acting Borough Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-255

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE DESIGNATING THE AREA KNOWN AND DESIGNATED ON THE BOROUGH TAX MAP AS BLOCK 305, LOTS 4 AND 5 AS AN AREA IN NEED OF REDEVELOPMENT WITH CONDEMNATION PURSUANT TO THE LOCAL REDEVELOPMENT HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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, on September 16, 2020, the Borough Council (“Borough Council”) of the Borough of Roselle (the “Borough”) adopted Resolution 2020-262 authorizing and directing the Planning Board to conduct a preliminary investigation of the properties designated as Block 305, Lots 4 and 5 on the tax map of the Borough (hereinafter the “Study Area”), to determine whether the 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; and

WHEREAS, the Planning Board authorized the Colliers Engineering & Design, Inc., to prepare a determination of need study of the Study Area; and

WHEREAS, the redevelopment area determination requested hereunder operates as a finding of public purpose and the determination shall authorize the Borough and Borough Council to exercise all those powers provided by the Redevelopment Law for use in a redevelopment area, including, without limitation, the power of eminent domain to acquire any property in the delineated area (hereinafter referred to as a “Condemnation Redevelopment Area”); and

WHEREAS, on July 7, 2021, after providing due notice, the Planning Board conducted a public hearing in accordance with the Redevelopment Law to determine whether the Study Area qualified as an area in need of redevelopment and whether to recommend to the Borough Council to designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law and the Planning Board; and

WHEREAS, the Planning Board considered the Determination of Need Study dated March 4, 2021, from Colliers Engineering & Design, Inc., which determined that the Study Area qualifies as an Area in Need of Redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Planning Board concluded that substantial credible evidence exists to recommend to the Borough Council that the Study Area, Block 305, Lots 4 and 5, meets the criteria set forth in N.J.S.A. 40A:12A-5 for redevelopment designation as an area in need of redevelopment with Condemnation in accordance with N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the Borough of Roselle considered the Planning Board’s recommendation and Resolution recommending that the Study Area be designated as a Condemnation Redevelopment Area, at its regularly scheduled public meeting on July 21, 2021, wherein

members of the general public were given an opportunity to be heard and to address questions concerning the potential designation of the Study Area as a Condemnation Redevelopment Area; and

WHEREAS, the Borough accepted the recommendation of the Planning Board to declare the Study Area as a Condemnation Redevelopment Area.

NOW THEREFORE, BE IT RESOLVED, by the Borough of Roselle, in the County of Union, after having considered the aforementioned report and having held a public hearing finds that the subject properties known as Block 305, Lots 4 and 5, meet the statutory criteria pursuant to N.J.S.A. 40A:12A-5 and are recommended to be designated as a condemnation area in need of redevelopment; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to transmit a copy of this Resolution to the Commissioner of Community Affairs; and

BE IT FURTHER RESOLVED, that the designation of the Study Area as a Condemnation Redevelopment Area shall authorize the Borough to exercise the power of eminent domain to acquire any property in the Study Area; and

BE IT FURTHER RESOLVED, that the Borough hereby reserves all authority and powers granted to it under the Redevelopment Law; and

BE IT FURTHER RESOLVED, that within ten (10) days of the Borough's adoption of the within Resolution, the Clerk of the Borough of Roselle shall serve notice of the Borough's determination and the within Resolution upon all record owners of property within the Condemnation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs; and

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

I, Lydia Massey, Acting Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is 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 July 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 21st day of July 2021.

Lydia Massey
Acting Borough Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-256

**RESOLUTION FOR A CHANGE ORDER AMENDMENT TO THE CONTRACT
FOR DLS CONTRACTING, INC. REGARDING ADDITIONAL SITE WORK
FOR THE COMPLETION OF THE 2020 NJDOT VARIOUS STREETS
IMPROVEMENTS PROJECT**

WHEREAS, DLS Contracting Inc., 36 Montesano Road, Fairfield, NJ 07004 was awarded a contract for the above-referenced project in the amount of \$409,657.97 by way of Resolution Number 2020-343; and

WHEREAS, additional funds are required to complete the project due to unforeseen ponding conditions on W 6th and Martin as listed in the Colliers Engineering & Design email correspondence dated July 16, 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 **\$6,500.00**; 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 XXXX-XX.

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 DLS Contracting Inc. as per the Colliers Engineering & Design email dated July 16, 2021 and the following breakdown:

Contract Amount	\$409,657.97
<u>Change Order</u>	<u>\$ 6,500.00</u>
Adjusted Contract Amount	\$416,157.97

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 July 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 21st day of July 2021.

Lydia Massey
Acting Municipal Clerk

Certification of Availability of Funds
(Account# ~~C-04-SS-262-007-00~~)

Anders T Hasseler 18 Jul 21
Anders Hasseler, CFO Date

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-257

RESOLUTION RESCINDING RESOLUTION NUMBER 2021-188

WHEREAS, the Mayor and Council of the Borough of Roselle adopted Resolution Number 2021-188 during the Regular Meeting held on May 19, 2021, authorizing Summer Hours for Borough White Collar Employees under OPEIU Local 32, and excluding those employees assigned to DPW and Municipal Court; and

WHEREAS, the Mayor and Council have determined that the summer hours in effect have led to reduced productivity from the employees affected; and

WHEREAS, the Mayor and Council wishes to rescind the authorization of Summer Hours, previously approved for June 21, 2021 to August 27, 2021.

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

1. Resolution Number 2021-188 is hereby rescinded.
2. All affected employees shall resume normal hours effective July 26, 2021.
3. The Borough Clerk shall promptly, and in no case later than 5 business days from the date hereof, cause a copy of this Resolution to be served upon all affected employees.

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 July 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 21st day of July 2021.

Lydia D. Massey, Acting Borough Clerk

BOROUGH OF ROSELLE



RESOLUTION NUMBER 2021-258

RESOLUTION HIRING SEASONAL TEMPORARY LABORERS IN THE DEPARTMENT OF PUBLIC WORKS

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Roselle that Dwayne Lamar Murphy, Andre L. Williams, Timothy A. Benton and Tauheem Malik Duren are hereby appointed to the position of Seasonal Temporary Laborer in the Department of Public Works in the Borough of Roselle, effective August 1, 2021, not to exceed six (6) months, at the salary of \$18.00 per hour, from account 1-01-26-291-000-111.

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

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

Lydia Massey
Acting Borough Clerk

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

Anders Hasseler, CFO

Date

Resolution # 2021-259

RESOLVED: That the following be paid by the borough by checks drawn on TD Bank made payable to those persons for whom the warrants are drawn:

BILL LIST

21-Jul-21

FUND

ANIMAL CONTROL	\$ 26.40
CAPITAL ACCOUNT	\$ 652,115.70
CDBG TRUST	
CURRENT FUND	\$ 3,956,398.40
ESCROW TRUST	
FSLEF	
SLEF	
GENERAL TRUST ACCOUNT	3072.56
TRUST DCA FEES	
GRANT ACCOUNT	\$ 425.00
NJ HEALTH BENEFITS	
SUI	
JULY 2, 2021 PAYROLL	\$677,829.99
JULY 16, 2021 PAYROLL	\$ 684,943.04
MANUAL CHECK	\$ 191,533.70
POAA	
REDEMPTION PREMIUM ACCOUNT	
PUBLIC DEFENDER	
REDEMPTION TRUST	
RESERVE FOR ESCROW	
SALARY DEDUCTION	
 GRAND TOTAL	 <u><u>\$6,166,344.79</u></u>

LYDIA MASSEY
ACTING BOROUGH CLERK

DATED: JULY 21, 2021