

**BOROUGH OF ROSELLE  
MAYOR AND COUNCIL  
REGULAR MEETING – REVISED AGENDA  
DECEMBER 21, 2022 – 6:30 P.M.**

**MEETING CALLED TO ORDER**

**FLAG SALUTE**

**INVOCATION**

**STATEMENT OF COMPLIANCE**

The requirements of N.J.S.A. 10:4-6 et seq., the “Sunshine Law” has been met. A notice of this meeting was sent to the Star Ledger, published in the Home News Tribune on December 15, 2021, posted on the Bulletin Board in Borough Hall and on the Borough’s website and filed in the Office of the Municipal Clerk.

**ROLL CALL**

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

**PROCLAMATIONS**

**RESOLUTION**

<b><u>POLICE</u></b>	
2022-387	RESOLUTION APPOINTING NEW POLICE OFFICERS TO THE ROSELLE POLICE DEPARTMENT

**OATH OF OFFICE ADMINISTERED TO PUBLIC SAFETY PERSONNEL**

**PRESENTATION**

**APPROVAL OF MINUTES OF MEETINGS**

Minutes of the Mayor and Council Workshop Meeting – November 2, 2002  
Minutes of the Mayor and Council Regular Meeting – November 9, 2022

**CORRESPONDENCE / APPOINTMENTS**

**COMMITTEE REPORTS**

**PUBLIC COMMENTS**

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

### **ORDINANCE ON SECOND READING/PUBLIC HEARING** – Ordinance Number 2695-22

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 155 CANNABIS ESTABLISHMENTS (Proposed Public Hearing Date December 21, 2022 Regular Meeting)

### **ORDINANCE ON SECOND READING/PUBLIC HEARING** – Ordinance Number 2696-22

AN ORDINANCE AMENDING CHAPTER 110 “ACTIVITIES, OUTDOOR,” SECTION 1, “DEFINITIONS,” SECTION 3, “LICENCES; GENERAL PROVISIONS,” AND SECTION 11, “VIOLATIONS AND PENALTIES” (Proposed Public Hearing Date December 21, 2022 Regular Meeting)

### **ORDINANCE ON 1<sup>ST</sup> READING & INTRODUCTION** – Ordinance Number 2700-22

ORDINANCE OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE SALE OF CERTAIN BOROUGH OWNED PROPERTY LOCATED ON WHITE STREET AND IDENTIFIED AS BLOCK 2301, LOT 31 ON THE BOROUGH’S OFFICIAL TAX MAP, AND AUTHORIZING THE EXECUTION OF PURCHASE AND SALE AGREEMENT AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH [Proposed Public Hearing Date January 18, 2023]

## **CONSENT AGENDA**

### **RESOLUTIONS**

#### **BOROUGH ATTORNEY**

2022-388	RESOLUTION OF THE BOROUGH OF ROSELLE COUNCIL AUTHORIZING THE CANCELLATION OF TAX SALE CERTIFICATES #18-00034 AND #18-00042 ISSUED IN ERROR
<b><u>ECONOMIC DEVELOPMENT</u></b>	
2022-389	RESOLUTION OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY, AUTHORIZING THE EXECUTION OF A DEVELOPER’S AGREEMENT BY AND BETWEEN THE BOROUGH AND 136-142 EAST 4 <sup>TH</sup> AVE, LLC IN CONNECTION WITH THE DEVELOPMENT OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 3201, LOTS 9 AND 10 ON THE BOROUGH’S OFFICIAL TAX MAPS AND MORE COMMONLY KNOWN AS 136-142 EAST 4 <sup>TH</sup> AVENUE
2022-390	RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND NON-OPEN CONTRACT TO JGSC GROUP FOR PROFESSIONAL SERVICES IN CONNECTION WITH REDEVELOPMENT WITHIN THE BOROUGH NOT TO EXCEED \$92,000.00
2022-391	RESOLUTION REGARDING NPP IMPLEMENTATION PLAN FOR YEAR 3
2022-392	RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO SEQUOIA LAND DESIGN AND MAINTENANCE FOR NEIGHBORHOOD PRESERVATION FOR THE BOROUGH NOT TO EXCEED \$55,000.00

<b><u>ENGINEERING</u></b>	
2022-393	RESOLUTION APPOINTING A LAND USE ADMINISTRATOR
<b><u>FINANCE</u></b>	
2022-394	RESOLUTION OF MAYOR AND COUNCIL APPROVING SUBMISSION OF 2022 BEST PRACTICES INVENTORY TO THE DIVISION OF LOCAL GOVERNMENT SERVICES
2022-395	RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE 2022 MUNICIPAL BUDGET, PURSUANT TO N.J.S.A. 40A:4-87 - AMERICAN RESCUE PLAN ASSISTANCE TO FIREFIGHTERS GRANT- 2022
2022-396	RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE 2022 MUNICIPAL BUDGET, PURSUANT TO N.J.S.A. 40A:4-87 - JANSSEN NATIONAL OPIOID SETTLEMENT GRANT - 2022
2022-397	RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT
2022-398	RESOLUTION AUTHORIZING CANCELLING SMALL TAX BALANCES
<b><u>POLICE</u></b>	
2022-399	RESOLUTION FOR THE PURCHASE OF POLICE UTILITY SPECIAL SERVICE VEHICLE UNDER N.J. STATE CONTRACT # ESCNJ 20/21-09 FOR THE BOROUGH OF ROSELLE POLICE DEPARTMENT NOT TO EXCEED \$46,000.00
2022-400	RESOLUTION APPROVING A TOWING LICENSE - GEORGE'S TOWING

#### **NON-CONSENT AGENDA**

2022-401	A BILLS LIST DATED DECEMBER 21, 2022
2022-402	RESOLUTION ACCEPTING THE RESIGNATION OF RICKY SMILEY, BOROUGH ADMINISTRATOR
2022-403	MAYORS APPOINTMENT OF SHANEL Y. ROBINSON AS ACTING BOROUGH ADMINISTRATOR FOR THE BOROUGH OF ROSELLE
2022-404	A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE AUTHORIZING ANTONELLI KANTOR RIVERA TO FILE AN ETHICS COMPLAINT AGAINST COUNCILWOMAN CYNTHIA JOHNSON

#### **COUNCIL COMMENTS**

#### **MAYOR'S COMMENTS**

#### **CLOSED EXECUTIVE SESSION**

2022-405 Resolution for Closed Executive Session

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

#### **ADJOURNMENT**

## **BOROUGH OF ROSELLE**



### **RESOLUTION NUMBER 2022-387**

## **RESOLUTION APPOINTING NEW POLICE OFFICERS TO THE ROSELLE POLICE DEPARTMENT**

**WHEREAS**, there is a need in the Borough of Roselle for the position of Police Officer in the Police Department to efficiently maintain the health, welfare and safety of the public and to provide public services; and

**WHEREAS**, the Certifying Official of the Borough of Roselle has verified the promotional certification from the Civil Service Commission for the position of Police Officer; and

**WHEREAS**, the following individuals have been adjudged to be qualified for the position of Police Officer:

<b>NAME</b>	<b>SALARY</b>
<b>Ulises Infante</b>	<b>\$61,863.00</b>
<b>Bruno Felicia</b>	<b>\$61,863.00</b>
<b>Brittany Greenhill</b>	<b>\$61,863.00</b>
<b>Georgio Tsiopanis</b>	<b>\$61,863.00</b>
<b>Steven Ortiz</b>	<b>\$61,863.00</b>

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Roselle, in the County of Union, State of New Jersey, that aforementioned individuals are hereby appointed to the position of Police Officer, effective January 06, 2023, subject to the ninety (90) day working test period pursuant to Civil Service regulations; and

**BE IT FURTHER RESOLVED** that the compensation for (Ulises Infante, Bruno Felicia, Brittany Greenhill, Georgio Tsiopanis, and Steven Ortiz) shall be set pursuant to the GAP Waiver recognized by the Civil Service Commission acknowledging said officers' prior Correctional Police Officer status with an annual salary of \$61,863.00, prorated for calendar year 2023. Said waiver is subject to follow the following provisions as set forth from N.J.S.A. 52:17B-68.3:

- (c) (3) the officer previously completed a basic training course administered by the Police Training Commission pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.);
- (c) (5) a criminal history record background check of the officer has been conducted by the appointing authority and the officer has not been deemed ineligible to transition to the position of detective or investigator in the county prosecutors' office or

county or municipal police officer on the basis of any conviction disclosed by the background check.

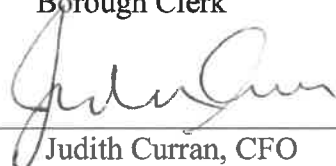
- d. The waiver rule set forth in N.J.A.C.13:1-8.4 authorizing the Police Training Commission to waive all or part of a basic training course shall apply to an eligible county correctional officer taking the revised modified basic training pursuant to the subsection a. of this section.
- e. An eligible county correctional police officer who successfully completes the modified basic training established pursuant to section 1 of the P.L.2019 (C.52:17B-68.2) shall be eligible for a transfer to a position as sheriff's officer in any county in the state and eligible officer who successfully completes the revised modified basic training established pursuant to subsection a. of this section shall be eligible for a transfer or lateral title change, as appropriate, to the position of detective or investigator in the county prosecutor's office or county or municipal police officer in any county or municipality, as applicable, in the State. An officer eligible for a transfer or lateral title change pursuant to the provisions of this section shall not be denied a transfer or title change to an available position without good cause.
- f. The Civil Service Commission may adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to implement the provisions of this section.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held December 21<sup>st</sup>, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of December, 2022.

\_\_\_\_\_  
Lisette Sanchez  
Borough Clerk

Certification of Availability of Funds:  
(Acct#2-01-25-240-000-111)

 2/19/22  
\_\_\_\_\_  
Judith Curran, CFO                      Date

# BOROUGH OF ROSELLE



## ORDINANCE NUMBER 2695-22

### AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 155 CANNABIS ESTABLISHMENTS

**WHEREAS**, pursuant to N.J.S.A. 40:48-2 and N.J.S.A. 24:6I-45, the Borough of Roselle (“Borough”) previously established zoning requirements and regulations governing personal use cannabis and medical cannabis, including a local license requirement for cannabis establishments who wish to open and operate such businesses within Borough, and a limit on the number of local licenses that may be issued for each class of cannabis establishment; and

**WHEREAS**, the Mayor and Borough Council have determined that it is in the best interests of the Borough to amend and supplement its regulations governing personal use cannabis and medical cannabis within the Borough, and to provide clarification to prospective licensees regarding the requirements for obtaining a local cannabis license and operating a cannabis business within the Borough.

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

**SECTION I.** The Code of the Borough of Roselle, Part IV, Chapter 155 Cannabis Establishments, is hereby amended and supplement as follows (additions in **bold and underline**, deletions ~~struck through~~):

#### Chapter 155 Cannabis Establishments

.....

#### § 155-2 **(Reserved)**~~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 12 through 6 Cannabis establishments shall be permitted, pursuant to this chapter, only if the following requirements are complied with

.....

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 (including, but not limited to, a certificate of occupancy issued by the Borough).

.....

**J. Customer Congestion. Cannabis establishments shall implement appropriate procedures for addressing potential issues arising from customer congestion, and shall ensure that their customers and vendors do not impede pedestrian or vehicular traffic over or to neighboring public and private properties (including streets and sidewalks).**

**K. Police Support. When necessary to address crowd and/or traffic issues, Cannabis establishments are responsible for obtaining police support pursuant to § 83-16 of the Borough Code.**

.....

§ 155-5 Licensing.

.....

C. If the Borough receives multiple pending license applications from the Commission, the Borough shall provide input to the Commission as to the municipality's preferences for licensure in ranking order from the first to last, respectively, for each class of license and each applicant that meets the Borough's requirements set forth in Subsection K.

.....

F. ~~Unless the Borough has previously advised the Commission, in writing, that it is opposed to the application of an applicant for a state license, a~~A Borough license shall be issued to an applicant that has:

- ~~(1) #Received an annual~~ license from the Commission ~~and ranked by the Borough Council in preferences if the requirements contained in Subsection J are satisfied;~~
- (2) Satisfied the requirements contained in Subsection K, and demonstrated that the cannabis establishment will adhere to the minimum requirements set forth in § 155-3 of the Borough Code; and
- (3) Received site plan approval pursuant to § 650-5 of the Borough Code, or demonstrated entitlement to an exemption on one of the grounds listed in § 650-6 of the Borough Code.

**SECTION II.** 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 therefor.

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

**Recorded Vote on Introduction Ordinance No. 2695-22 – November 9, 2022**

	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 of Ordinance No. 2695-22 – December 21, 2022**

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

☐ Approved

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

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

DATE:

**NOTICE** is hereby given that Ordinance Number 2695-22 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council December 21, 2022, after 6:30 P.M., 210 Chestnut St., Roselle, NJ.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk



# **BOROUGH OF ROSELLE**



## **ORDINANCE NUMBER 2696-22**

### **AN ORDINANCE AMENDING CHAPTER 110 "ACTIVITIES, OUTDOOR," SECTION 1, "DEFINITIONS," SECTION 3, "LICENCES; GENERAL PROVISIONS," AND SECTION 11, "VIOLATIONS AND PENALTIES"**

**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 for food drives and community outreach/engagement activities, and prohibit drive-through food drives, in order to protect the health, safety and general welfare of the community, and minimize traffic congestion; and

**WHEREAS**, the Borough finds it necessary to amend the Borough General Ordinances to include food drives and community outreach/engagement among defined Outdoor Activities, in order to ensure that such events are organized and approved in accordance with State and local regulations, and to minimize disruptions to traffic; and

**WHEREAS**, the Borough also seeks to amend the license fee for Garage sales to be consistent with the Borough application form for outdoor activity licenses.

**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, Chapter 110 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 110 Activities, Outdoor, Section 1, Entitled "Definitions," is hereby supplemented to include the following (in alphabetical order):

#### **§ 110-1 Definitions.**

##### **COMMUNITY OUTREACH/ENGAGEMENT**

Gatherings to create community support groups, advocate for community issues, political campaigning, gift and other donation drives.

##### **FOOD DRIVE**

A charity event dedicated to collecting food items for distribution to persons who cannot afford food.

**SECTION III.** The Code of the Borough of Roselle, Part IV, General Ordinances, Chapter 110, Activities, Outdoor, Section 3, entitled “Licenses; general provisions,” Subsection A, entitled “General provisions,” is hereby supplemented as follows:

(4) Drive-through food drives are prohibited.

**SECTION IV.** The Code of the Borough of Roselle, Part IV, General Ordinances, Chapter 110 Activities, Outdoor, Section 3, Entitled “Licenses; general provisions,” Subsection B.(4), Entitled “Deposits,” is hereby amended and supplemented as follows (additions in **bold**, deletions ~~struck through~~):

Activity	Amount of Deposit
Amusement promotions	\$500(*)
Bazaars	\$100(*)
Block parties	\$0
Carnivals	\$500
Circuses	\$1,000
Concerts	\$1,000
<b>Community Outreach/Engagement</b>	<b>\$0</b>
Fairs	\$500(*)
Festivals	\$500(*)
Flea markets	\$100(*)
<b>Food drive</b>	<b>\$0</b>
Garage, yard and porch sales	<del>\$0</del> -5
Revivals	\$0

**SECTION IV.** The Code of the Borough of Roselle, Part IV, General Ordinances, Chapter 110 Activities, Outdoor, Section 11, Entitled “Violations and penalties” is hereby supplemented as follows (additions in **bold**):

**Failure to obtain a license for an outdoor activity shall be deemed a violation of this chapter.** The sponsor, licensee, the promoter and vendors/operators/concessionaires or their agents shall, upon conviction of a violation of provisions of this chapter, be punished by a fine not exceeding \$2,000, incarceration not exceeding 90 days, or both, per violation to be set by the Municipal Judge. Each day a violation persists shall be a separate violation. Any person participating in or attending an outdoor activity who shall negligently or willfully break, injure or destroy any public or Borough-owned property, or injure, break or destroy any street or guide sign or post, lamp or light bulb or appurtenances thereof or other public property or Borough-owned property on any public street, park or place shall, upon conviction of thereof, be punished by a fine not exceeding \$2,000, incarceration not exceeding 90 days, or both, per violation to be set by the Municipal Judge.

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

**Recorded Vote on Introduction Ordinance No. 2696-22, November 9, 2022**

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

**Recorded Vote on Final Passage Ordinance No. 2696-22, December 21, 2022**

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

\_\_\_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 2696-22 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council on December 21, 2022 after 6:30 P.M., 210 Chestnut St., Roselle, NJ.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

# **BOROUGH OF ROSELLE**



## **ORDINANCE NUMBER 2700-22**

### **ORDINANCE OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE SALE OF CERTAIN BOROUGH OWNED PROPERTY LOCATED ON WHITE STREET AND IDENTIFIED AS BLOCK 2301, LOT 31 ON THE BOROUGH'S OFFICIAL TAX MAP, AND AUTHORIZING THE EXECUTION OF PURCHASE AND SALE AGREEMENT AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH**

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

**WHEREAS**, the Borough adopted an ordinance, as subsequently amended, approving and adopting the Central Roselle Revitalization Plan (as amended and as may be further amended, the "**Central Roselle Revitalization Plan**"), a redevelopment plan applicable to the area described as follows:

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

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-4, the Borough has determined to act as the "Redevelopment Entity" (as such term is defined at N.J.S.A. 40A:12A-3) for the Central Roselle Revitalization Area to exercise the powers set forth in the Redevelopment Law; and

**WHEREAS**, Akeem Haynes (the "**Purchaser**") owns the property in the Central Roselle Revitalization Area known as 319 White Street and designated as Block 2301, Lot 32 on the Borough's tax maps (the "**Purchaser Property**"); and

**WHEREAS**, the Borough currently owns the property directly adjacent to the Purchaser Property, located on Chandler Avenue and designated as Block 2301, Lot 31 on the Borough's tax maps (the "**Borough Property**"); and

**WHEREAS**, the Borough Property is undersized, is incapable of being developed by itself and does not currently generate any tax revenue for the Borough; and

**WHEREAS**, the Purchaser proposes to acquire the Borough Property and consolidate same with the Purchaser Property; and

**WHEREAS**, the Borough has determined that the Borough Property is no longer needed for public use, and that the merger of the Borough Property into the Purchaser Property is in the Borough's best interest; and

**WHEREAS**, the Brough desires to convey the Borough Property to the Purchaser for the purpose of merging same into the Purchaser Property; and

**WHEREAS**, the Borough now desires to authorize the execution of an agreement (the "**Purchase and Sale Agreement**") with the Purchaser to set forth the terms and conditions under which the Borough will convey the Borough Property to the Purchaser.

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

1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.
2. The Borough is hereby authorized to convey the Borough Property to the Purchaser on terms consistent with those set forth in the Purchase and Sale Agreement, including a purchase price of Three Thousand and 00/100 Dollars (\$3,000.00).
3. The Mayor is authorized to execute the Purchase and Sale Agreement with the Purchaser, in substantially the same form as that on file with the Borough Clerk, along with such minor additions, deletions or modifications the Mayor deems necessary, after consultation with Borough counsel.
4. The Mayor, the Business Administrator of the Borough and the Clerk of the Borough are hereby authorized to execute, on behalf of the Borough, any and all documents, necessary to effectuate the conveyance of the Borough Property to the Purchaser.
5. This Ordinance shall take effect in accordance with applicable law.

**Recorded Vote on Introduction Ordinance No. 2700-22, December 21, 2022**

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

**Recorded Vote on Final Passage Ordinance No. 2700-22, January 18, 2023**

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

\_\_\_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 2700-22 was passed and adopted on second and final reading at a Regular meeting of the Mayor and Council on January 18, 2023 after 6:30 P.M., 210 Chestnut St., Roselle, NJ.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

## **BOROUGH OF ROSELLE**



### **RESOLUTION NUMBER 2022-388**

#### **RESOLUTION OF THE BOROUGH OF ROSELLE COUNCIL AUTHORIZING THE CANCELLATION OF TAX SALE CERTIFICATES #18-00034 and #18-00042 ISSUED IN ERROR**

**WHEREAS**, the Borough is the holder of Tax Sale Certificate No.: 18-00034 on Block 2601 Lot 15, located at 1235 Spruce Street, owned by Burning Bush Pentecostal United Church; and Tax Sale Certificate No.: 18-00042 on Block 2901, Lot 19, located at Spruce Street, owned by Burning Bush Pentecostal United Church; and

**WHEREAS**, the Borough has determined that taxes were erroneously assessed, and tax sale certificates sold in error, with respect to the subject properties, which have been in continuous use for religious purposes during the tax years at issue and therefore tax exempt; and

**WHEREAS**, the Borough has determined to cancel the tax sale certificates pursuant to the provisions of the Tax Sale Law, N.J.S.A. 54:5-1 et seq.;

**NOW, THEREFORE**, be it resolved by the Borough Council as follows:

1. The Tax Collector shall issue and execute Certificates of Cancellation of Tax Sale Certificates 18-00034 and 18-00042.
2. The Certificates of Cancellation of Tax Sale Certificates 18-00034 and 18-00042 shall be recorded with the County Recording Officer.
3. The Certificates of Cancellation of Tax Sale Certificates 18-00034 and 18-00042 shall discharge the lands from the liens, tax sales and certificates of tax sale.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held on December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of December 2022.

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Lisette Sanchez, Borough Clerk

## **BOROUGH OF ROSELLE**



### **RESOLUTION NUMBER 2022-389**

**RESOLUTION OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY, AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BY AND BETWEEN THE BOROUGH AND 136-142 EAST 4<sup>TH</sup> AVE, LLC IN CONNECTION WITH THE DEVELOPMENT OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 3201, LOTS 9 AND 10 ON THE BOROUGH'S OFFICIAL TAX MAPS AND MORE COMMONLY KNOWN AS 136-142 EAST 4<sup>TH</sup> AVENUE**

**WHEREAS**, certain property within the Borough of Roselle (the "**Borough**") identified as Block 3201, Lots 9 and 10 on the Borough's official tax maps and more commonly known as 136-142 East 4<sup>th</sup> Avenue (the "**Property**") was the subject of an application before the Borough's Zoning Board of Adjustment of the (hereinafter the "**Board**") made by Candor Homes, LLC (collectively, the "**Candor**") requesting to merge Block 3201, Lot 9 with Block 3201, Lot 10, demolish the existing structures on the Property, Preliminary and Final Site Plan approval to construct one (1) thirty-three (33) unit, four-story apartment building with parking on the Property, a "D" variance for residential density, one "C" bulk variance for impervious lot coverage, and multiple design waivers on the Property (the "**Project**"); and

**WHEREAS**, the Board granted conditional approval for the Project by adoption of resolution on August 24, 2020 (the "**Board Resolution**"); and

**WHEREAS**, Candor has since transferred the Project to 136-142 East 4<sup>th</sup> Ave, LLC (the "**Developer**"), Developer has since acquired title to the Property, and Developer desires to construct the Project in accordance with the Board Resolution; and

**WHEREAS**, in furtherance of the conditional approval set forth in the Board Resolution, the Borough desires to enter into a the Developer's Agreement, substantially in the form attached hereto as Exhibit A (the "**Agreement**") with Developer, which Agreement has been prepared by the Borough Attorney and has been reviewed and approved by the Borough Engineer and by the attorney for the Developer, and sets forth the rights and obligations of the Borough and the Developer with respect to the undertaking of the Project on the Property in accordance with conditional approval of the Project set forth in the Board Resolution.

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

**Section 1.** The foregoing recitals are hereby incorporated by reference as if fully set forth herein.



**Section 2.** The Mayor of the Borough is hereby authorized to execute the Agreement in substantially the same form as that on file with the Borough Clerk, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.

**Section 3.** The Borough Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Borough Attorney for recording with the Clerk of the County of Union.

**Section 4.** This Resolution shall take effect immediately.

I, Lisette Sanchez, 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 Regular Meeting said Council held December 21, 2022.

**IN WITNESS WHEREOF,** I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey, this 21<sup>st</sup> day of December 2022.

---

Lisette Sanchez  
Borough Clerk

**EXHIBIT A**

Developer's Agreement  
Between  
Borough of Roselle  
And  
136-142 East 4<sup>th</sup> Ave, LLC

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2022-390**

**RESOLUTION AMENDING RESOLUTION 2022-093 INCREASING THE NON-FAIR  
AND NON-OPEN CONTRACT AWARD TO JGSC GROUP FOR PROFESSIONAL  
SERVICES IN CONNECTION WITH REDEVELOPMENT WITHIN THE BOROUGH  
BY \$20,000.00**

**WHEREAS** the Borough of Roselle previously approved a contract award to JGSC Group for redevelopment consultant services pursuant to Resolution 2022-093 in the amount of \$72,000.00; and

**WHEREAS**, the Borough is increasing its contract with JGSC Group by \$20,000.00 with a new not to exceed amount of \$92,000.00 for Calendar Year 2022.


**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the contract award to JGSC Group for redevelopment consultants service be amended for a total amount not to exceed \$92,000.00.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held on December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of December 2022.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

Certification of Availability of Funds:  
(Acct # 2-01-20-175-000-229)

 12/19/22  
\_\_\_\_\_  
Judith Curran, CFO                      Date

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2022-391**

**RESOLUTION AUTHORIZING PARTICIPATION IN THE NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS 2023 NEIGHBORHOOD  
PRESERVATION PROGRAM**

**WHEREAS**, the New Jersey Department of Community Affairs (NJDCA) has funds available through its 2023 Neighborhood Preservation Program (NPP DCA-approved revised Year 3 Neighborhood Preservation Program Implementation Plan and Budget) to strengthen the ability of municipalities to revitalize and improve declining neighborhoods through the planning and implementation of strategies that will serve as a catalyst for economic development and encourage private development; and

**WHEREAS**, NPP grant funds may be used for the planning and administration of NPP activities; intensive code enforcement; the provision of appropriate public services related to NPP activities; and the acquisition, rehabilitation, clearance and/or demolition of blighted properties; and

**WHEREAS**, the Mayor and Municipal Council of the Borough of Roselle are in support of the NJDCA Neighborhood Preservation Program (DCA-approved revised Year 3 Neighborhood Preservation Program Implementation Plan and Budget), which will provide a grant of \$125,000 to be expended over a 12-month grant period beginning January 1, 2023 through December 31, 2023; and

**WHEREAS**, municipalities that successfully completed the Year Two grant period activities are eligible to receive additional NPP grant funding of \$125,000 per grant period for up to three (3) subsequent grant periods; and

**WHEREAS**, the NPP grant program requires a 20% cash match; and

**WHEREAS**, an application for such funds may not be filed nor funds spent in a municipality without authorization by the Governing Body; and

**WHEREAS**, the Mayor and Municipal Council of the Borough of Roselle endorse and support the NPP grant application because of the economic, safety, health and environmental benefits to our municipality, and it is in the best interests of the residents of the Borough of Roselle.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Municipal Council of the Borough of Roselle hereby approve the filing of a grant application for the NJDCA 2023 Neighborhood Preservation Program (NPP DCA-approved revised Year 3 Neighborhood Preservation Program Implementation Plan and Budget) and will provide the 20% cash match of the amount awarded.

**BE IT FURTHER RESOLVED**, that the signature of the Mayor, Borough Administrator and/or any other municipal official, or their successors in said titles, which is required on the grant application and grant agreement, and any other documents necessary in connection therewith, is hereby authorized.

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

I, Lisette Sanchez, 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 held of said Council held December 21, 2022.

**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 21<sup>st</sup> day of December, 2022.

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Lisette Sanchez, Borough Clerk

## **BOROUGH OF ROSELLE**



### **RESOLUTION NUMBER 2022-392**

#### **RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO SEQUOIA LAND DESIGN AND MAINTENANCE FOR NEIGHBORHOOD PRESERVATION FOR THE BOROUGH NOT TO EXCEED \$55,000.00**

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11-3 authorizes the purchase of goods and services without solicitation for competitive quotations by a duly appointed, qualified purchasing agent, established in LFN 2020-14; and

**WHEREAS**, the Borough of Roselle has a need to acquire Neighborhood Preservation services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

**WHEREAS**, there is presently a need for the preservation and beautification for the Borough of Roselle; and

**WHEREAS**, the Borough of Roselle desires to enter into a professional services agreement with Sequoia Land Design and Maintenance located in Woodbridge, NJ 07095 for beautification and preservation; and

**WHEREAS**, Sequoia Land Design and Maintenance has completed and submitted a Business Entity Disclosure Certification which certifies that Sequoia Land Design and Maintenance has not made any reportable contributions to a political or candidate committee in the Borough of Roselle in the previous one year, and that the contract will prohibit Sequoia Land Design and Maintenance from making any reportable contributions through the term of the contract, and

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

1. That a non-fair and open contract is awarded to Sequoia Land Design and Maintenance for beautification services to the Borough for a total contract amount not to exceed \$55,000.00.
2. The Chief Financial Officer has certified that sufficient funds are available within the CY 2022 Budget in the amount of \$55,000.00 in Grant Account# G-02-41-723-021-303.

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 2022 in Grant Account# G-02-41-723-021-303.
4. If funds are not available for the contract in the 2022 budget, the contract will be terminated.
5. That an executed copy of the Contract between the Borough and Sequoia Land Design and Maintenance, 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.

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

I, Lisette Sanchez, 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 December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of December 2022.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

Certification of Availability of Funds:  
(Account# G-02-41-723-021-303)

\_\_\_\_\_  
Judith Curran, CFO

Date: 12/19/22

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2022-393**

**RESOLUTION APPOINTING A LAND USE ADMINISTRATOR**

**WHEREAS**, Chapter 650 of the Borough of Roselle code delegates the administrative functions of the Planning Board and the Zoning Board of Adjustment to a Land-Use Administrator to process all applications and various other administrative functions; and

**WHEREAS**, N.J.S.A. 40A:11-5 allows for the award of a contract for professional services by resolution of the governing body for a period not to exceed twelve (12) months;

**WHEREAS**, the Administration has determined that the Borough is in need of continued Land Use Administrator services, through March 31, 2023, which Colliers Engineering & Design is qualified and willing to provide; and

**WHEREAS**, the Chief Financial Officer of the Borough of Roselle is certifying that the funds will be available for this purpose Land Use Administrator services contingent upon the Governing Body's approval and inclusion of said item in the Temporary Budget and adopted in 2023 and there will be sufficient funds to contract Colliers Engineering & Design.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Roselle hereby appoints Colliers Engineering & Design as the Land-Use Administrator for the period of January 1, 2023 to March 31, 2023 for an amount not to exceed \$15,000.00.

I, Lisette Sanchez, 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 December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of December, 2022.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

Certification of Availability of Funds:  
(Account#T3-01-20-165-000-228)

\_\_\_\_\_  
Judith Curran, CFO

\_\_\_\_\_  
Date

*[Handwritten Signature]* 12/19/22



## **BOROUGH OF ROSELLE**



### **RESOLUTION NUMBER 2022-394**

#### **RESOLUTION OF MAYOR AND COUNCIL APPROVING SUBMISSION OF 2022 BEST PRACTICES INVENTORY TO THE DIVISION OF LOCAL GOVERNMENT SERVICES**

**WHEREAS**, the Borough of Roselle was required to complete a Best Practices Inventory for 2022 which was submitted to the Division of Local Government Services by the CFO by the due date of November 10, 2022; and

**WHEREAS**, the CFO completed the Best Practices Inventory for 2022 and the Borough Administrator, the CFO and the Borough Clerk signed off on the Best Practices Inventory for 2022, and the Borough Clerk certified that the Best Practices Inventory would be discussed at a public meeting as required by the State;

**WHEREAS**, after completion of the Best Practices Inventory for 2022, the Borough of Roselle had a score of 30 which resulted in no aid being withheld,

**NOW, THEREFORE, BE IT RESOLVED**, per the above information regarding the Best Practices Inventory for 2022, that the Mayor and Council of the Borough of Roselle approve the submission of the Best Practices Inventory 2022 as prepared by the CFO for the Borough of Roselle.

I, Lisette Sanchez, 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 December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21st day of December 2022.

---

Lisette Sanchez, Borough Clerk

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2022-395**

**RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE 2022 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 2022 in the sum of \$44,000.00, as a result of an award letter received by the Borough of Roselle under the American Rescue Plan Assistance to Firefighters through the State of New Jersey.

**BE IT FURTHER RESOLVED**, that the like sum of \$44,000.00 be appropriated under the captions:

Revenue: American Rescue Plan Assistance to Firefighters Grant- 2022

Appropriations: American Rescue Plan Assistance to Firefighters Grant -2022

I, Lisette Sanchez, 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 December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey, this 21<sup>st</sup> day of December 2022.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

Certification of Availability of Funds  
(G-02-10-526-001-001)

\_\_\_\_\_  
Judith Curran, CFO

\_\_\_\_\_  
Date

12/19/22

# **BOROUGH OF ROSELLE**



## **RESOLUTION NUMBER 2022-396**

### **RESOLUTION AUTHORIZING THE INSERTION OF SPECIAL ITEMS OF REVENUES AND APPROPRIATIONS IN THE 2022 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 2022 in the sum of \$9,583.90, as a result of a check being received by the Borough of Roselle from the Janssen National Opioid Settlement.

**BE IT FURTHER RESOLVED**, that the like sum of \$9,583.90 be appropriated under the captions:

Revenue: Janssen National Opioid Settlement Grant - 2022

Appropriations: Janssen National Opioid Settlement Grant - 2022

I, Lisette Sanchez, 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 December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey, this 21<sup>st</sup> day of December 2022.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

Certification of Availability of Funds  
(G-02-10-634-001-001)

\_\_\_\_\_  
Judith Curran, CFO

\_\_\_\_\_  
Date

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2022-397**

**RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT**

**WHEREAS**, there appears on the books of the Tax Collector, refunds due, resulting from Over Payments; and

**WHEREAS**, refunds are to be made to the persons who have made these overpayments or won an appeal;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough CMFO of the Borough of Roselle, Union County, be instructed to draw checks in the amounts covering the overpayments and to deliver said checks to the proper persons.


<b>Name</b>	<b>Mailing Address</b>	<b>Block</b>	<b>Lot</b>	<b>Reason</b>	<b>Total</b>
Tina Perry	626 Harrison Ave.	1010	7	Over Payment Q4 2022	\$2,620.22

I, Lisette Sanchez, 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 December 21, 2022.

**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 December 2022.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

Certification of Availability of Fund  
(Acct # 2-01-55-999-205-000)

  
Kendy Thompson, Tax Collector

12/19/22  
Date

## **BOROUGH OF ROSELLE**



### **RESOLUTION NUMBER 2022-398**

#### **RESOLUTION AUTHORIZING CANCELLING SMALL TAX BALANCES**

**WHEREAS**, the Governing Body of the Borough of Roselle finds and declares that N.J.S.A 40A:5-17-1 empowers authorized municipal employees to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars, and

**WHEREAS**, the Governing Body further finds and declares that the Municipal Tax Collector is qualified to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars, and

**WHEREAS**, the Governing Body further finds and declares that it is in the best interest of the citizens of the Borough of Roselle for the Municipal Tax Collector to be authorized to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars in accordance with N.J.S.A. 40A:5-17-1;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing body of the Borough of Roselle that Tax Collector Kendy Thompson is hereby authorized to process the cancellations of tax refunds or delinquencies of less than Ten (\$10.00) during the calendar year of 2007 in accordance with N.J.S.A. 40A:5-17-1.


Name	Mailing Address	Block	Lot	Reason		Total
Bibleway Delivera	1149 St. George	2603	1	Exempt	2020	\$1.13
Bibleway Delivera	1149 St. George	2603	11	Exempt	2020	\$0.83
Bibleway Delivera	1149 St. George	2603	14	Exempt	2020	\$1.74
						<b>\$3.70</b>

I, Lisette Sanchez, 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 December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of December 2022.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

Certification of Availability of Fund  
(Acct # 2-01-55-999-205-000)

  
Kendy Thompson, Tax Collector

12/19/22  
Date

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2022-399**

**RESOLUTION FOR THE PURCHASE OF POLICE UTILITY SPECIAL SERVICE VEHICLE UNDER N.J. STATE CONTRACT # ESCNJ 20/21-09 FOR THE BOROUGH OF ROSELLE POLICE DEPARTMENT NOT TO EXCEED \$46,000.00**

**WHEREAS**, the Borough of Roselle Police Department wishes to purchase Police Special Service Vehicle from Mall Chevrolet, of Cherry Hill an authorized vendor under N.J. State Contract number # ESCNJ 20/21-09; and

**WHEREAS**, Mall Chevrolet of Cherry Hill is an authorized vendor under the N.J. State Contract with the Borough of Roselle; and

**WHEREAS**, the Purchasing Agent recommends the utilization of this State Contract on the grounds that it represents the best means available to obtain the equipment needed by the Borough

1. That the Borough Council appoints and awards a contract to Mall Chevrolet of Cherry Hill for One (1) Police Utility Special Service Vehicle not to exceed \$46,000.00

2. The Chief Financial Officer has certified that sufficient funds are available within the Capital Budget in the amount of \$46,000.00 in Account# 2-01-25-240-000-251.

**WHEREAS**, pursuant to N.J.A.C. 50:30-5.5(e) the award of the contract shall be subject to the availability and appropriation of funds in the capital budget in account# 2-01-25-240-000-251; and

I, Lisette Sanchez, 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 held December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of December, 2022.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

Certification of Availability of Funds:  
(2-01-25-240-000-251)

\_\_\_\_\_  
Judith Curran, CFO

12/19/22  
\_\_\_\_\_  
Date:

## **BOROUGH OF ROSELLE**



### **RESOLUTION NUMBER 2022-400**

#### **RESOLUTION APPROVING A TOWING LICENSE – GEORGES TOWING**

**WHEREAS**, a complete application for a Towing License from Georges Towing has been submitted to the Borough Clerk; and

**WHEREAS**, the Police Department has reviewed said application and has stated that Georges Towing equipment is in compliance with all the standards of Chapter 514 of the Borough's Ordinance regarding towing, and have thereby approved said application, and the fees have been paid, and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Roselle, County of Union, and State of New Jersey that the Borough Clerk is authorized to issue a one (1) year Towing License to Georges Towing, 500 W. 1<sup>st</sup> Ave, Roselle, NJ 07203, effective January 1, 2023 to December 31, 2023.

I, Lisette Sanchez, 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 Regular Meeting said Council held December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey, this 21<sup>st</sup> day of December, 2022.

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Lisette Sanchez, Borough Clerk

## **Resolution # 2022-401**

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-Dec-22**

#### **FUND**

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ANIMAL CONTROL	\$	16.20
CAPITAL ACCOUNT	\$	274,339.71
CDBG TRUST		
CURRENT FUND	\$	2,524,294.74
ESCROW TRUST	\$	11,238.75
FSLEF		
SLEF		
GENERAL TRUST ACCOUNT	\$	17,642.65
TRUST DCA FEES		
GRANT ACCOUNT	\$	19,012.49
SUI	\$	26,378.05
DECEMBER 2, 2022 PAYROLL	\$	687,603.48
DECEMBER 16, 2022 PAYROLL	\$	684,445.93
MANUAL CHECK	\$	220,312.57
POAA		
REDEMPTION PREMIUM ACCOUNT	\$	180,300.00
PUBLIC DEFENDER		
REDEMPTION TRUST	\$	51,970.22
RESERVE FOR ESCROW		
SALARY DEDUCTION		\$16,520.00

GRAND TOTAL

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**\$4,714,074.79**

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LISETTE SANCHEZ  
MUNICIPAL BOROUGH CLERK

DATED: DECEMBER 21, 2022



# **BOROUGH OF ROSELLE**



## **RESOLUTION NUMBER 2022-402**

### **RESOLUTION ACCEPTING THE RESIGNATION OF RICKY SMILEY, BOROUGH ADMINISTRATOR**

**WHEREAS**, Ricky A. Smiley, MPAP, was appointed as Borough Administrator (BA) for the Borough of Roselle on March 29, 2021; and

**WHEREAS**, at the December 14, 2022 meeting of the Borough's governing body, Mr. Smiley made public his intention to resign his position as BA; and

**WHEREAS**, via written correspondence, dated December 19, 2022, Mr. Smiley confirmed his intention to resign his position, commencing December 19, 2022, and further provided thirty days' notice, in compliance with his employment agreement, for a separation date of January 31, 2023.

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

1. The Borough hereby accepts the resignation of Ricky A. Smiley, MPAP, as full-time Borough Administrator for the Borough of Roselle.
2. Mr. Smiley is hereby relieved of his obligations, under paragraph 8 of his employment agreement with the Borough, which require him to provide a minimum of thirty (30) calendar days notification of his intent to resign and thereby renders Mr. Smiley's resignation effective the date of this resolution, December 21, 2022.
3. The provisions of this resolution are severable. To any extent that any clause, phrase, sentence, paragraph, or provision of the Resolution shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

I, Lisette Sanchez, 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 December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of December 2022.

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Lisette Sanchez, Borough Clerk

# **BOROUGH OF ROSELLE**



## **RESOLUTION NUMBER 2022-403**

### **MAYORS APPOINTMENT OF SHANEL Y. ROBINSON AS ACTING BOROUGH ADMINISTRATOR FOR THE BOROUGH OF ROSELLE**

**WHEREAS**, N.J.S.A. 40A:60-7(a), N.J.S.A. 40A:9-136 and Section 4-20 of the Borough Code provide for the Mayors appointment of the position of a Borough Administrator, with such authority as delegated in the Borough Code, in order to manage the day-to-day affairs of the Borough; and

**WHEREAS**, the resignation of Ricky Smiley has created a vacancy in this position as of December 21, 2022; and

**WHEREAS**, Shanel Y. Robinson currently serves in the capacity of Assistant Borough Administrator and is qualified and willing to undertake the duties of the Borough Administrator until such time as a Business Administrator is appointed;

**NOW, THEREFORE, BE IT RESOLVED**, Shanel Y. Robinson is hereby appointed by the Mayor with consent of Council as the Acting Borough Administrator, effective immediately; and

**BE IT FURTHER RESOLVED**, that the Acting Borough Administrator's salary shall be \$120,000.00 prorated for CY 2022 and continued into 2023; and

**BE IT FURTHER RESOLVED**, that this Resolution shall be considered effective as of December 21, 2022.

I, Lisette Sanchez, 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 December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> day of December 2022.

\_\_\_\_\_  
Lisette Sanchez, Borough Clerk

Certification of Availability of Funds:  
(Account#2-01-20-100-000-111)

\_\_\_\_\_  
Judith Curran, CFO

\_\_\_\_\_  
Date

12/21/22

**BOROUGH OF ROSELLE**



**RESOLUTION NUMBER 2022-404**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE  
AUTHORIZING ANTONELLI KANTOR RIVERA TO FILE AN ETHICS COMPLAINT  
AGAINST COUNCILWOMAN CYNTHIA JOHNSON**

**WHEREAS**, the Council of Borough of Roselle (the “Borough”) has concerns relative certain actions by Councilwoman Cynthia Johnson (the “Councilwoman”); and

**WHEREAS**, the Councilwoman has conducted herself in ways that have impacted the day-to-day operations of the Borough; and

**WHEREAS**, the Borough Council believes that the Councilwoman has breached her duty of confidentiality, has engaged in prohibited communications with attorneys currently adverse to the Borough, has engaged in inappropriate use of Borough funds and has engaged in other inappropriate conduct; and

**WHEREAS**, the Borough seeks to preserve the integrity of the Borough Council and the Borough’s elected officials; and

**WHEREAS**, the Borough Council desires to authorize Antonelli Kantor Rivera to file an ethics complaint against the Councilwoman (the “Complaint”); and

**WHEREAS**, the Borough Council believes it is in the best interest of the Borough to file the Complaint in a substantially the same manner as Exhibit “A” attached hereto; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and the Borough Council of the Borough of Roselle, County of Union, State of New Jersey that the Law Firm of Antonelli Kantor Rivera be and is hereby authorized to file the Complaint in a manner substantially the same as Exhibit “A” attached hereto.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held on December 21, 2022.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Borough of Roselle in the County of Union and State of New Jersey this 21<sup>st</sup> of December 2022.

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Lisette Sanchez, Borough Clerk