

**BOROUGH OF ROSELLE
MAYOR AND COUNCIL
REGULAR MEETING MINUTES
SEPTEMBER 21, 2022**

Mayor Shaw called the Regular Meeting of the Mayor and Council of the Borough of Roselle, Union County, New Jersey, held at Borough Hall, 210 Chestnut Street, Roselle, New Jersey to order on September 21, 2022 at 6:30 p.m. The flag salute was done and the invocation was given by Council President Wilkerson.

Deputy Borough Clerk Massey read the "Open Public Meetings Act" compliance statement.

STATEMENT OF COMPLIANCE

The requirements of N.J.S.A. 10:4-6 et seq., "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

Present:

Councilman Richard Villeda, First Ward
Councilman Brandon Bernier, Second Ward
Councilwoman Cynthia Johnson, Third Ward
Councilwoman Cindy Thomas, Fourth Ward
Councilman John Fortuna, Fifth Ward
Council President Denise Wilkerson, At-Large
Mayor Donald Shaw

Also Present:

Lydia D. Massey, Deputy Borough Clerk
R. Allen Smiley, Borough Administrator
Mohamed Jalloh, Esq., Borough Attorney

PROCLAMATIONS

The Anthony L. Obery proclamation was read into the record by Councilwoman Johnson.

The Craig Smith proclamation was read into the record by Councilman Fortuna. DPW Supervisor George Phipps gave congratulatory remarks about Mr. Smith.

The El Salvador Independence Day proclamation was read into the record by Councilman Villeda.

The Tomasz Stolecki proclamation was read into the record by Chief Eric Pearson who also gave congratulatory remarks about Mr. Stolecki.

The Sickle Cell Awareness Month proclamation read into the record by Council President Wilkerson.

RESOLUTION

RESOLUTION NUMBER 2022-287

RESOLUTION APPOINTING NEW FIRE FIGHTERS TO THE ROSELLE FIRE DEPARTMENT

WHEREAS, there is a need in the Borough of Roselle to fill the position of Fire Fighter in the Fire 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 Fire Fighter; and

WHEREAS, the following individuals have been adjudged to be qualified for the position of Fire Fighter:

NAME	SALARY
DeAndre Jones	\$51,075.88
Daniel Meier	\$51,075.88
Christopher Nix Johnson	\$51,075.88

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 the aforementioned individuals are hereby appointed to the position of Fire Fighter, effective September 21, 2022, subject to the ninety (90) day working test period pursuant to Civil Service Regulations; and

BE IT FURTHER RESOLVED that the compensation for said Fire Fighters shall be pursuant to the collective bargaining agreement between the Borough and the Roselle Firemen's Mutual Benevolent Association, Local 55, presently the probationary salary of \$51,075.88, prorated for calendar year 2022; 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 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 September 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 September, 2022.

Motion to adopt by Councilman Fortuna, second by Councilwoman Johnson.

Vote Record – Resolution No. 2022-287				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

OATH OF OFFICE ADMINISTERED TO PUBLIC SAFETY PERSONNEL

The Oath of Office for Daniel Meier, Christopher Nix Johnson and DeAndre Jones were administered by Mayor Donald Shaw. Thereafter, Fire Chief Eric Pearson made congratulatory remarks and thanked the Mayor and Council for their support.

A recess was taken at 7:14 p.m.

Returned to meeting at 7:19 p.m.

PRESENTATION – None.

APPROVAL OF MINUTES OF MEETINGS

Minutes of the Mayor and Council Workshop Meeting – August 10, 2022

Minutes of the Mayor and Council Executive Session Meeting – August 10, 2022

Minutes of the Mayor and Council Regular Meeting – August 17, 2022

Motion to adopt by Councilman Bernier, second by Council President Wilkerson

Vote Record – Approval of Minutes				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X		Aug. 10, 2022 Executive Session	
Councilwoman Thomas	X			

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

CORRESPONDENCE / APPOINTMENTS – None.

COMMITTEE REPORTS

Public Safety Committee– Councilman Fortuna reported the following:

- Met with Police Chief Williams and discussed the status of the county Dispatch; installation of in-car computers is complete; software installation in Police Department began; training will begin October 2022; tentative start date with County dispatch is November 1, 2022.
- Police Calls for service: 2,473
- Area Checks/Park & Walks: 302
- Summons Issued: 986
- 1st Unit Response time: 4 minutes, 26 seconds
- Fire Department new hires are a big addition
- Fire Department ambulances will be put in service in October 2022
- Recycled fire gear savings of \$20,000
- Total fire alarms for 2022: 1,476
- Total ambulance calls for 2022: 1,634
- Total ambulance collection for 2022: \$233,000.06
- Response time: 1 minutes, 66 seconds

Department of Public Works – Councilman Fortuna reported the following:

- Leaf bags are available for pickup at DPW, Mon. through Fri. 7:00am to 2:00pm
- Recycling will be picked up the day after a Borough holiday
- Automated trash collection is going smoother
- Ordered 60-gallon garbage cans as an option for some residents
- Tree damaged sidewalk project in progress
- Will make 271 E. 2nd Avenue a priority

Finance Committee – Councilman Bernier reported the following:

- Completion of 2021 Audit expected for October 2022
- 2023 Budget process began with CFO and Department Heads
- Resolution inserting \$264K for the Urban Enterprise Zone on the agenda
- Resolution for Electronic Tax Sale for 2022 on agenda for consideration

Redevelopment Committee – Councilman Bernier reported the following:

- Ordinance amending the zoning code on the agenda
- Resolution designating St. George's Avenue between Wawa and the train tracks an area

in need of redevelopment on the agenda

Planning Committee - Councilman Bernier reported the following:

- Approved a resolution designating St. George's Avenue an area in need of redevelopment at the September 7, 2022 Planning Board meeting
- Approved application for Rose Homes, LLC for 5 new homes on Oak and 10th Ave.
- Approved application for site plan for the 202-210 East 11th Avenue warehouse project
- The next Planning Board meeting is October 5, 2022

Recreation Committee – Councilwoman Thomas reported the following

- Supported the following events: Celebrity Softball Game, Mayor's Wellness program, and backpack giveaway
- Annual Pine Street Park Senior Picnic held on Sept. 9, 2022 was a success
- Uptown Vibes final events to be held Sept. 25 & 26, 2022 at Borough Hall parking lot
- Multicultural Festival to be held Oct. 1, 2022, 12pm to 5pm at Borough Hall parking Lot
- Dept. of Recreation will host Union County Health Department's Cancer, Striving and Surviving workshop, September 22, through Oct. 27, 2022, 1:00pm to 3:30pm
- Thanked DPW for Amalfe Community Center enhancements
- Welcomed back Director Eugenia Simms and thanked Rodney Tibbs for filling in

Health Committee – Councilwoman Thomas reported the following

- Health Department will hold Covid-19 vaccination clinic on Oct. 17, 2022 – 3pm to 7pm in Borough Hall for adults and children ages 6 months to five years old

Governance Committee – Council President Wilkerson reported the following:

- Resolution to appoint a Deputy Registrar
- Resolution to hire Code Enforcement Trainees
- Resolution hiring a temporary laborer in the Department of Public Works
- Resolution appointing three fire fighters and arrival of new fire truck
- Excited about the appointment of Assistant Borough Administrator Shanel Robinson
- Planning for next year in progress so all are one accord
- Staff retreat held for Department Heads
- Working towards moving into the new Borough building
- UEZ Funds received and will help to revitalize the Borough of Roselle

Library Committee – Council President Wilkerson reported the following:

- The construction bid was awarded for the new library and construction may start in October 2022 moving the Borough forward with the project.

PUBLIC COMMENTS

Mayor Shaw opened up the public comment portion of the meeting; thereafter the following public comments were made:

1. **Emmanuel Brody, 301 Amsterdam Avenue** talked about missing trees on his street from a car crash three years; would like trash pickup twice a week; complained about bad sidewalks and commercial vehicles parked in driveways; feels nothing is being done.
2. **Barbara Dixon** talked about the Mayor's Wellness program and welcomed people to join the senior arts program at the Amalfe Community Center. She questioned the need for a Multicultural Advisory Committee and would like in-person ward meetings. She questioned why the Honduran flag was raised.
3. **Tanya Johnson, 251 E. 4th Avenue** complained about the noise level in Roselle coming from the Uptown Vibes, her neighbors, and a church that holds revivals with bullhorns. She expressed that it is unbearable and wants to know how the behavior can be remedied.

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

INTRODUCTION, CONSIDERATION AND PASSAGE OF ORDINANCES

ORDINANCES ON SECOND READING/PUBLIC HEARING – Ordinance Number 2690-22

AN ORDINANCE TO ESTABLISH THE MULTICULTURAL INCLUSION AND ACCESSIBILITY ADVISORY COMMITTEE

WHEREAS, the Borough of Roselle desires and has the authority to create citizen advisory boards; and

WHEREAS, the Borough of Roselle strives to celebrate equity, diversity, and inclusiveness within our community and believes that every person can strengthen our community through their contributions and promotion of our shared core values; and

WHEREAS, the Mayor and Council seek to create and maintain opportunities for engagement, education, and discourse to foster open-mindedness, compassion, and inclusiveness within our community and beyond; and

WHEREAS, the committee shall address issues related, but not limited to, race, ethnicity, culture, age, gender identity, sexual orientation, ability, national origin, veteran status, social-economic class, religion, and professional status;

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey hereby establishes an advisory committee to be known as the Multicultural Inclusion and Accessibility Advisory Committee under the following conditions:

SECTION I. Membership

- A. Approved by the majority vote of the Council, the committee shall comprise eleven (11) volunteer members who are residents of the Borough of Roselle with diverse cultures, backgrounds and life experience. Each member shall serve three (3) year terms except that the initial appointments shall serve as follows: five (5) members shall serve for a one (1) year term; three (3) members shall serve for a two (2) year term; and three (3) members shall serve for a three (3) year term. From amongst its members, the Council shall appoint a Liaison to the committee to serve a two (2) year term.
- B. The committee shall seek to engage active participation from at least one student and one member of the Police Department.
- C. Vacancies shall be filled for the balance of any unexpired term.
- D. A member may be removed for cause by a majority vote of the Council.

SECTION II. Powers and Duties

- A. The committee shall be advisory to the Council and have no governing power or fiduciary responsibility.
- B. The committee shall recommend, evaluate and promote programs in furtherance of the committee's mission.
- C. Each committee member shall attend at least seventy-five (75) percent of the committee meetings and contribute their time, expertise, and thinking to the current and future work of the committee.
- D. The committee shall perform such other related work in furtherance of the Council's policy and mandate.
- E. A quorum shall consist of a minimum of six (6) voting members present at a properly called meeting in order to conduct business in the name of the committee.
- F. Robert's Rules of Order shall be followed for all matters of parliamentary procedure.

SECTION III. Repealer

- A. By way of this Ordinance, the Office of Hispanic-Latino Affairs, created by Ordinance Number 2455-13, is hereby repealed.
- B. 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. Severability

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 and shall remain in full force and effect.

SECTION V. Effective Date

This Ordinance shall take effect twenty (20) days after adoption thereof.

Mayor Shaw read Ordinance Number 2690-22 by title and opened the public hearing on the ordinance. Seeing no one come forward, Mayor Shaw closed the public hearing on the ordinance.

Motion to adopt Ordinance 2690-22 on Second Reading/Public Hearing by Councilwoman Thomas, second by Councilman Bernier.

Vote Record –Ordinance 2690				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson		X		
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

ORDINANCES ON SECOND READING/PUBLIC HEARING – Ordinance Number 2691-22

AN ORDINANCE TO AMEND AND SUPPLEMENT THE LAND USE CODE OF THE BOROUGH OF ROSELLE, CHAPTER 650, ARTICLE XII, ZONING, SECTION 650-88, GENERAL PROVISIONS; SECTION 650-89, RESIDENCE A ZONE; SECTION 650-90, RESIDENCE B ZONE; SECTION 650-91, RESIDENCE C ZONE; SECTION 650-92, RESIDENCE D ZONE; SECTION 650-93, RESIDENCE E ZONE; SECTION 650-94, RESIDENCE F ZONE; SECTION 650-96, PROFESSIONAL OFFICE ZONE; AND TO AMEND AND SUPPLEMENT THE CENTRAL ROSELLE REVITALIZATION PLAN, AMENDMENT #11, TABLE 2, SCHEDULE OF REGULATIONS TO AMEND PERMITTED HEIGHTS AND OTHER BULK STANDARDS

WHEREAS, the Borough adopted a 2021 Master Plan & Development Regulations Reexamination (“Reexamination”) on December 22, 2021; and

WHEREAS, the Reexamination makes several recommendations for amendments and updates to the Zoning Ordinance, many of which are aimed at eliminating discrepancies and clarifying provisions of the code; and

WHEREAS, the Mayor and Borough Council has reviewed the Reexamination and agree Chapter 650 should be amended to address various height and other bulk issues within certain zones and the Central Roselle Revitalization Plan.

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 Zoning, and the Central Roselle Revitalization Plan, Amendment #11, are hereby amended as follows (additions in underline; deletions in ~~strikeout~~):

SECTION I. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-88 General Provisions, is hereby amended and supplemented as follows:

D. Supplementary zone district regulations.

(2) Accessory structures in all zones.

(a) Accessory structures not attached to the principal structure may be erected in the rear yard in accordance with the following regulations:

[1] No accessory ~~use~~ structure shall be permitted in a side or front yard.

[2] No accessory ~~building~~ structure shall be constructed on any lots in which there is not a principal building or structure.

[3] Rear dwellings are prohibited and no accessory ~~building~~ structure, including garages shall be used as dwellings.

[4] In the Residence A, Residence B, Residence C, Residence D, Residence E and Residence F Zones, accessory structures may be erected in the rear yard not closer than five feet to the rear lot line and not closer than five feet to the side lot line. Accessory structures within these zones are limited to 15 feet in height, which is measured from the grade to the tallest point of the structure. ~~over 15 feet in height shall be set back from side and rear lot lines a distance equal to one half the height of the structure.~~

[5] Accessory structures in nonresidential zones shall meet the setback requirements of the principal building.

[6] In all nonresidential zones, the distance accessory structures shall be located from any principal structure shall be determined as part of site plan review.

SECTION II. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-89 Residence A Zone, is hereby amended and supplemented as follows:

C. Bulk Regulations.

(1) Principal uses.

(h) Maximum permitted building height: 32 40 feet and 2.5 stories.

SECTION III. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-90 Residence B Zone, is hereby amended and supplemented as follows:

C. Bulk regulations.

(1) Principal uses.

(a) All ~~permitted~~ principal uses, except for two-family dwellings.

[8] Maximum permitted building height: 32 40 feet and 2.5 stories.

(b) Two-family dwelling.

[8] Maximum permitted building height: 32 feet and 2.5 stories ~~and 40 feet~~.

SECTION IV. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-91 Residence C Zone, is hereby amended and supplemented as follows:

C. Bulk regulations.

(1) Principal uses.

(h) Maximum permitted building height: 32 40 feet and 2.5 stories.

SECTION V. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-92 Residence D Zone, is hereby amended and supplemented as follows:

C. Bulk regulations.

(1) ~~Permitted p~~Principal uses, except for community residences.

(2) Community residences.

(a) Minimum lot area: 6,000 square feet.

(b) Minimum lot width and lot frontage: 60 feet.

(c) Minimum lot depth: 100 feet.

(d) Minimum front yard setback: 25 feet.

- (e) Minimum side yard setback, each: five feet at the ground story level and seven feet at the second story level.
- (f) Minimum rear yard setback: 25 feet.
- (g) Maximum permitted impervious coverage: 40%.
- (h) Maximum permitted building height: 32 feet and 2.5 stories.

SECTION VI. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-93 Residence E Zone, is hereby amended and supplemented as follows:

D. Bulk regulations. Community residences shall comply with the following regulations:

- (1) Minimum lot area: 6,000 square feet.
- (2) Minimum lot width and lot frontage: 60 feet.
- (3) Minimum lot depth: 100 feet.
- (4) Minimum front yard setback: 25 feet.
- (5) Minimum side yard setback, each: five feet at the ground story level and seven feet at the second story level.
- (6) Minimum rear yard setback: 25 feet.
- (7) Maximum permitted impervious coverage: 40%.
- (8) Maximum permitted building height: 32 feet and 2.5 stories.

SECTION VI. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-94 Residence F Zone, is hereby amended and supplemented as follows:

B. Use regulations. A building or premises shall be used only for the following purposes:

- (1) Permitted principal uses.
- (c) Multifamily dwelling, provided that:

[1] The maximum density is 25 ~~15~~ dwelling units per acre.

C. Bulk regulations.

(1) Principal uses.

(a) Minimum lot area:

[1] One-family dwelling and community residence: 5,000 square feet.

[3] All other uses ~~Multifamily dwelling~~: 10,000 square feet.

(b) Minimum lot width and frontage:

[1] One-family dwelling and community residence: 50 feet.

[3] All other uses ~~Multifamily dwelling~~: 100 feet.

(e) Minimum side yard setback:

[1] One-family dwelling and community residence: five feet at the ground story level and seven feet at the second story level.

[3] All other uses ~~Multifamily dwelling~~: 15 feet.

(g) Maximum permitted impervious coverage:

[1] One-family dwelling and community residence: 40%.

[3] All other uses ~~Multifamily dwelling~~: 70%.

(h) Maximum permitted building height: ~~50 feet and five stories.~~

[1] One- and two-family dwelling and community residence: 32 feet and 2.5 stories.

[2] All other uses: 45 feet and 4 stories.

SECTION VII. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-96 Professional Office Zone, is hereby amended and supplemented as follows:

C. Bulk regulations.

(1) Principal uses.

(h) Maximum permitted building height: 32 ~~40~~ feet and two stories.

SECTION VIII. The Central Roselle Revitalization Plan, Amendment #11, Table 2, Schedule of Regulations, is hereby amended and supplemented as follows:

1. The Residential, Single-Family Dwellings column – Max. building height: 32 ~~40~~ ft and ~~or~~ 2.5 stories
2. The Residential, Two-Family Dwellings column – Max. building height: 32 ~~40~~ ft and ~~or~~ 2.5 stories
3. The Residential, Three-Family Dwellings column – Max. building height: 32 ~~40~~ ft and ~~or~~ 2.5 stories
4. The Residential, MultiFamily Dwellings column – Max. building height: 40 ft and ~~or~~ 3 stories*
5. The Residential, Age-Restricted Dwellings column – Max. building height: 40 ft and ~~or~~ 3 stories*
6. The Mixed Use Commercial column – Max. building height: 45 ft and ~~or~~ 3 stories*
7. The Flex Industrial column – Max. building height: 45 ft and ~~or~~ 3 stories

SECTION IX. The Central Roselle Revitalization Plan, Amendment #11, Table 2, Schedule of Regulations, the footnote to the table is hereby amended and supplemented as follows:

* For ~~blocks~~ lots with frontage on St. Georges Avenue, the allowable building height may be increased to 55 feet and 4 stories and the allowable residential density may be increased to 85 dwelling units per acre to facilitate projects along the St. Georges Avenue corridor.

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

Mayor Shaw read Ordinance Number 2691-22 by title and opened the public hearing on the ordinance. Seeing no one come forward, Mayor Shaw closed the public hearing on the ordinance.

Motion to adopt Ordinance 2691-22 on Second Reading/Public Hearing by Councilman Bernier, second by Council President Wilkerson.

Vote Record –Ordinance 2691-22				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

ORDINANCE ON INTRODUCTION & FIRST READING – Ordinance Number 2692-22

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 (141 DENNIS STREET) [Proposed Public Hearing Date October 19, 2022]

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 \$25.00 fee; and

WHEREAS, in the interest of justice, the Mayor and Council will waive the provisions set forth in the borough code requiring a \$150.00 fee.

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#
141 Dennis Street	Dennis Street	Front of residence	Tammie Bullock	P2366902

(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.

Motion to adopt on First Reading by Council President Wilkerson, second by Councilman Villeda.

Vote Record –Ordinance 2692				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier			X	
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
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ORDINANCE ON INTRODUCTION & FIRST READING – Ordinance Number 2693-22

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 (121 E. 2ND AVENUE) [Proposed Public Hearing Date October 19, 2022]

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 \$25.00 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#
121 E. 2nd Avenue	2 nd Avenue	Front of Residence	Amany Mekawy	P2586552

(3) 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.

(4) 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.

Motion to adopt on First Reading by Councilman Villeda, second by Councilwoman Johnson.

Vote Record –Ordinance 2686-22				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			

Councilman Bernier			X	
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
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ORDINANCE ON INTRODUCTION & FIRST READING – Ordinance Number 2694-22

ORDINANCE OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING SALE OF PROPERTY AND EXECUTION OF PURCHASE AND SALE AGREEMENT AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH [Proposed Public Hearing Date October 19, 2022]

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, Marcos Diaz (the “**Purchaser**”) owns the property in the Central Roselle Revitalization Area known as 1116 Chandler Avenue and designated as Block 2505, Lot 6 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 2505, Lot 5 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 Ten Thousand and 00/100 Dollars (\$10,000.00).
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.

Motion to adopt on First Reading by Councilman Bernier, second by Council President Wilkerson.

Vote Record –Ordinance 2694				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NUMBER 2022-288

RESOLUTION AUTHORIZING THE BOROUGH OF ROSELLE TO REJOIN THE PUBLIC ENTITY JOINT INSURANCE FUND AND EXECUTE A JOINT TRUST AGREEMENT

WHEREAS, a number of local governmental units in the State of New Jersey have joined together to form a Joint Insurance Fund as permitted by the Chapter 372 Laws of 1983 (40A:10-36); and

WHEREAS, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and

WHEREAS, the Governing Body of the Borough of Roselle has determined that membership in the Public Entity Joint Insurance Fund (hereinafter referred to as the “Fund”) is in the best interests of itself and its citizens; and

WHEREAS, the Governing Body of the Borough of Roselle has previously executed a resolution to join the Public Entity Joint Insurance Fund subject to the acceptance of its assessment;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Roselle (hereinafter referred to as the “Municipality”) does hereby resolve and agree to renew its membership in the Fund for a period not to exceed three (3) years beginning January 1, 2023 to December 31, 2025 for the purpose of establishing the following types of coverage:

- Workers’ Compensation and Employer’s Liability;
- General Liability including law enforcement and public officials’ liability;
- Motor vehicle liability;
- Property damage (buildings, contents, equipment, and motor vehicle);

BE IT FURTHER RESOLVED, that the Municipality has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two years prior to the adoption of this Resolution; and

BE IT FURTHER RESOLVED, that the Mayor and the Municipal Clerk are authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon approval by the New Jersey Department of Insurance and the Department of Community Affairs.

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 September 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 September 2022.

RESOLUTION NUMBER 2022-289

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; and

WHEREAS, the Administration has determined that the Borough is in need of continued Land Use Administrator services, through December 31, 2022, which Colliers Engineering & Design is qualified and willing to provide.

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 October 1, 2022 to December 31, 2022 for an amount not to exceed \$12,600.00.

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 September 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 September, 2022.

RESOLUTION NUMBER 2022-290

**RESOLUTION AUTHORIZING PAYMENT OF ATTORNEY'S FEES IN THE
MATTER OF SCOTT MADLINGER V. BOROUGH OF ROSELLE, ET AL.**

WHEREAS, on May 6, 2022, Plaintiff Scott Madlinger initiated litigation in the New Jersey Superior Court, Law Division, Union County, against the Borough of Roselle ("Borough") and the Borough Clerk in her official capacity, alleging claims arising out of the Open Public Records Act, in a civil action entitled *Scott Madlinger v. Borough of Roselle, et al.*, Case No. UNN-L-1356-22; and

WHEREAS, following a hearing on the order to show cause in the above-captioned litigation, the court entered an order on August 18, 2022, ordering the Borough to pay \$5,615.15 in attorney's fees and costs to Plaintiff's counsel, Cohn Lifland Pearlman Herrman & Knopf LLP.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Roselle that the Borough's Chief Financial Officer is authorized and directed to release \$5,615.15 in Borough funds to Cohn Lifland Pearlman Herrman & Knopf LLP in accordance with the court's order, entered on August 18, 2022, in Case No. UNN-L-1356-22.

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

RESOLUTION NUMBER 2022-291

**RESOLUTION FOR A CHANGE ORDER AMENDMENT TO THE CONTRACT WITH
CARAVELLA DEMOLITION, INC. TO PROVIDE BUILDING DEMOLITION
SERVICES FOR THE BOROUGH NOT TO EXCEED \$62,785.00**

WHEREAS, the Borough awarded a Contract to Caravella Demolition, Inc. to provide building demolition services to the Borough in the amount of \$43,850.00 by way of Resolution Number 2021-396; and there was a change order in the amount of \$8,815.00 adopted in Resolution #2022-183;

WHEREAS, funds are required for additional work to complete the project per Caravella Demolition, LLC and Victor Klymenko, Director of Economic Development for the Borough of Roselle;

WHEREAS, the Borough CFO and Borough Finance Office has increased the total contract amount not to exceed **\$62,785.00**; 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 current account number 2-01-20-175-000-229, Economic Development, Other Expenses.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced increase in contract is authorized to Caravella Demolition, Inc. and the following breakdown:

Contract Amount	\$43,850.00
Change Order #1	\$ 8,815.00
Change Order #2	\$ 10,120.00
Adjusted Contract Amount	\$ 62,785.00

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 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 September 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 September 2022.

RESOLUTION NUMBER 2022-292

**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR THE 2022 NJDOT
8TH AVENUE, 7TH AVENUE AND WALNUT STREET IMPROVEMENTS PROJECT
FUNDED IN PART BY THE NJDOT AND MUNICIPALITY WITHIN THE BOROUGH
OF ROSELLE, UNION COUNTY, NEW JERSEY**

WHEREAS, bids were received on Thursday, August 11, 2022, at 10:00 A.M. for the above-referenced project; and

WHEREAS, there were eight (8) of bids received with the low bidder for the project being DLS Contracting Inc., 36 Montesano Road, Fairfield, NJ 07004, with a Base Bid of \$582,778.20; 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 2679-22 for said construction services; and

WHEREAS, this Project is funded by multiple sources including NJDOT Fiscal Year 2022 Municipal Aid Grant funds, Union County CDBG YR 48 Grant funds and 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 with a Total Base Bid amount of **\$582,778.20**.

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 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 September 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 September 2022.

RESOLUTION NUMBER 2022-293

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING CONSTRUCTION ADMINISTRATION SERVICES IN CONNECTION WITH THE NJDOT FISCAL YEAR 2022 8TH AVENUE, 7TH AVENUE AND WALNUT STREET IMPROVEMENTS PROJECT FUNDED BY NJDOT, UNION COUNTY CDBG AND 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 August 30, 2022 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 4, 2022, 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. 2022-018) and also the Borough Council subsequently awarded the Borough Engineering Contract (Resolution No. 2022-055); 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 2679-22 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 \$59,500.00 for the NJDOT FY2022 8th Avenue, 7th Avenue and Walnut Street Project.

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 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 September 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 September 2022.

RESOLUTION NUMBER 2022-294

**RESOLUTION AMENDING RESOLUTION NUMBER 2022-274 AUTHORIZING
PROFESSIONAL ENGINEERING CONSTRUCTION ADMINISTRATION SERVICES
IN CONNECTION WITH THE POPLAR STREET PARK IMPROVEMENTS
PROGRAM FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF
ROSELLE, UNION COUNTY, NEW JERSEY TO CORRECT CERTIFICATION OF
FUNDS**

WHEREAS, the Borough Council of the Borough of Roselle adopted Resolution Number 2022-274, which is listed account number C-04-55-267-009-002 as the certification of funds,

WHEREAS, the certification of funds should be C-04-55-267-009-008,

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

That this revised resolution be adopted to reflect that the certification of funds is now revised from C-04-55-267-009-002 to C-04-55-267-009-008.

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 September 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 of September 2022.

RESOLUTION NUMBER 2022-295

**RESOLUTION FOR A CHANGE ORDER #2 AMENDMENT TO THE CONTRACT
FOR AMERICAN ASPHALT & TRUCKING LLC REGARDING ADDITIONAL SITE**

**WORK FOR THE COMPLETION OF THE NJDOT FY2021 VARIOUS STREETS
IMPROVEMENTS (DRAKE AVENUE & WEST 4TH AVENUE) PROJECT**

WHEREAS, American Asphalt & Trucking LLC, 818 Summer Avenue, Newark, NJ 07104 was awarded a contract for the above-referenced project in the amount of \$817,297.29 by way of Resolution Number 2022-097; and

WHEREAS, additional funds are required to complete the sanitary sewer spot repairs after review of video inspections and reports as outlined in the Colliers Engineering and Design correspondence dated September 9, 2022; 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 **\$193,632.00**; and

WHEREAS, Change Order No. 2 reflects an increase in the materials and work utilized in the amount of \$193,632.00 (19.44% increase); 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 2643-21 and Ordinance 2679-22.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced increase in project scope is authorized to American Asphalt & Trucking LLC as per the Colliers Engineering & Design correspondence dated September 9, 2022 and the following breakdown:

Contract Amount	\$817,297.29
Change Order No. 1 (Prior)	\$178,849.03
<u>Change Order No. 2</u>	<u>\$193,632.00</u>
Adjusted Contract Amount	\$1,189,778.32

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 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 September 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 September 2022.

RESOLUTION NUMBER 2022-296

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR
THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOODPLAIN
MANAGEMENT SERVICES AND COMMUNITY RATING SYSTEM
RECERTIFICATION AS FUNDED BY THE MUNICIPALITY WITHIN THE
BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY**

WHEREAS, the Borough of Roselle is desirous in undertaking improvements to reduce localized flooding and providing awareness to the community regarding such improvements; and

WHEREAS, the Borough of Roselle understands that by implementing improvement measures, educating residents and continuing to improve the infrastructure, flood insurance rates may be reduced over time by the FEMA Community Rating System (CRS) program; and

WHEREAS, Colliers Engineering & Design shall perform the tasks as delineated in the September 9, 2022 correspondence for the engineering services; and

WHEREAS, Colliers Engineering & Design is familiar with the engineering services necessary to coordinate the efforts involved with the above referenced regulations; and

WHEREAS, the engineering services necessary for this project are 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 4, 2022, 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. 2022-018) and also the Borough Council subsequently awarded the Borough Engineering Contract (Resolution No. 2022-055); and

WHEREAS, the Borough Council has deemed it necessary and in the best interest of the Borough to retain the services of an engineering firm for said purposes and has selected Maser Consulting P.A. from the "Qualified" firms; and

WHEREAS, the 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 2679-22 for said engineering services related to those described herein.

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 said engineering services described herein for a lump sum fee of \$27,000.00.

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 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 September 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 September 2022.

RESOLUTION NUMBER 2022-297

**RESOLUTION AMENDING RESOLUTION NUMBER 2022-082 AWARDED A
CONTRACT TO COLLIERS ENGINEERING AS BOROUGH PLANNER NOT TO
EXCEED \$25,000.00 TO CORRECT CERTIFICATION OF FUNDS**

WHEREAS, the Borough Council of the Borough of Roselle adopted Resolution Number 2022-082, which listed account number 2-01-21-180-000-227 as the certification of funds,

WHEREAS, the certification of funds should be 2-01-20-175-000-229,

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

That this revised resolution be adopted to reflect the 2-01-21-180-000-227 to 2-01-20-175-000-229.

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 September 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 September 2022.

RESOLUTION NUMBER 2022-298

RESOLUTION AUTHORIZING REFUND OF TAX APPEALS

WHEREAS, there appears on the books of the Tax Collector, refunds due, resulting from Tax Appeals

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.

Name	Mailing Address	Block	Lot	Reason		Total
Bodycote Thermal	12750 Merit Dr	6707	1.01	Appeal Judgments	2018	\$7,257.70
					2019	\$8,500.30
					2020	\$16,924.46
					2021	\$21,848.88
					2022	\$21,980.20
						\$76,511.54

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 September 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 September 2022.

RESOLUTION NUMBER 2022-299

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS

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

WHEREAS, refunds are to be made to the persons who have made these overpayments;

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.

Name	Mailing Address	Block	Lot	Q	Reason	Total
Madelyn Cano	118 Monroe St.	707	6		Overpayment	\$2,116.55
Yvon Noel	362 W 5th Ave.	5502	38		Overpayment	\$2,330.77

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 September 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 September 2022.

RESOLUTION NUMBER 2022-300

**RESOLUTION TO RESCIND RESOLUTION 2022-211 -- 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, Resolution 2022-211 was adopted on June 15, 2022, and such Resolution is listed below;

WHEREAS, the CFO discovered that the Comcast Grant Tech for 2022 was adopted as a budgeted line item in the 2022 budget,

WHEREAS, since the Comcast Grant Tech for 2022 was in the 2022 budget, there is no need for a Chapter 159 Resolution for the Comcast Grant Tech for 2022;

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 rescind Resolution Number 2022-011 for the reason listed above.

**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 \$2,500.00, as a result of a check having been received by the Borough of Roselle from the Comcast Financial Agency for a grant under the 2022 Grant Tech Program.

BE IT FURTHER RESOLVED, that the like sum of \$2,500.00 be appropriated under the caption:

Revenue: Comcast Grant Tech - 2022

Appropriations: Comcast Grant Tech - 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 on September 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 September 2022.

RESOLUTION NUMBER 2022-301

**RESOLUTION AUTHORIZING A CONTRACT WITH REALAUCTION.COM, LLC
FOR THE PURPOSE OF CONDUCTING AN ELECTRONIC MUNICIPAL TAX LIEN
SALES FOR 2022**

WHEREAS N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, N.J.A.C 5:33-1.1 requires an electronic municipal tax lien sale shall be authorized by a resolution of the governing body, and

WHEREAS, N.J.A.C 5:33-1.1 also requires any contract with an online tax sale vendor, regardless of the cost, must be awarded by the municipality's governing body, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales in the State of New Jersey along with participating Counties and Municipalities, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, RealAuction.com has supplied and negotiated a contract to provide electronic tax sales services to the Borough of Roselle at a rate of \$15 per property listed on the tax sale list, and

WHEREAS, Roselle Borough wishes to participate in an electronic tax sale in 2022 and to award a contract for such services to RealAuction.com as a vendor which has been determined to have complied with the statutory provisions necessary to supply such services.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

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 September 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 September, 2022.

RESOLUTION NUMBER 2022-302

**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 \$264,667, as a result of a letter/email having been received by the Borough of Roselle from the State of New Jersey Urban Enterprise Zone awarding Roselle this sum under Urban Enterprise Zone Assistance Fund Roselle.

BE IT FURTHER RESOLVED, that the like sum of \$264,667 be appropriated under the caption:

Revenue: State of New Jersey Urban Enterprise Zone Assistance Fund – FY 2022

Appropriations: State of New Jersey Urban Enterprise Zone Assistance Fund – FY 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 September 21, 2022.

RESOLUTION NUMBER 2022-303

RESOLUTION APPOINTING AN ALTERNATE DEPUTY REGISTRAR

WHEREAS, the Borough's Registrar of Vital Statistics has determined that, in order for the office of Health and Vital Statistics to function efficiently and provide quality service to the public, it is necessary to appoint an Alternate Deputy Registrar; and

WHEREAS, the Registrar has determined that Alondra Santiago is qualified for this position and recommends her appointment to same.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle, County of Union, and State of New Jersey that Alondra Santiago is appointed as Alternate Deputy Registrar in the office of Health and Vital Statistics, effective September 22, 2022 and;

BE IT FURTHER RESOLVED, that Alondra Santiago shall receive a stipend of \$2,500.00 annually, prorated for calendar year 2022, beginning September 22, 2022, for her service as the Alternate Deputy Registrar; and

BE IT FURTHER RESOLVED, that this Resolution takes effect immediately.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, 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 Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held September 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 September 2022.

RESOLUTION NUMBER 2022-304

RESOLUTION APPOINTING SCHOOL CROSSING GUARDS

WHEREAS, there is a need in the Police Department to employ School Crossing Guards to maintain public safety; and

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

WHEREAS, it has been determined that Veronica Rose has withdrawn her interest in the position of School Crossing Guard, creating one vacancy of said position; and

WHEREAS, it has been determined by the Chief of Police that the following individuals are qualified for appointment to the position of School Crossing Guard, with three of the four individuals to serve as alternates of said job title.

1. Audrey Benjamin
2. Tonya Griffin
3. Rafael Rivera
4. Anitha Tharimana

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Council of the Borough of Roselle hereby acknowledges Veronica Rose's withdrawal of interest in the position of School Crossing Guard; and

NOW, THEREFORE BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey that the persons listed above be and are hereby appointed to the position of School Crossing Guard in the Borough of Roselle, effective September 21, 2022 for a term not to exceed one year, with a salary range of \$16.16 to \$19.66 per hour as set forth in the collective bargaining agreement or its successor agreements between the Borough and the OPEIU.

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 September 21, 2022.

RESOLUTION NUMBER 2022-305

RESOLUTION ACKNOWLEDGING THE RELEASE OF NEW POLICE OFFICERS FROM THE JOHN H. STAMLER POLICE ACADEMY

WHEREAS, Associate ID 6F7C8601O and Associate ID OQFML4CAT were appointed to the position of Police Officer, effective June 15, 2022, subject to the ninety (90) day working test period; and

WHEREAS, Associate ID 6F7C8601O and Associate ID OQFML4CAT were unable to meet the conditions set forth by the John H. Stamler Police Academy;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby acknowledge the release of Associate ID 6F7C8601O and Associate ID OQFML4CAT from the John H. Stamler Police Academy and their employ with the Borough of Roselle effective August 16, 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 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 September 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 September, 2022.

RESOLUTION NUMBER 2022-306

**RESOLUTION ACCEPTING THE RESIGNATION OF THE
POLICE OFFICER EDWIGE GEDEON**

WHEREAS, Police Officer Edwige Gedeon has notified the Borough of Roselle that he will be resigning from the position of Police Officer; and

WHEREAS, Police Officer Edwige Gedeon submitted a letter of resignation on August 31st, 2022 to be effective September 7th, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby accepts the resignation of Police Officer Edwige Gedeon effective September 7, 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 September 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 September, 2022.

RESOLUTION NUMBER 2022-307

**RESOLUTION ACCEPTING THE RESIGNATION OF THE
PARKING CODE ENFORCER**

WHEREAS, Diahann Trent has notified the Borough of Roselle that she will be resigning from the position of Parking Code Enforcer within the Police Department; and

WHEREAS, Diahann Trent submitted a letter of resignation on August 23rd, 2022 to be effective August 26th, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby accepts the resignation of Diahann Trent effective August 26th, 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 September 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 September, 2022.

RESOLUTION NUMBER 2022-308

**RESOLUTION ACKNOWLEDGING CADET PETERSON'S
WITHDRAWAL OF INTEREST IN THE POSITION OF
PART TIME SEASONAL TEMPORARY LABORER**

WHEREAS, Cadet Peterson was offered the position of Part Time Seasonal Temporary Laborer in the Borough of Roselle; and

WHEREAS, Cadet Peterson has been unable to meet the requirements of the position since August 22, 2022; and

WHEREAS, Cadet Peterson has been unresponsive to the Borough's requests to determine his availability to work;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Roselle, hereby acknowledges Cadet Peterson's withdrawal of interest in the position of Part Time Seasonal Temporary Laborer in the Department of Public Works effective September 21st, 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 the Regular Meeting of said Council held September 21st, 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 September, 2022.

RESOLUTION NUMBER 2022-309

RESOLUTION AUTHORIZING REFUND OF STREET OPENING ESCROW FEES

WHEREAS, Mobilease Modular Space Inc. has requested a refund of the street opening escrow fees paid on

06/28/2021	CHECK #37793	\$ 3,600.00
06/28/2021	CHECK #37791	\$ 3,600.00
06/28/2021	CHECK #37792	<u>\$ 1,600.00</u>
TOTAL		\$ 8,800.00

WHEREAS, the Department of Public Works has approved the refund for the street opening escrow fees.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Roselle that the Municipal Finance Officer is hereby authorized to refund the street opening escrow fees in the amount of \$8,800.00.

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 September 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 September 2022.

Motion to adopt Consent Agenda by Council President Wilkerson, second by Councilman Fortuna.

Vote Record –Consent Agenda (Resolution Nos. 2022-288 through 2022-309)				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X		2022-297	
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

NON-CONSENT AGENDA

RESOLUTION NUMBER 2022-310

**MAYOR'S APPOINTMENT OF JEANNE MARIE RYAN AS THE EVERETT
HATCHER MUNICIPAL ALLIANCE SECRETARY (COORDINATOR) WITH THE
ADVICE AND CONSENT OF COUNCIL**

WHEREAS, there is a need in the Borough of Roselle for a Secretary (Coordinator) Everett Hatcher Municipal Alliance; and

WHEREAS the Mayor has appointed Jeanne Marie Ryan as Secretary (Coordinator) Everett Hatcher Municipal Alliance, which appointment requires the advice and consent of Council; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey that Jeanne Marie Ryan be appointed as the Secretary (Coordinator) Everett Hatcher Municipal Alliance at \$2,765.05, per year effective September 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 September 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 September 2022.

Motion to adopt by Councilman Villeda, second by Councilman Bernier.

Councilwoman Johnson asked what the secretary/coordinator's hours will be.

Vote Record – Resolution No. 2022-310				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X			
Councilwoman Thomas		X		
Councilman Fortuna	X			

Councilwoman Wilkerson	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

RESOLUTION NUMBER 2022-311

**RESOLUTION HIRING FULL-TIME CODE ENFORCEMENT OFFICER TRAINEES
IN THE CODE ENFORCEMENT DIVISION AT AN ANNUAL SALARY OF \$30,000**

WHEREAS, there is a need in the Division of Code Enforcement to fill the position of Code Enforcement Officer Trainee; and

WHEREAS, Mr. Rawle Jones and Mr. Kiree Close were interviewed and adjudged to be qualified for employment in the title of Code Enforcement Officer Trainee.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle that Mr. Rawle Jones and Mr. Kiree Close be hereby appointed to the position of Full-Time Code Enforcement Officer Trainee in the Code Enforcement Division of the Borough of Roselle, effective Monday, September 26th, 2022, subject to the successful completion of the ninety (90) day working test period as required by Civil Service regulations; and a successful one (1) year training period.

BE IT FURTHER RESOLVED, that the annual salary for Mr. Rawle Jones and Mr. Kiree Close shall be \$30,000 prorated for calendar year 2022. After successfully completing said training period, the parties would be appointed to the position of Code Enforcement Officer at a salary of \$40,000 prorated annually.

BE IT FURTHER RESOLVED, that the hiring of Mr. Rawle Jones and Mr. Kiree Close is subject to the satisfactory completion of a criminal background check, the initial cost of which is to be borne by employee and will be reimbursed by the Borough so long as the check is satisfactory and employment is continued; and

BE IT FURTHER RESOLVED, the Borough Council grants Mr. Kiree Close a residency waiver.

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 September 21th, 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 21th day of September, 2022.

Motion to adopt by Council President Wilkerson, second by Councilwoman Johnson.

Vote Record – Resolution No. 2022-311				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X			
Councilwoman Thomas		X		
Councilman Fortuna		X		
Councilwoman Wilkerson	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

RESOLUTION NUMBER 2022-312

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE DESIGNATING THE AREA IDENTIFIED AS BLOCK 2601, LOTS 14 & 16; BLOCK 2602, LOTS 7, 8, 9, 10, 11, 12, 15, 16, & 17; BLOCK 2603, LOTS 4, 4.01, 6, 7, & 9; AND BLOCK 2901, LOTS 14, 15, 16, 17.01, & 19 ON THE BOROUGH’S TAX MAP AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND THE AREA IDENTIFIED AS BLOCK 2601, LOTS 10, 11, 12, 13, & 15; BLOCK 2602, LOTS 13 & 14; AND BLOCK 2603, LOTS 5 & 8 ON THE BOROUGH’S TAX MAP AS A CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND 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 located therein constitute areas in need of redevelopment; and

WHEREAS, by Resolution 2021-126, adopted on March 17, 2021 and Resolution 2021-153, adopted on April 21, 2021, the Borough Council (the “**Borough Council**”) of the Borough of Roselle (the “**Borough**”) authorized and directed the Borough’s Planning Board (the “**Planning Board**”) to undertake a preliminary investigation to determine whether the area identified as Block 2601, Lots 10-16, Block 2602, Lots 7-17, Block 2603, Lots 4/4.01, 5-9, and Block 2901, Lots 14-19 on the Borough’s Official Tax Maps (the “**Study Area**”) meets criteria for designation as a condemnation area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, said resolutions also authorized and directed the Borough’s Planning Consultant, Maser Consulting P.A., now known as Colliers Engineering & Design Inc. (the

“Planning Consultant”), to perform the preliminary investigation and prepare a report containing its findings; and

WHEREAS, the Planning Consultant undertook the preliminary investigation and prepared a report containing its findings entitled “Redevelopment Area with Condemnation: Determination of Need Study Block 2601, Lots 10-16, Block 2602, Lots 7-17, Block 2603, Lots 4-9, Block 2901, Lots 14-19” (the **“Report”**); and

WHEREAS, on September 7, 2022, the Planning Board conducted a public hearing to determine whether the Study Area qualifies 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; and

WHEREAS, at the public hearing, the Planning Board reviewed the findings of the Planning Consultant set forth in the Report, heard expert testimony from the Planning Consultant, and gave members of the public and interested parties an opportunity to be heard regarding the potential designation of the Study Area as an area in need of redevelopment; and

WHEREAS, the Planning Consultant concluded in the Report, and testified to the Planning Board at the public hearing, that there is evidence to support the conclusion that the properties in the Study Area identified as Block 2601, Lots 14 & 16; Block 2602, Lots 7, 8, 9, 10, 11, 12, 15, 16, & 17; Block 2603, Lots 4, 4.01, 6, 7, & 9; and Block 2901, Lots 14, 15, 16, 17.01, & 19 (the **“Non-Condemnation Study Area”**) satisfy the criteria set forth in the Redevelopment Law for designation as a non-condemnation area in need of redevelopment; and

WHEREAS, the Planning Consultant concluded in the Report, and testified to the Planning Board at the public hearing, that there is evidence to support the conclusion that the properties in the Study Area identified as Block 2601, Lots 10, 11, 12, 13, & 15; Block 2602, Lots 13 & 14; and Block 2603, Lots 5 & 8 (the **“Condemnation Study Area”**) satisfy the criteria set forth in the Redevelopment Law for designation as a condemnation area in need of redevelopment; and

WHEREAS, on September 7, 2022, at the conclusion of the public hearing, the Planning Board determined and recommended, for the reasons set forth in the Report and explained during the public hearing, that: (1) the properties in the Non-Condemnation Study Area meet criteria set forth in the Redevelopment Law and should be designated as a non-condemnation area in need of redevelopment, and (2) the properties in the Condemnation Study Area meet criteria set forth in the Redevelopment Law and should be designated as a condemnation area in need of redevelopment; and

WHEREAS, the Borough agrees with the Planning Board’s findings and the Planning Consultant’s conclusions in the Report, and desires to: (1) designate the Non-Condemnation Study Area as a non-condemnation area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-6*, and

(2) designate the Condemnation Study Area as a condemnation area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-6*.

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

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

Section 2. After considering the conclusions set forth in the Report and the Planning Board's findings and recommendations, the Borough hereby finds that the Non-Condemnation Study Area meet the statutory criteria pursuant to *N.J.S.A. 40A:12A-5* for designation as a non-condemnation area in need of redevelopment, and the Non-Condemnation Study Area is hereby designated as a non-condemnation area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-6*.

Section 3. The designation of the Non-Condemnation Study Area as a non-condemnation area in need of redevelopment shall authorize the Borough to exercise all of its powers under the Redevelopment Law in the Non-Condemnation Study Area, except for the power of eminent domain.

Section 4. After considering the conclusions set forth in the Report and the Planning Board's findings and recommendations, the Borough hereby finds that the Condemnation Study Area meet the statutory criteria pursuant to *N.J.S.A. 40A:12A-5* for designation as a condemnation area in need of redevelopment, and the Condemnation Study Area is hereby designated as a condemnation area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-6*.

Section 5. The designation of the Condemnation Study Area as a condemnation area in need of redevelopment shall authorize the Borough to exercise all of its powers under the Redevelopment Law in the Condemnation Study Area, including the power of eminent domain.

Section 6. 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 of said Council held on September 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 September, 2022.

Motion to adopt by Council President Wilkerson, second by Councilman Villeda.

Vote Record – Resolution No. 2022-312				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

RESOLUTION NUMBER 2022-313

RESOLUTION HIRING PART TIME SEASONAL TEMPORARY LABORER IN THE DEPARTMENT OF PUBLIC WORKS AT A RATE OF \$18.00 PER HOUR

WHEREAS, there is a need in the Department of Public Works to fill the position of Part Time Seasonal Temporary Laborer 1; and

WHEREAS, Garrett Anderson has been deemed to be qualified for said position within the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle that Garrett Anderson be hereby appointed to the position of Part Time Temporary Seasonal Laborer 1 at an hourly rate of \$18.00 per hour in the Department of Public Works in the Borough of Roselle, effective Monday, September 26, 2022, subject to the successful completion of the ninety (90) day working test period; and

BE IT FURTHER RESOLVED, that the hiring of Garrett Anderson is subject to the satisfactory completion of a criminal background check, the initial cost of which is to be borne by employees and will be reimbursed by the Borough so long as the check is satisfactory and employment is continued.

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 September 21st, 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 September, 2022.

Motion to adopt by Councilman Fortuna, second by Council President Wilkerson.

Vote Record – Resolution No. 2022-313				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

PAYMENT OF BILLS

Resolution # 2022-314

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-Sep-22

FUND

ANIMAL CONTROL	\$ 98.40
CAPITAL ACCOUNT	\$ 607,673.75
CDBG TRUST	
CURRENT FUND	\$ 3,086,792.27
ESCROW TRUST	\$ 45,106.33
FSLEF	
SLEF	
GENERAL TRUST ACCOUNT	\$ 18,104.22
TRUST DCA FEES	
GRANT ACCOUNT	
SUI	
AUGUST 26, 2022 PAYROLL	\$ 667,862.72

SEPTEMBER 9, 2022 PAYROLL	\$ 698,648.01
MANUAL CHECK	\$ 781,943.41
POAA	
REDEMPTION PREMIUM ACCOUNT	\$ 1,603.58
PUBLIC DEFENDER	
REDEMPTION	
TRUST	\$ 3,500.00
RESERVE FOR ESCROW	
SALARY	
DEDUCTION	
GRAND TOTAL	<u>\$5,911,332.69</u>

LISETTE SANCHEZ
MUNICIPAL BOROUGH
CLERK

DATED: SEPTEMBER 21, 2022

Motion to adopt by Councilman Bernier, second by Councilman Fortuna.

Vote Record – Resolution No. 2022-314				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

COUNCIL COMMENT

Councilman Villeda provided the following comments:

- Thanked God for another day of life
- Wished the 1st Ward residents good health and well being
- Invited all to the Oct. 1, 2022 Multicultural Fair at Borough Hall from 12 Noon to 5:00p.m.
- Thanked the DPW workers for doing excellent work
- Thanked the Mayor and Council for their support of Roselle events

- Thanked the Fire and Police Department for keeping Roselle safe
- Can be reached by email rvilleda@boroughofroselle.com or phone (732) 535-6703
- Next 1st Ward meeting, Oct. 17, 2022 at 4:00 p.m., Baker Room, Borough Hall

Councilman Bernier provided the following comments:

- Borough needs to focus on tree replanting and include funds in the 2023 budget
- Illegally parked vehicles must be reported to Code Enforcement, Police and Zoning
- Property owners responsible for sidewalks, except if a borough tree is the cause of damage
- Noise ordinance was modified so police can better enforce it; call police when issues arise
- The next 2nd Ward Meeting is scheduled for September 27, 2022 at 7:00 p.m. via Zoom
- Can be reached by email bbernier@boroughofroselle.com or phone (732) 943-6498
- Poplar Street Park improvements contract was awarded in August 2022
- Congratulated the newly appointed fire fighters
- Congratulated Craig Smith on his retirement from the DPW
- Sending prayers to everyone in Puerto Rico in reference to the hurricane
- September is Childhood Cancer Awareness month; talked about early detection and how his niece was diagnosed with cancer at three years old and is now two years cancer free.

Councilwoman Johnson provided the following comments:

- Gave condolences to Mr. & Mrs. Wayne Jones on the passing of their young son
- Congratulated the newly appointed fire fighters
- Congratulated Anthony Obery for being elevated to Bishop in his church
- The new water system being installed in the 3rd Ward and is almost complete
- Issues with trees on 7th and Walnut Street have been addressed
- Thanked former Assemblyman Jamel Holley and others who attended the ribbon cutting ceremony for the new Urgent Care facility located in Roselle
- Congratulated Mayor Shaw on his five-mile walk-a-thon for the residents and seniors
- Thanked the seniors who participated in the Mayor's Senior Advisory Board talent show
- Wished everyone a safe weekend, and with the changing weather, advised residents to check their furnaces and smoke detectors

Councilwoman Thomas provided the following comments:

- Congratulated the newly appointed fire fighters
- Congratulated Craig Smith on his retirement
- Extended prayers to people in Puerto Rico regarding the hurricane
- Extended prayers to people in Mexico regarding an earthquake
- Will to speak to resident at 301 Amsterdam Avenue regarding trees and sidewalks
- Will speak to the Recreation Director about advertising the Senior Art program to encourage more participation
- The next 4th Ward Meeting is scheduled for September 22, 2022 at 7:00p.m. at the Amalfe Community Center
- Can be reached by email cthomas@boroughofroselle.com or phone (908) 858-0395

Councilman Fortuna provided the following comments:

- Addressed trash pickup complaint made by resident. Modeled after other towns by distributing large cans for pickup once a week.
- Will re-evaluate the trash pickup schedule in the Fall and tweak as necessary
- The next 5th Ward Meeting is scheduled for September 27, 2022 at 6:00-8:00p.m. at the Amalfe Community Center
- Talked about the Anchor Program tax relief program from the State of New Jersey which replaced the Home Rebate Program. Visit the state of New Jersey Division of Taxation website for how to register for \$1,500.00 rebate
- Kudos to Mr. & Mrs. McCamery, SOAR Organization, regarding their September 10, 2022 block party

Council President Wilkerson provided the following comments:

- Affirming that the entire community is praying for the people in Puerto Rico
- Gave condolences to Michelle Pajewski on the passing of her mother Fran Pajewski
- Congratulated Craig Smith on his retirement from the DPW
- Congratulated the newly appointed fire fighters
- Thanked Councilman Villeda for recognizing El Salvador as a part of the community
- Congratulated the Roselle Women on the Move group and their kick-off with Lauren Body
- Congratulated SOAR for all they do for young people
- Happy to advocate on behalf of sidewalks damaged by Borough trees
- The Multicultural Committee was established to celebrate cultures of all people
- Flag raising for Ecuador was done because someone asked for it
- Congratulated Mayor Shaw, Tomasz Stolecki and the Fire Department for their heroism
- Can be reached by email dwilkerson@boroughofroselle.com or phone (908) 514-5471
- Purpose of Uptown Vibes events is to stimulate businesses in downtown Roselle

MAYOR'S COMMENTS

Mayor Shaw provided the following comments:

- Thanked Shanel Robinson for accepting the position of Assistant Borough Administrator and joining the Roselle team
- Congratulated the newly hired fire fighters and supports them to the fullest
- For Ovarian Cancer Awareness month will light the town teal to show support
- Planning a bike ride in October to celebrate Breast Cancer Awareness month and survivors
- Gave condolences to Percy Brown and his family on the tragic loss of his young son
- Announced the Agape House of Worship Run for Roselle event scheduled for October 15, 2022, and proceeds will support their Roselle community outreach programs
- Congratulated the DPW for repairing the bridge leading to Sylvester Land Field
- Congratulated Craig Smith on his retirement from the DPW
- Thanked Rodney Tibbs for a job well done filling in for the Recreation Director
- Acknowledged the residents from Puerto Rico and the West Indies and will keep them in prayer as they attempt to recover from disastrous events.

- Can be reached by email dshaw@boroughofroselle.com or phone (201) 463-7348

CLOSED EXECUTIVE SESSION

RESOLUTION NUMBER 2022-315

NO ACTION TAKEN

RESOLUTION AUTHORIZING A CLOSED (EXECUTIVE SESSION)

WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussions of and action hereinafter specified as:
 - Personnel Matters
 - Contract Negotiations
 - Contractual Matters
 - Litigation Matters
 - Matters Falling Within Attorney Client Privilege
2. It is anticipated at this time, the above stated subject matters will be made public when it is determined that the need for confidentiality no longer exists.


This resolution shall take effect immediately.

I, 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 September 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 of September 2022.

ADJOURNMENT

Motion to adjourn by Councilman Bernier, second by Councilwoman Thomas. Motion was approved by unanimous vote. Meeting adjourned at 8:36 p.m.


Lisette Sanchez, Borough Clerk

