

**BOROUGH OF ROSELLE
MAYOR AND COUNCIL
REGULAR MEETING MINUTES
OCTOBER 19, 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 October 19, 2022 at 6:30 p.m. The flag salute was recited and the invocation was given by Councilman Villeda.

Borough Clerk Sanchez read into the record "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:

Lisette Sanchez, Borough Clerk
R. Allen Smiley, Borough Administrator
Mohamed Jalloh, Esq., Borough Attorney

PRESENTATION - None

APPROVAL OF MINUTES OF MEETINGS

Minutes of the Mayor and Council Workshop Meeting – September 14, 2022
Minutes of the Mayor and Council Executive Closed Session – September 14, 2022
Minutes of the Mayor and Council Regular Meeting – September 21, 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			
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 Withdrawn				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:

- Firefighters visited six schools for Fire Prevention Week for Grades 1 through 4
- Total fire alarms for 2022: 1,599
- Total ambulance calls for 2022: 1,843
- Calls for September 2022: 207
- Fire Department will embark on Fire Prevention Campaign to reinforce the fundamentals of fire safety
- Response time: 1 minutes, 58 seconds
- Tentative date to start the Union County Dispatch is November 1, 2022; all numbers will remain the same when calling the Police Department and service will not be interrupted
- Police Calls for service through September: 2,650
- Summons Issued: 978
- MV burglaries: 19

Department of Public Works – Councilman Fortuna reported the following:

- Leaf bags are still being distributed between – 7:00 a.m. to 2:00 p.m., daily and 7:00 am to 12 p.m. on Saturday
- Thanked residents and DPW for adapting to the new trash collection process
- Changes to schedule will be posted in advance on the Borough of Roselle website
- Last bulk trash pickup will be in November 2022 and will start back up in March 2023

Recreation Committee – Councilwoman Thomas reported the following:

- New signs will be erected for Sylvester Land Field and the concession stand
- Transportation for afternoon shopping is still available for Oak Park residents throughout the renovation of the complex
- The Union County Health Management will continue its program entitled “Cancer Surviving and Thriving” every Thursday until October 27, 2022
- The Union County Division of Aging is providing nutritional lunches at the Anthony

Amalfe Community Center every Thursday between 11:30 a.m. to 12:30 p.m. Encoraged residents to make reservation by calling (908) 558-2297 or (908) 527-4877

- Truck or Treat will be held October 31, 2022 at the Borough Hall parking lot from 5 p.m. to 8 p.m.
- Veterans Day Luncheon will be held at the Amalfe Community Center on November 11, 2022 at 1:00 p.m. to 3:00 p.m.

Health Committee – Councilwoman Thomas reported the following

- The Board of Health held a vaccine clinic on Monday, October 17, 2022 and 180 vaccines were issued for Covid 19 and the flu.

Planning Committee - Councilman Bernier reported the following:

- The Planning Board held a meeting on October 5, 2022 and an application for 1206 Morris Street which was heard and thereafter denied
- The next Planning Board meeting will be a Special Meeting in November 2022 to memorialize the action taken in October 2022.

Redevelopment Committee – Councilman Bernier reported the following:

- Talked about the resolution on the agenda for authorizing the sale of an undersized lot on Chandler Avenue

Finance Committee – Councilman Bernier reported the following:

- The resolution to accept the 2021 Audit is on the agenda for consideration
- Down to 5 audit comments in 2022 from 12 in 2020 and 59 in 2011
- The Fund balance continues to be strong for the Borough
- Departments are working on budget and capital budget requests

Governance Committee – Council President Wilkerson reported the following:

- The Council is taking action to help resolve disciplinary issues
- Working in the best interest of the Borough residents
- Takes employment agreements very serious and obligations of employees to serve the community

Library Committee – Council President Wilkerson reported the following:

- Moving closer to the construction phase of a new library
- The temporary library is open for business and located on the corner of 2nd Avenue and Chestnut Street

PUBLIC COMMENTS

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

1. **Mario Cornejo, 137 Dennis Street**, read a letter into the record in Spanish and **Yvonne**

Cornejo read the same letter in English about the Spanish community in Roselle, the Office of Hispanic and Latino Affairs, Hispanic Heritage month. Thereafter, they questioned why the HLA office was eliminated and talked about inclusion.

2. **Salam Ismail, Director of United Youth Council, Elizabeth NJ**, talked about the Black and Latino community and its growth. Urged the Governing Body to reconsider putting the Office of Hispanic and Latino Affairs back in effect.
3. **Jessica Chavez, 1239 Chestnut Street**, talked about the repeal of the Office of Hispanic and Latino Affairs and the contributions of the Latino community in Roselle. In addition, she expressed that members did not abandon the HLA and hopes the Spanish community will be represented in the Multicultural Inclusion and Accessibility Advisory Committee.
4. **Francisco, 113 Poplar Street**, asked the Governing Body why there are no more Spanish events. Further, he talked about events prior to the Covid-19 pandemic, questioned why the El Salvador festival was cancelled and hopes will be brought back.
5. **Raphael Vanderpool, 330 Birch Drive**, talked about an issue with a retaining wall in the back of his property every time it rains. Expressed there is damage to his fence and he spoke to members of the Governing Body and a former Councilman. Wherein he was told a survey will be done and is looking for a resolution. Lastly, he talked about commercial vehicles that are parked on his street.
6. **Barbara Dixon, 271 E. 2nd Avenue**, talked about a recent burglary and questioned if it actually happened and feels word should be put out about it.
7. **Aeisha Turnage, 291 E. 12th Avenue**, talked about a memorandum of understanding submitted to the Borough from the Roselle Board of Education for school resource officers and questioned if it went to the Public Safety Committee for review and if it will be considered for adoption by the Governing Body.
8. **William Fish, 1809 North Wood Avenue**, talked about issues in his building and complaints that he made to the property manager and to the Health Department. He also talked about a recent fire where he assisted in rescuing a resident.
9. **Assemblyman Reginald Atkins**, thanked Councilman Fortuna for inviting him to speak at his monthly ward meeting. He talked about Breast Cancer Awareness Month, a first-time home buyers' program on October 26, 2022 at 6:00 p.m. at the legislative office in Roselle, the senior freeze property relief program, meals for residents every Friday at 5:00 p.m., temporary library, a loan forgiveness program. Legislation in Trenton includes the following: a bill to help family success centers throughout the State, a bill in higher education to help families with children going to college for the first time. Available to attend other ward meetings to provide information to the public.
10. **Dave Cintron, 615 Melville Terrace**, talked about the Office of Hispanic and Latino and expressed his dissatisfaction about the former members leaving the office. He expressed that he feels their leaving was political since he and his wife did the Cinco De Mayo event and when they reached out to the old member they did not want to help.
11. **Anthony Esposito, 414 E. 3rd Avenue**, talked about an interview he recorded of entertainer John Legend and he played the recording for the record. Mr. Esposito reiterated what Mr. Legend said pertaining to one person getting more freedom doesn't take away from other people's freedoms. He also remarked that a multicultural group may be better for each individual type of group because Roselle is multicultural.

12. **Sylvia Turnage, 291 E. 12th Avenue**, talked about the roles of the executive and legislative branch and the Borough Administrator. She made remarks about the Office of Hispanic and Latino Affairs, their members and events. In addition, she talked about the cost of the lighting in the Borough Hall parking lot and the summer outside events and lack of access to books in the temporary library.
13. **Lorraine Brooks-Body, 926 Harrison Ave.**, talked about attending the Council and Board of Education meetings. She also remarked that programs cannot operate without dedicated volunteers and emphasized all employees are required to provide customer service. Lastly, Ms. Brooks-Body suggested that professional development be included in the budget for everyone and questioned why everyone is so negative and mad.

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

Mayor Shaw then allowed the members of the Governing Body to respond to the public's comments.

Mayor Shaw provided the following comments:

- Borough's involvement to the Hispanic and Latino and provides support for several events
- HLA appointments were made in January 2022 and the members resigned thereafter in February 2022.
- Requested Borough Clerk Sanchez to read an email from Yessica Chavez, Reyes Osorio, Silvia Fonseca, Lucia Tlapanco, Mario Cornejo into the record regarding the group's resignation.
- Multiple events for the Latino community were held after the resignations
- No communication with the Board of Education regarding issues in the school
- School lockdown and response to the community

Council President Wilkerson provided the following comments:

- Talked about separation of the legislative, administrative and executive branches
- Action taken on an employee went through administration process
- Obligated to let residents know complaints are addressed and staff are being held accountable
- HLA was for small business to flourish and to improve the lives of Hispanics
- Discussed the creation of HLA in 2013 and appointments made when Acting Mayor
- Latino events took place after February 2022 and support given by the Borough
- New members requests can sign up with the Mayor's Office
- School district can cover the resource officers in their budget

Councilwoman Johnson provided the following comments:

- Hispanic events at Sylvester Land Field turned political
- Requested bylaws for the Multicultural Inclusion and Accessibility Advisory Committee
- Advised she and Councilman Villeda are not on any standing committees
- Resource officers for the school and monies allotted for the program
- Council communicating with Department Heads and sending emails

- Talked about the temporary Roselle Public Library
- School lockdown and response to community

Councilman Villeda provided the following comments:

- Councilman Villeda confirmed he cancelled the El Salvador flag raising and Multicultural event due to vendors and entertainers who opted out because of the forecasted weather conditions.
- Advised he has served in the community for many years as a Board of Education member
- Participated in many Hispanic and Latino events and represents all Latinos, as well as the community of Roselle
- Thanked the Mayor and Council for their support

Councilman Fortuna provided the following comments:

- Confirmed that Councilman Villeda is a member of the DPW Committee, the Public Safety Committee and Recreation Committee
- Will contact Code Enforcement about 1809 North Wood Avenue's roof
- Talked about the ongoing issue on Birch Drive and a survey to be done by Engineering
- Time limits on commercial vehicles can be considered
- Public safety committee does not receive specifics on crimes committed and would be hesitant to discuss publicly

Councilman Bernier provided the following comments:

- Reminded everyone that a third flag pole was previously added by the Borough to ensure flag raisings for different communities
- Addressed the retaining wall issues and gave an explanation of survey proposal
- Funding for resource officers in schools was not anticipated in the budget
- No meetings were held between Borough and the Board of Education for resource officers
- Council is the legislative and executive branch in the Borough form of government
- Multicultural Inclusion and Accessibility Advisory Committee and Diversity in the Borough

INTRODUCTION, CONSIDERATION AND PASSAGE OF ORDINANCES

ORDINANCES ON SECOND READING/PUBLIC HEARING – 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)

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.

Mayor Shaw read Ordinance Number 2692-22 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 2692-22 on Second Reading/Public Hearing by Councilman Fortuna, 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			
<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 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)

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:

- 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.

Mayor Shaw read Ordinance Number 2693-22 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 2693-22 on Second Reading/Public Hearing by Councilman Villeda, second by Councilwoman Thomas.

Vote Record –Ordinance 2693-22				
	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				

ORDINANCES ON SECOND READING/PUBLIC HEARING – 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

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 Borough 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.

Mayor Shaw read Ordinance Number 2694-22 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 2694-22 on Second Reading/Public Hearing by Councilman Bernier, second by Councilman Fortuna.

Vote Record –Ordinance 2694-22				
	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				

CLOSED EXECUTIVE SESSION

RESOLUTION NUMBER 2022-335

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 October 19, 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 12th day of October 2022.

Motion by Councilman Bernier, second by Council President Wilkerson to enter into Executive Session and change the order of the agenda.

Vote Record – Resolution 2022-335				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Council President 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				

Entered into Executive Session at 8:42 p.m.

Returned to Regular Meeting at 9:15 p.m.

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NUMBER 2022-318

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

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

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

NOW, THEREFORE, BE IT RESOLVED on this 19th day of October, 2022 by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey that:

1. Kheesha Walls is hereby appointed as Fund Commissioner representing the Borough of Roselle on the Public Entity Joint Insurance Fund Board of Commissioners.
2. Shanel Robinson is hereby appointed as Alternate Fund Commissioner representing the Borough of Roselle on the Public Entity Joint Insurance Fund Board of Commissioners.

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 October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-319

**BOROUGH OF ROSELLE, COUNTY OF UNION AUTHORIZING THE EXECUTION
OF SECOND ADDENDUM TO THE SHARED SERVICES AGREEMENT WITH
UNION COUNTY IMPROVEMENT AUTHORITY FOR THE RENOVATION AND
EXPANSION OF THE BOROUGH OF ROSELLE LIBRARY PROJECT**

WHEREAS, a regular meeting of the Borough of Roselle (hereinafter referred to as "Borough") was held on September 21, 2022; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, *et seq.*, permit units of local government to share services for particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, on January 13, 2021 the Borough's Municipal Council enacted Resolution No. 2021-039 which authorized the execution of a Shared Services Agreement (hereinafter referred to as the "Shared Services Agreement") with the Union County Improvement Authority (hereinafter referred to as "Authority") for the provision of services in connection with the renovation and expansion of the Borough's existing Library building (hereinafter referred to as the "Project"); and

WHEREAS, on November 10, 2021 the Borough's Municipal Council enacted Resolution No. 2021-356, which authorized the execution of an Addendum to the Shared Services Agreement with the Authority for the provision of an extension of the term end date of the Shared Services Agreement to coincide with the issuance of the bonds for the financing of the Project; and

WHEREAS, it is necessary to prepare a Second Addendum to the Shared Services Agreement between the Borough and the Authority (hereinafter referred to as the "Second Addendum") to include an Administrative Fee of \$250,000.00 for the Authority to manage the project and create a mechanism for reimbursement of Authority costs related to the Project; and

WHEREAS, the Borough would like to approve the Second Addendum to include an Administrative Fee for the Authority to manage the Project and a mechanism for reimbursement of Authority costs related to the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, AS FOLLOWS:

1. The Borough of Roselle hereby agrees to authorize the execution of the Second Addendum with the Union County Improvement Authority to include an Administrative Fee of \$250,000.00 for the Union County Improvement Authority to manage the Project and a mechanism for reimbursement of Union County Improvement Authority's costs related to the Project as set forth in the Second Addendum attached hereto and made a part hereof.

2. The Borough of Roselle authorizes the Mayor and Municipal Clerk to execute the Second Addendum in substantially the form attached with such changes as shall be approved by the Project Manager on advice of legal counsel.

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 October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-320

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND NON-OPEN
CONTRACT TO ERIC M. BERNSTIEN, ESQ., FOR SPECIAL LEGAL COUNSEL
SERVICES**

WHEREAS, the Borough of Roselle (the "Borough") has identified a need for special legal counsel, as a non-fair and non-open contract pursuant to the provisions of N.J.S.A. 40A:11-3(b); and; and

WHEREAS, Eric M. Bernstien, Esq. possesses the requisite professional qualifications and substantial experience with representing municipal governments, and his services are desired as special legal counsel by the Borough; and

WHEREAS, Eric M. Bernstien has indicated his willingness to provide special legal counsel services to the Borough at a rate of \$150.00 per hour, for a total contract amount not to exceed \$15,000.00, said contract to be for a period from October 20, 2022 through December 31, 2022.

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

1. That the Borough Council awards a contract to and appoints Eric M. Bernstien, Esq., 34 Mountain Boulevard, Building A, Warren, NJ 07059 to provide special legal counsel services to the Borough, for an amount not to exceed \$15,000.00.
2. The Chief Financial Officer has certified that sufficient funds are available contingent upon the availability of funds in the 2022 adopted budget account 2-01-20-155-000-228.
3. That this Contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) because legal services are a recognized profession, licensed and regulated by law.

4. That a notice in accordance with this resolution and the Local Public Contracts Law of New Jersey, shall be published in the official newspaper or newspapers of the Borough as required by law, within twenty (20) days of execution of the contract.

5. That an executed copy of the Contract between the Borough and Eric M. Bernstien, Esq., 34 Mountain Boulevard, Building A, Warren, NJ 07059, and a copy of this resolution shall be filed in the Office of the Borough Clerk and be available there for public inspection in accordance with law.

6. This Resolution is adopted and shall be instituted as part of a Non-Fair and Non-Open Process, established and exercised pursuant to N.J.S.A. 40:11-5(1).

7. All previous Resolutions and/or orders and directives of Borough employees or officials, which are contrary to or inconsistent with the terms of this instant Resolution, are hereby rescinded, repealed and otherwise deemed ineffectual, to the extent of their inconsistency.

8. That this Resolution shall take effect immediately.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-321

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

WHEREAS, application has been filed for a Person-to-Person transfer of Plenary Retail Distribution License, License Number 2014-44-014-006 heretofore issued to ASGP Enterprises, Inc.; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Roselle, County of Union, State of New Jersey, do hereby authorize the transfer of the aforesaid Plenary Retail Consumption License, and do hereby authorize the Municipal Clerk to endorse the license to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Balaji Beverages, Inc., effective October 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 October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-322

**RESOLUTION AUTHORIZING THE REFUND OF CERTIFICATE OF OCCUPANCY
PAYMENT**

WHEREAS, Angel Macas submitted a payment of \$100.00 for a Residential Occupancy Certificate on 9/26/2022; and

WHEREAS, the Property 513 Willow Avenue, Block 128, Lot 3 which is located in Roselle Park and submitted the application to the Borough of Roselle in error; and

WHEREAS, Angel Macas has requested a refund of the \$100.00 for the Residential Occupancy Certificate.

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 payment in the amount of \$100.00.

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 on October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-323

RESOLUTION AUTHORIZING THE REFUND OF ZONING PERMIT PAYMENT

WHEREAS, Steve Touma submitted a payment of \$80.00 for a Zoning permit on 9/21/2022; and

WHEREAS, The Property, 136 Charlotte Terrace, Block 1110, Lot 23 which is located in Roselle Park and the application was submitted to the Borough of Roselle in error; and

WHEREAS, Steve Touma, has requested a refund of the \$80.00 for the Zoning Permit.

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 payment in the amount of \$80.00.

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 on October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-324

**RESOLUTION TO CORRECT CERTIFICATION
OF FUNDS IN RESOLUTION 2022-292**

WHEREAS, on September 19, 2022 Resolution Number 2022-292 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 which had budget account number C-04-55-267-009-008 as certification of funds;

WHEREAS, the budget account number for certification of funds should be C-04-55-267-009-001;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Roselle that the Borough Council of the Borough of Roselle adopts this resolution changing the budget account for the certification of funds for Resolution Number 2022-292.

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, and State of New Jersey at a regular meeting of said Council held October 19, 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 19th day of October, 2022.

RESOLUTION NUMBER 2022-325

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
Pamela Smith	115 Williams St	4406	6	Appeal Judgments 2021	\$2,273.98

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 October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-326

**RESOLUTION ACKNOWLEDGING WITHDRAWAL OF INTEREST IN THE
POSITION OF SCHOOL CROSSING GUARD**

WHEREAS, Tonya Griffin and Rafael Rivera were offered the position of School Crossing Guard in the Borough of Roselle in accordance with Resolution 2022-304; and

WHEREAS, Tonya Griffin and Rafael Rivera have expressed their withdrawal of interest in the position of School Crossing Guard; and

WHEREAS, Tonya Griffin and Rafael Rivera are hereby deemed unable to meet the requirements of said position since October 3, 2022.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Roselle, hereby acknowledges Tonya Griffin's and Rafael Rivera's withdrawal of interest in the position of School Crossing Guard in the Police Department effective October 3rd, 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 October 19th, 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 19th day of October, 2022.

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

Vote Record –Consent Agenda (Resolution Nos. 2022-318 through 2022-326)				
	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				

NON-CONSENT AGENDA

RESOLUTION NUMBER 2022-327

**AMENDED RESOLUTION OF THE BOROUGH OF ROSELLE COUNCIL
SUPPORTING LUCKY BUDS LLC'S APPLICATION FOR A CANNABIS
CULTIVATOR LICENSE AND A CANNABIS MANUFACTURER LICENSE TO THE
NEW JERSEY CANNABIS REGULATORY COMMISSION AND CONFIRMING THAT
THE INTENDED SITE IS SUITABLE FOR THE OPERATIONS OF THE PROPOSED
CANNABIS CULTIVATOR AND CANNABIS MANUFACTURER**

WHEREAS, the Borough Council previously adopted Resolution No. 2022-237, supporting Lucky Buds LLC's application to the Cannabis Regulatory Commission ("CRC") for a cannabis cultivation micro-license and a cannabis manufacturing micro-license; and

WHEREAS, Lucky Buds LLC has notified the Borough of its intent to increase their business plan and pursue standard licenses rather than micro-licenses for their prospective cultivation and manufacturing operations; and

WHEREAS, Lucky Buds LLC has provided the Borough with sufficient information regarding their expanded business model at the proposed cultivation and manufacturing site (the “Site”) to be located at 244 West 1st Avenue, Roselle, identified as Block 4701, Lot 13, on the current Official Tax Map of the Borough; and

WHEREAS, the Site is located in the Commercial-Industrial Zone, where “Cannabis Cultivator” is a conditionally permitted use pursuant to the Code of the Borough of Roselle, § 650-99B(3) and 650-102.B(9) if the following conditions are met:

- (a) All other regulations for the district in which the use is to be located shall be complied with.
- (b) The design of any building or structure required for such use conforms to the general character of the area in which it is located.
- (c) The cultivation activities of said establishment must be conducted entirely indoors.
- (d) Unusual odors, smells, fragrances, or other olfactory stimulants shall be prohibited beyond the property line. Odor mitigation filtration systems shall be installed and maintained in perfect working order; and

WHEREAS, the Commercial-Industrial Zone permits cannabis manufacturing, pursuant to the Code of the Borough of Roselle, § 650-99(m); and

WHEREAS, the zoning officer of the Borough has analyzed applicable law and public records and has made such other inquiries as necessary and opined that the proposed Site as a cannabis cultivator is a conditionally permitted use under the relevant zoning ordinances; and

WHEREAS, the zoning officer of the Borough further opined that the proposed Site as a cannabis manufacturer is a permitted use under the relevant zoning ordinances; and

WHEREAS, the Borough Council believes that permitting Lucky Buds to operate the Site as a cannabis cultivator and manufacturer will satisfy patients’ and consumers’ interests and help create jobs and economic opportunity within the Borough and enhance public safety; and

WHEREAS, the Borough Council believes the intended Site is appropriately located and suitable for activities related to the operation of the proposed cannabis cultivation and manufacturing; and

WHEREAS, the Legalization Act and § 17:30-7.10 of the CRC Regulations require that an applicant for Cannabis Business License submit proof of local support, which shall be demonstrated by a resolution adopted by the municipality’s governing body;

THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, that Roselle Borough supports Lucky Bud's application to the CRC for an Annual Cannabis Cultivator License and an Annual Cannabis Manufacturer License and urges the CRC to grant its application.

BE IT FURTHER RESOLVED that, while the Borough Code imposes a limit upon the number of licensed cannabis cultivators and manufacturers, license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit is reached.

BE IT FURTHER RESOLVED that, notwithstanding anything to the contrary, this Resolution of Support does not obligate the Borough to issue a license to this applicant in the event the Borough determines that issuance of such license is inconsistent with the evaluation criteria set forth in the Borough Code.

BE IT FURTHER RESOLVED that the zoning officer of the Borough be authorized to issue any required letter or affidavit confirming that the proposed Site complies with all applicable zoning requirements for activities related to the operation of the proposed cannabis cultivation microbusiness;

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Jeff Brown, Executive Director of the New Jersey Cannabis Regulatory Commission.

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 Workshop meeting of said Council held October 19, 2022

IN WITNESS WHERE OF, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-328

**MAYOR'S APPOINTMENT OF NATALIE PEITSINOVSKI AS CHAIRPERSON OF
THE EVERETT HATCHER MUNICIPAL ALLIANCE WITH THE ADVICE AND
CONSENT OF COUNCIL**

WHEREAS, there is a need in the Borough of Roselle for a Chairperson of the Everett Hatcher Municipal Alliance; and

WHEREAS the Mayor has appointed Natalie Peitsinovski as Chairperson of the 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 Natalie Peitsinovski be appointed as the Chairperson of the Everett Hatcher Municipal Alliance effective October 19, 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 October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-329

GOVERNING BODY CERTIFICATION OF THE ANNUAL REPORT OF AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Account with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit: R.S. 52:27-BB-52: A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and , upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Roselle hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 October 19, 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 19th day of October, 2022.

RESOLUTION NUMBER 2022-330

**RESOLUTION APPROVING THE AMENDED BOROUGH OF ROSELLE
PERSONNEL POLICY AND PROCEDURE MANUAL
DATED JANUARY 1, 2022**

WHEREAS, pursuant to Chapter 5 §21 of the Ordinances of the Borough of Roselle, the Borough shall create an employment manual from time to time for the safety and protection of the Borough; and

WHEREAS, in accordance with the civil service commission, the Borough of Roselle seeks to establish a personnel system that provides a fair balance of managerial needs and employee protections for the effective delivery of public services; and

WHEREAS, the last revision to the employment policy and procedure manual was dated January 1, 2022; and

WHEREAS, the Governing Body and Borough Administrator have an overriding interest and expectation in deciding who may "speak" and what is "spoken" on behalf of the Borough and the health, welfare, and safety of its residents; and

WHEREAS, there has come a need to update the employment policy and procedure manual of the Borough of Roselle in order to comply with current law and protect the Borough adequately.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF ROSELLE that the proposed employment policy and procedure manual as amended for January 1, 2022, and attached hereto, is approved.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby tasked with disseminating this handbook to all employees within seven (7) days of the date of this resolution.

BE IT FURTHER RESOLVED, that the Borough Administrator and the Borough Attorney are hereby authorized to amend provisions of this handbook without further action of the council, in the event that:

- 1) there are non-substantive typographical or grammatical errors that need to be amended now or in the future for the benefit of created an accurate document; and/or
- 2) the addition or removal of a provision is mandated by state or supervening law; and/or
- 3) it is determined by the Borough Administrator and Borough Attorney that any section of this employment policy and procedure manual requires a revision for better clarity, so long as it does not substantively change the spirit of the section or provision that is being altered; and/or
- 4) any other action is deemed necessary by the Borough Administrator and the Borough Attorney to aesthetically aid in the understanding of the spirit of the manual as approved on this day.

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 Regular meeting of said Council held October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-331

RESOLUTION RATIFYING DISCIPLINARY ACTION OF EMPLOYEE 1KWA1UXL8

WHEREAS, Employee 1KWA1UXL8 has been working as a Code Enforcement Officer in the Borough of Roselle; and

WHEREAS, it has been determined that employee 1KWA1UXL8 has been working as a Code Enforcement Officer or otherwise in a capacity with a similar title and/or responsibilities of a Code Enforcement Officer in another municipality; and

WHEREAS, an investigation was conducted, concluding that, on various occasions, employee **1KWA1UXL8**, was working both jobs at the same time; and

WHEREAS, such simultaneous employment is in violation of the expectations of employment, multiple policies of the Borough of Roselle, and the laws of the State of New Jersey; and

WHEREAS, the Borough Administrator is authorized to take disciplinary action against employees in the Borough of Roselle, especially in matters where immediate action is warranted to protect the Borough and the residents against potentially criminal acts; and

WHEREAS, employee **1KWA1UXL8** was subject to discipline in accordance with Civil Service rules and regulations and terminated effective September 16, 2022, pending a hearing; and

WHEREAS, after two (2) scheduled hearings, employee **1KWA1UXL8**, through legal counsel, **ultimately waived his right to a hearing.**

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Roselle, that an opportunity to engage in due process in accordance with Civil Service rules and regulations was provided to employee **1KWA1UXL8**. Accordingly, the Borough Council hereby ratifies the termination of employee **1KWA1UXL8** from the position of Code Enforcement Officer in the Code Enforcement Division and Borough employment, effective September 16, 2022. Further, the Borough Council hereby authorizes the Borough Administrator to take any and all necessary action to effectuate the spirit of this resolution.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at the Regular Meeting of said Council held October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-332

RESOLUTION AUTHORIZING THE REFUND OF CERTIFICATE OF OCCUPANCY PAYMENT

WHEREAS, Angel Macas submitted a payment of \$100.00 for a Residential Occupancy Certificate on 9/26/2022; and

WHEREAS, the Property 513 Willow Avenue, Block 128, Lot 3 which is located in Roselle Park and submitted the application to the Borough of Roselle in error; and

WHEREAS, Angel Macas has requested a refund of the \$100.00 for the Residential Occupancy Certificate.

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 payment in the amount of \$100.00.

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 on October 19, 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 19th day of October 2022.

RESOLUTION NUMBER 2022-333

**RESOLUTION AUTHORIZING THE REFUND OF DEPOSIT
FOR SYLVESTER LAND FIELD**

WHEREAS, Windale Bates has requested a refund for the rental deposit of Sylvester Land Field on June 8, 2022.

WHEREAS, the Recreation Department has approved the refund of the deposit.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Roselle that the Municipal Finance Officer is hereby authorized to refund of the rental deposit in the amount of \$500.00.

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 on October 19, 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 19th October day of 2022.

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

Vote Record – Resolution Nos. 2022-327 through 2022-333				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			

Councilman Bernier	X			
Councilwoman Johnson	X	2022-331		
Councilwoman Thomas	X	2022-327		
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				

PAYMENT OF BILLS

Resolution # 2022-334

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

19-Oct-22

FUND

ANIMAL CONTROL	\$ 30.00
CAPITAL ACCOUNT	
CDBG TRUST	\$536,966.34
CURRENT FUND	\$ 3,619,656.42
ESCROW TRUST	\$ 28,486.50
FSLEF	
SLEF	
GENERAL TRUST	\$ 29,808.06
ACCOUNT	
TRUST DCA FEES	
GRANT ACCOUNT	
SUI	
SEPTEMBER 23, 2022	\$ 673,250.83
PAYROLL	
OCTOBER 7, 2022	\$ 718,258.47
PAYROLL	
MANUAL CHECK	\$ 927,650.76
POAA	
REDEMPTION PREMIUM ACCOUNT	
PUBLIC DEFENDER	

REDEMPTION TRUST
RESERVE FOR ESCROW
SALARY DEDUCTION

GRAND TOTAL \$6,534,107.38

LISETTE SANCHEZ
BOROUGH CLERK

DATED: OCTOBER 19, 2022

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

Vote Record – Resolution No. 2022-334				
	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				

COUNCIL COMMENTS

Councilman Villeda provided the following comments:

- Received calls from 1st Ward about garbage collection and holidays
- Gave condolences to the Fernandez family on their loss
- Property taxes in Roselle have been stable for the past three years
- Thanked DPW for their hard work in the Borough
- Always try to do good towards other people and unite
- Can be reached by email rvilleda@boroughofroselle.com or phone (732) 535-6703

Councilman Bernier provided the following comments:

- The next 2nd Ward Meeting is scheduled for October 25, 2022 at 7:00 p.m. via Zoom
- Can be reached by email bbernier@boroughofroselle.com or phone (732) 943-6498
- Roselle Library has been open to the public without interruption to services
- Proud of emails written as a member of the Governing Body
- Use of Sylvester Land Field per exempt status and fees per Borough ordinance

- Still a lot of work to do and it takes community and volunteers to move forward as a Borough

Councilwoman Johnson provided the following comments:

- The 911 dispatch shared service with the County of Union not shared with public
- Emails sent by Councilman Bernier as a member of the Governing Body
- Borough Administrator and Mayor are at the helm of the Borough
- Bills list process for vendor payments and morale of Borough employees
- Action taken to censure her as a Council Member
- Will continue to be a voice and speak out for the residents
- Gave condolences to the family of John Phills and asked to keep his daughter in prayer
- Thanked everyone for coming out to the meeting

Councilwoman Thomas provided the following comments:

- Saddened by the meeting and encouraged Council and residents to do better
- Thanked Mrs. Lorraine Brooks-Body for her comments
- Processes and protocols for Multicultural Festival for food vendors must be followed
- The 4th Ward Meeting scheduled for October 27, 2022 at 7:00 p.m. at the Amalfe Community Center will be postponed to November 2022
- Can be reached by email cthomas@boroughofroselle.com or phone (908) 858-0395

Councilman Fortuna provided the following comments:

- The next 5th Ward Meeting is scheduled for December 5, 2022 from 6:00 p.m. to 8:00 p.m. at the Amalfe Community Center
- Asked residents to bring a list to the next ward meeting of things they want to see accomplished in 2023
- Thanked Reverend Atkins for attending his last Ward meeting
- Sidewalk tree damaged project will start mid November 2022
- Thanked Police Department for enforcement of parking on Grant and Uncas Avenue
- State law requires people under 17 to wear a helmet when operating an electric scooter
- Library in transition period as was the new garage trucks and schedule
- Wished everyone Happy Halloween and to keep the children safe

Council President Wilkerson provided the following comments:

- Echoed the sentiment of Councilwoman Thomas for their colleagues to do better
- Proud of the hard work being done by Council
- Gave condolences to the Fernandez family
- Worked and communicated with Councilman Villeda on the Multicultural Festival
- Does best to show up for residents and available to share information
- Will not tolerate attacks on the Council Members and will put facts out
- Asked for her family to be kept in prayer
- Wished everyone a good night

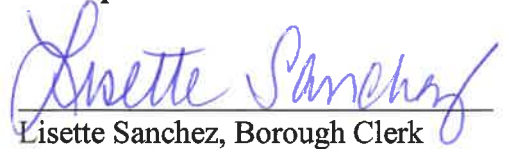
MAYOR'S COMMENTS

Mayor Shaw provided the following comments:

- Does not agree with people berating the members of the Governing Body
- Participated in a "Three Kings" event with the young man who made comments
- Never wavered or stopped HLA programs or events for the community
- Not apologizing for providing facts and truths to the public
- Thanked Council colleagues for their hard work
- Proud to be a part of the Governing Body who has a general love and concern for Roselle
- Moved to Roselle to give his family a better life and succeeded
- Always a back story to every front story and wished everyone a good night and blessings

ADJOURNMENT

Motion to adjourn by Councilwoman Johnson, second by Councilwoman Thomas. Motion was approved by unanimous vote. Meeting adjourned at 9:59 p.m.


Lisette Sanchez, Borough Clerk