

**BOROUGH OF ROSELLE
MAYOR AND COUNCIL
REGULAR MEETING MINUTES
FEBRUARY 16, 2022**

Mayor Donald 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 February 16, 2022 at 6:30 p.m. The flag salute was recited and the invocation was given by Council President Denise Wilkerson.

Borough Clerk Sanchez read the “Open Public Meetings Act” compliance statement.

STATEMENT OF COMPLIANCE

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

ROLL CALL

Present:

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

Absent: Councilwoman Cindy Thomas, Fourth Ward (Excused Absence)

Also Present:

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

PRESENTATIONS

Ms. Georgette Bradshaw, President of the Roselle Public Library made the opening statement for the project update.

Mr. Larry Uher, Vice President of Netta Architects made the Roselle Public Library expansion project update presentation. The alterations and additions will include the following:

- Building expansion of the existing library
- New addition to the first, second and basement
- The following building programming:
 - o adult collections on the first floor

- youth collections on the second floor
- children's area on the second floor
- community rooms on the first floor
- staff on all floors
- Building and site amenities
 - New parking lot with 53 spaces
 - Fully ADA accessible building and site
 - Emergency generator serving the first-floor community room wing
 - Energy efficient and environmentally conscious design
 - New furniture throughout the building
 - New fire sprinkler and fire alarm system throughout the building
 - Existing building renovations
 - State of the art design

Ms. Bibi Taylor, Project Manager of the Union County Improvement Authority overseeing the project made closing remarks. In addition, Ms. Jeanne Marie Ryan, Library Director also made closing remarks.

The Honorable Congressman Donald M. Payne, Jr., NJ 10th District provided the following Congressional update:

- Bipartisan Infrastructure and Job Act which will be used for America's roads, bridges and rails, expand access to clean drinking water, ensure every American have access to high-speed internet, tackle the climate crisis, advance environmental justice, and invest in communities that have too often been left behind.
- 65% of American have been vaccinated nationally
- 75% of New Jerseyans have been vaccinated

PROCLAMATION None

APPROVAL OF MINUTES OF MEETINGS

Minutes of the Mayor and Council Special Meeting – December 29, 2021

Minutes of the Mayor and Council Executive Session Meeting – December 29, 2021

Minutes of the Mayor and Council Reorganization Meeting – January 4, 2022

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

Vote Record – Approval of Minutes				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			

Councilwoman Johnson	X			
Councilwoman Thomas				Xe
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

COMMITTEE REPORTS

Finance Committee – Councilman Bernier reported the following:

- Capital Budget for 2022 is about \$4.4 million and will be invested into the Borough for several capital projects
- Purchase of the old Spencer Savings Bank
- Resolution cancelling a capital grant receivable of \$351,000
- Announced that CFO Anders Hasseler submitted a letter of resignation
- Thanked Mr. Hasseler for his incredible work in moving the Borough forward

Governance Committee – Council President Wilkerson reported the following:

- The Human Resources Coordinator resolution is on the agenda for consideration
- Department of Public Works is looking to hire three (3) seasonal workers
- Reverse Tax Appeal resolution is on the agenda for consideration
- Thanked Mr. Hasseler for turning the Finance Department around

Redevelopment Committee – Councilman Bernier reported the following:

- 118 West 1st Avenue redevelopment project
- Block 2605 vacant lot next to Wawa
- 901 Chandler demolition in the near future
- St. Georges Avenue in Need of redevelopment study ongoing

Library Committee – Council President Wilkerson reported the following:

- Thanked the Library Board Trustees, the Library Director, and the UCIA for their work on the new library project

COVID Committee – Council President Wilkerson reported the following:

- 84 positive Covid cases since February 2022; 1074 positive Covid cases in January 2022
- Encouraged residents to continue to mask up and get vaccinated

Public Safety Committee– Councilwoman Johnson reported the following:

- Welcomed new OEM Coordinator Roy Jones
- The Roselle Police Department will provide information once an investigation is

complete. For the month of January 2022, there were 2,684 calls for service; 533 area check/park & walks; 81 motor vehicle accidents, 3 drunken drivers; 150 ambulance calls; and 940 summons were issued

Department of Public Works – Councilman Fortuna reported the following:

- New garbage trucks have been delayed and looking to a mid-April 2022 target date
- Pothole truck resolution on the agenda for consideration
- Announced resignation of Duane Patterson DPW Superintendent

PUBLIC COMMENT

Mayor Shaw opened up the public comment portion of the meeting. Thereafter the following public comment was made:

1. **Cecilia Dallis Ricks** made the following comments:
 - a) Thanked Council for their reports
 - b) Borough clean-up
 - c) Borough vehicles parked in meter parking
2. **Anthony Esposito** expressed his concern regarding speeding and wants to know if residents can place signs on their lawns reminding drivers to slow down.
3. **Mildred Perry** thanked the Mayor and Council for their support with her Kwanza event for kids.
4. **David Buinno, Grant Writer** provided an update on his grant funding applications.
5. **Garrett Smith** expressed his concerns regarding the Borough purchasing the bank, resignation of CFO and wasteful spending.
6. **Melissa Henry** expressed her desire to become more involved with the community.
7. **Jay Rubino** expressed his gratitude towards the rails or trails resolution and the grant from New Jersey Department of Transportation.
8. **Assemblyman Rev. Atkins** provided the following comments:
 - a. Congratulated Mayor and Council on the library project
 - b. Availability of assistance for utility bills
 - c. Black History month
 - d. 2022 Mortgage Relief Program
 - e. Free breakfast and lunch for all school children
 - f. Tuition reimbursement
 - g. Unemployment assistance
9. **Fran Bernier** reminded everyone not to rely on news posted on Facebook and congratulated the Mayor and Council for all of their hard work.
10. **Jean Marie Ryan** advised that there will be an event honoring Black History Month at the library on February 23rd at 7 p.m.

INTRODUCTION, CONSIDERATION AND PASSAGE OF ORDINANCES - None

ORDINANCE ON SECOND READING/PUBLIC HEARING- Ordinance Number 2678-22

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,100,000 FOR THE ACQUISITION OF PROPERTY AND AUTHORIZING THE ISSUANCE OF \$1,047,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1.

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Roselle, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$1,100,000, such sum includes the sum of \$53,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2.

In order to finance the cost of the Improvements and grant not covered by application of the Down Payment and the grants set forth in Section 1 of this bond ordinance, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,047,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$1,047,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3.

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued is for the acquisition of property located at 108 and 109 West 3rd Avenue (Block 3901, Lot 16 and Block 3902, Lot 14), any renovations to the existing structure and acquisition of furniture, as shown on and in accordance with the plans and specifications on file in the Office of the Borough Clerk.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$1,047,000.

- (c) The estimated cost of the Improvement is \$1,100,000 which amount represents the initial appropriation made by the Borough.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such from as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5.

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the from promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Clerk and is available for public inspection.

SECTION 6.

The following additional matters are hereby determined, declared, recited and stated:

- (a) The Improvement described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 37.72 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of

Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$1,047,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7.

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8.

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking

SECTION 10.

This Section 9 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,047,000.

SECTION 11.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Shaw read Ordinance Number 2678-22 by title and opened the public hearing on the ordinance. Seeing no one come forward, Mayor Shaw closed the public comment on the ordinance.

Motion by Councilman Bernier, seconded by Council President Wilkerson to adopt Ordinance Number 2678-22 on Second Reading and Final Passage.

Recorded Vote on Final Passage Ordinance No. 2678-22 – February 16, 2022

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

ORDINANCE ON INTRODUCTION & FIRST READING — Ordinance Number 2679-22

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$4,373,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,618,855 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 12.

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Borough of Roselle, New Jersey (the “Borough”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$4,373,000,

such sum includes the (a) the sum of \$503,678 expected to be received as a grant from the New Jersey Department of Transportation in connection with East 7th Avenue between Chestnut Street and Walnut Street, West 8th Avenue between Chestnut Street and Locust Street and Walnut Street between East 9th Avenue and East 11th Avenue described in Section 3(a)(1), (b) \$60,000 expected to be received as a grant from the County of Union Kids Recreational Trust in connection with the improvements to Poplar Street Park described in Section 3(a)(2) and (c) the sum of \$190,467 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 13.

In order to finance the cost of the Improvements and grant not covered by application of the Down Payment and the grants set forth in Section 1 of this bond ordinance, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$3,618,855 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$3,618,855 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 14.

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
1. Resurfacing and reconstruction of various roads, including but not limited to West 4th Avenue between Pine Street and Chestnut Street, Halcyon Place between East 1st Avenue and East 2nd Avenue, Prospect Street between East 1st Avenue and East 3rd Avenue, Morris Street between East 12th Avenue and St. George Avenue, Spruce Street between White Street and East 9th Avenue, Warren Street between East 12th Avenue and St. George Avenue, White Street between Spruce Street	\$2,998,000	\$2,369,605	16.24 Years

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
and Rivington Street, Pine Street between East 4th Avenue and East 7th Avenue, East 10th Avenue between Chandler Avenue and Dead End, Jouet Street between East 7th Avenue and Harrison Avenue, East 7th Avenue between Chestnut Street and Walnut Street, West 8th Avenue between Chestnut Street and Locust Street, Walnut Street between East 9th Avenue and East 11th Avenue, East 10th Avenue between Frank Street and Chandler Avenue and Walnut Street between East 8th Avenue and East 9th Avenue, including curbing, milling, paving, driveway aprons, sidewalks, handicap ramps, sanitary sewer, storm sewer and other miscellaneous improvements, traffic safety improvements, and improvements to Borough parking lots, and all structures and appurtenance, work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereof on file in the office of the Clerk.			
2. Improvements to Poplar Street Park, including all structures and appurtenance, work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereof on file in the office of the Clerk.	390,000	313,500	15 Years
3. Various building improvements throughout the Borough, including all structures and appurtenance, work or materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications thereof on file in the office of the Clerk.	120,000	114,000	15 Years
4. Acquisition of Sewer Jet Vac Truck for the Department of Public Works.	480,000	456,000	15 Years

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
5. Reconditioning/Overhaul of Two Existing Ambulances.	300,000	285,000	5 Years
6. Replacement of existing Traffic Lights throughout the Borough.	85,000	80,750	10 Years
TOTAL:	\$4,373,000	\$3,618,855	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$3,618,855.

(c) The estimated cost of the Improvement is \$4,373,000 which amount represents the initial appropriation made by the Borough.

SECTION 15.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 16.

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Clerk and is available for public inspection.

SECTION 17.

The following additional matters are hereby determined, declared, recited and stated:

- (a) The Improvement described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 14.91 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$3,618,855 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$668,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 18.

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 19.

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking

SECTION 20.

This Section 9 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$3,618,855.

SECTION 21.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Councilman Bernier, seconded by Councilman Fortuna to adopt Ordinance Number 2679-22 on Introduction & First Reading.

Recorded Vote on Introduction Ordinance No. 2679-22 – February 16, 2022

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

Public Hearing is scheduled for March 16, 2022.

ORDINANCE ON INTRODUCTION & FIRST READING — Ordinance Number 2680-22

AN ORDINANCE AMENDING CHAPTER 650 “LAND USE,” SECTION 86.1 “FEES AND ESCROW DEPOSITS” OF THE CODE OF THE BOROUGH OF ROSELLE TO ELIMINATE EXEMPTIONS FOR THE PAYMENT OF PROFESSIONAL FEES

WHEREAS, the Borough of Roselle currently covers the cost of professional services to review land use applications for one- and two-family dwellings rather than establishing an escrow arrangement with the applicant, which is not the norm; and

WHEREAS, after review with the Borough Planner and redevelopment staff, the Borough Council desires to eliminate such exemptions to better align with surrounding municipalities.

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

Section 1. Amendment of Article XI

Chapter 650 “Land Use,” Article XI “Administration, Enforcement and Fees,” Section 86.1 “Fees and escrow deposits” of the Code of the Borough of Roselle is hereby amended as follows:

- I. Completely remove §650-86.1B(6).

Section 2. Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall continue in full force and effect, and to this end the provisions of this ordinance are hereby declared to be severable.

Section 3. Repealer

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

Section 4. Effective Date

This ordinance shall become effective immediately or as prescribed by law.

Motion by Councilman Villeda, seconded by Councilman Bernier to adopt Ordinance Number 2680-22 on Introduction & First Reading.

Recorded Vote on Introduction Ordinance No. 2680-22 – February 16, 2022

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

Public Hearing is scheduled for March 16, 2022.

CONSENT AGENDA

RESOLUTION NUMBER 2022-088

**RESOLUTION APPOINTING KHEESHA WALLS AS A PROVISIONAL FULL-TIME
HUMAN RESOURCE COORDINATOR AT THE ANNUAL SALARY OF \$70,000.00**

WHEREAS, there is a need in the Borough of Roselle for a full-time Human Resource Coordinator; and

WHEREAS, Kheesha Walls was interviewed and evaluated by the Borough Administrator and has proven to have the desired work experience and academic credentials to be the Human Resource Coordinator; and

WHEREAS, the Borough Administrator recommends the hiring of Kheesha Walls a full-time Human Resource Coordinator, as a provisional appointment pending open-competitive announcement; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle that Kheesha Walls is hereby appointed to the position of provisional full-time Human Resource Coordinator, without tenure rights, effective February 28, 2022, pending the outcome of an open-competitive examination and certification from an eligible list; and

BE IT FURTHER RESOLVED, that the appointment of Kheesha Walls is subject to the satisfactory completion of a criminal background check, the initial cost of which is to be borne by the prospective appointee and will be reimbursed by the Borough, so long as the results of the background check are satisfactory, and employment is continued; and

BE IT FURTHER RESOLVED, that this appointment is subject to the successful completion of the ninety (90) day working test period, as required by N.J.S.A. 11A:4-15 and Civil Service Regulations; and

BE IT FURTHER RESOLVED, that a waiver of the Borough's residency requirement is hereby granted to Ms. Walls; and

BE IT FURTHER RESOLVED, that the annual salary for Kheesha Walls shall be \$70,000.00, prorated for calendar year 2022; and Ms. Walls shall be eligible for the following benefit and emoluments upon the effective date of her employment with the Borough:

- a. Any remaining of the Borough's annual fourteen (14) paid holidays, plus one (1) annual floating holiday.

- b. Vacation will be allotted as twenty (20) days and that at the end of any calendar year, only twelve (12) work days of annual vacation will be allowed to carry over.
- c. Sick leave earned at the rate of one (1) day per month during the first year of employment; in subsequent years, fifteen (15) work days of sick leave will be credited annually, in anticipation of continued employment. Sick leave days are available for use in the year earned. Sick leave days may accumulate from year to year without limit, but any unused sick leave time will be forfeited at the time of retirement or separation from Borough employment.
- d. Five (5) annual personal days are credited every calendar year, including the first year of employment. Personal days may not be utilized during the first ninety (90) days of employment.
- e. Enrollment in the Borough's medical, prescription and dental plans subject to each plan's waiting period and optical reimbursement in the amount of up to \$50.00 per calendar year for office visits and up to \$100.00 per calendar year for eyeglass or contact lenses purchase.

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 February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-089

**RESOLUTION OF THE BOROUGH OF ROSELLE AUTHORIZING SETTLEMENT
OF THE TAX APPEAL ENTITLED BOROUGH OF ROSELLE V. REFUGE CAPITAL
LLC PENDING IN THE TAX COURT OF NEW JERSEY, FOR THE PROPERTY
LOCATED AT BLOCK 7308, LOT 6, COMMONLY KNOWN AS 133 ST. GEORGE
AVENUE, ROSELLE.**

WHEREAS, the Borough's Special Counsel for reverse tax appeals ("Special Counsel") has initiated an appeal against taxpayer, Refuge Capital LLC ("Refuge"), for the real property tax assessment for tax year 2020, in the matter bearing Docket No. 012032-2020, and for tax year 2021, in the matter bearing Docket No. 010595-2021, pending in the Tax Court of New Jersey for Block 7308, Lot 6 (the "Tax Appeal"); and

WHEREAS, the Borough of Roselle and Refuge desire to settle the Tax Appeals for tax years 2020 and 2021; and

WHEREAS, the proposed settlement agreement has been reviewed and recommended by the Borough's Special Counsel; and

WHEREAS, settlement of the Tax Appeals as more fully set forth below is in the best interests of the Borough of Roselle.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE, as follows:

Section 1. The Mayor and the Council agree to the tax appeal settlement for property known as 133 St. George Avenue for tax years 2020 and 2021 as follows:

133 St George Avenue
Block 7308, Lot 6

a. The Tax Appeal for tax year 2020 bearing Docket No. 012032-2020 will result in an increase in the assessment as follows:

b.

<u>Year 2020</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$414,700	n/a	\$414,700
Improvements	<u>\$370,300</u>	n/a	<u>\$530,300</u>
Total	\$785,000	n/a	\$945,000

b. The Tax Appeal for tax year 2021 bearing Docket No. 010595-2021 will result in an increase in the assessment as follows:

<u>Year 2020</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$414,700	n/a	\$414,700
Improvements	<u>\$370,300</u>	n/a	<u>\$470,300</u>
Total	\$785,000	n/a	\$885,000

Section 2. The Borough's Special Counsel and Tax Assessor are hereby authorized and directed to execute and deliver such agreements, pleadings, stipulations or other documentation as is reasonably necessary and/or appropriate to memorialize the settlement authorized herein. A copy of the signed stipulation of settlement is attached hereto.

Section 3. A copy of this Resolution shall be filed in the Office of Borough Clerk.

Section 4. This Resolution shall take effect immediately.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution

adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held on February 16, 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 16th day of February, 2022.

RESOLUTION NUMBER 2022-090

**RESOLUTION GRANTING A TEMPORARY ENTERTAINMENT
LICENSE TO IT'S A VIBE EVENTS, LLC**

WHEREAS, On November 20, 2010, the Borough of Roselle adopted Ordinance Number 2386-10; codified in the Borough code as Chapter 190, requiring any public dance hall, public assembly hall, nightclub, cabaret, theater, movie house, social club, restaurant and/or any person, partnership or corporation holding a plenary retail consumption license, occupying any buildings or parts of buildings, to obtain an entertainment license therefore from the Borough of Roselle; and

WHEREAS, pursuant to the Ordinance, an Applicant It's A Vibe Events, LLC, is required to obtain an entertainment license with the Borough of Roselle; and

WHEREAS, the Applicant, has complied with an application process as set forth by the Municipal Clerk of the Borough of Roselle and satisfied all requirements of the Ordinance in order to obtain said license; and

WHEREAS, the Borough has met with the applicant and advised the applicant that the Borough is currently in the process of amending this section of the Borough Code, based on recommendations of the Police department; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle that a Temporary Entertainment License will be issued to the Applicant It's A Vibe Events, LLC, for a term of six (6) months, from the date of this resolution. The Applicant must reapply for an Entertainment License in **August** or as soon thereafter as reasonable after a new Ordinance is passed.

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 February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-091

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

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

The New Beginnings Kingdom Ministries, 7 Bridge Street, Elizabeth, NJ 07201, request permission to use Loud Speakers or Sound Amplifiers on February 23 & 26, 2022, between the hours of 10:00 a.m. to 6:00 p.m. (1 hour session). The location of use is 2nd Avenue, Locust Street and Chestnut Street in the Borough of Roselle. The rain date is March 5, 2022 from 10:00 a.m. to 6:00 p.m. (1 hour session).

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

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

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

I, Lisette Sanchez, Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-093

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND
NON-OPEN CONTRACT TO JGSC GROUP FOR PROFESSIONAL
SERVICES IN CONNECTION WITH REDEVELOPMENT WITHIN THE BOROUGH
NOT TO EXCEED \$72,000.00**

WHEREAS, the Borough of Roselle has a need to acquire redevelopment consultants as a non-fair and non-open contract pursuant to the provisions of N.J.S.A. 40A:11-3(b); and,

WHEREAS, the Purchasing Agent has and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, JGSC Group has submitted a proposal indicating they will provide redevelopment services to the Borough for the period from January 1, 2022 through December 31, 2022; and

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

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

1. That the Borough Council awards a contract to and appoints JGSC Group located at 2845 Powell Ave, Pennsauken, NJ 08110 to provide professional redevelopment services to the Borough, for an amount not to exceed \$72,000.00, for a period from January 1, 2022 through December 31, 2022.
2. 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)) because redevelopment services are a recognized profession licensed and regulated by law.
3. 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.
4. That an executed copy of the Contract between the Borough and JGSC Group, 2845 Powell Ave, Pennsauken, NJ 08110, 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.
5. 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).
6. All previous Resolutions and/or orders and directives of Borough employees or officials, which are contrary to or inconsistent with the terms of this instant Resolution, are hereby rescinded, repealed and otherwise deemed ineffectual, to the extent of their inconsistency.
7. That this Resolution shall take effect immediately.

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held February 16, 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 16th day of February, 2022.

RESOLUTION NUMBER -2022-094

**RESOLUTION AMENDING RESOLUTION 2021-376 OF THE BOROUGH OF
ROSELLE DESIGNATING REDEVELOPER AND AUTHORIZING EXECUTION OF
THE REDEVELOPMENT AGREEMENT WITH ROSE HOMES LLC**

WHEREAS, the Borough Council (the “**Borough Council**”) of the Borough of Roselle (the “**Borough**”) adopted a Resolution on September 19, 2007, requesting the Planning Board of the Borough (the “**Planning Board**”) review a resolution designating the Borough as an area in need of rehabilitation in accordance with *N.J.S.A.* 40A:12-14; and

WHEREAS, the Planning Board received a report from the Borough Engineer that within the Borough, the water and sewer lines are at least 50 years old and are in need of substantial maintenance, and that the designation of the Borough as an area in need of rehabilitation is necessary to prevent further deterioration and to promote the overall development of the Borough (the “**Report**”); and

WHEREAS, based on the Borough Engineer’s Report, and after holding hearings, the Planning Board found that the Borough satisfied the statutory criteria to be designated as an area in need of rehabilitation; and

WHEREAS, the Planning Board reviewed the recommendation its adoption and designation of the entire Rehabilitation Area in need of rehabilitation in accordance with *N.J.S.A.* 40A:12A-14 (the “**Rehabilitation Area**”); and

WHEREAS, the Borough Council reviewed the recommendation of the Planning Board and Adopted a Resolution on October 11, 2007, directed the Planning Board to develop a redevelopment plan for certain parcels located in the Rehabilitation Area in accordance with *N.J.S.A. 40A:12A-7(f)*; and

WHEREAS, the Planning Board prepared a redevelopment plan pursuant to *N.J.S.A. 40A:12A-7* for an area bounded as follows:

Beginning at the corner of Chestnut Street and St. George 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 Part, south along the eastern border of Blocks 1402 and 1404 to St. George, and St. George Avenue west to Chestnut Avenue, (hereinafter the **(Central Roselle Revitalization Area)**) entitled the Central Roselle Revitalization Plan (the **“Initial Redevelopment Plan”**); and

WHEREAS, the Planning Board forwarded the Initial Redevelopment Plan to the Borough Council for review and adoption pursuant to *N.J.S.A. 40A:12A-7* by Resolution dated October 11, 2007; and

WHEREAS, the Borough Council reviewed the Initial Redevelopment Plan and approved the Initial Redevelopment Plan as recommended by the Planning Board, with one modification thereto (the Initial Redevelopment Plan with the Borough Council’s amendment hereafter being referred to as the **“Redevelopment Plan”**); and

WHEREAS, the Borough Council adopted the Redevelopment Plan by Ordinance dated December 19, 2007, finding among other things, it was substantially consistent with the Master Plan of the Borough; 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 Rehabilitation

Area to exercise the powers contained in the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.* (the “**Act**”); and

WHEREAS, the Borough is the owner of certain parcels of real property within the Rehabilitation Area which includes the entire Borough as set forth in **Exhibit A**, attached hereto and made part hereof, the (“**Project Parcels**”); and

WHEREAS, all parcels are within the Central Roselle Rehabilitation Area;
and

WHEREAS, the Borough has determined that Project Parcels are no longer needed for public use, and that the redevelopment thereof in accordance with the applicable provision of the Redevelopment Plan will contribute to the rehabilitation and reinvigoration of the Borough and to the social and economic improvement of the Borough in accordance with the legislative intent, goals and objectives of the Act; and

WHEREAS, Rose Homes, LLC (referred to herein as “**Redeveloper**”) has expressed a desire to redevelop the Project Parcels with the construction of residential properties thereon; and

WHEREAS, Redeveloper has previously purchased from the Borough forty-four parcels and completed forty-four single family homes creating approximately \$450,000 per annum in new taxes; and

WHEREAS, the six parcels can become six building lots subject to the Boards actions; and

WHEREAS, the Borough and Redeveloper have negotiated the terms and conditions of a redevelopment agreement governing the Redeveloper’s redevelopment of the Project Parcels (the “**Redevelopment Agreement**”), (a copy of which is attached hereto as **Exhibit B** and made a part hereof); and

WHEREAS, the Borough has determined that it is in the best interest of the Borough to enter into the Redevelopment Agreement with the Redeveloper for the redevelopment of the Project Parcels and to authorize the execution of the Redevelopment Agreement.

WHEREAS, at a Regular Meeting on December 15, 2021, the Borough Council adopted Resolution 2021-376, which contained the incorrect attachment and did not accurately reflect the relevant Block and Lot numbers to which the resolution applied; and

WHEREAS, the Borough and Council recognizes the need to amend the previously entered resolution to reflect the correct Block and Lot numbers relevant to the redevelopment agreement.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE, as follows:

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

Section 2. The Redeveloper is hereby designated as the redeveloper of the Project Parcels, subject to the execution of the Redevelopment Agreement.

Section 3. The Mayor is authorized to execute a Redevelopment Agreement with the Redeveloper in substantially the same form as the Redevelopment Agreement attached hereto as Exhibit B, with such additions deletions and modification as the Mayor may determine necessary upon consultation with counsel and the Redeveloper.

Section 4. A copy of this Resolution shall be filed in the Office of the Borough Clerk.

Section 5. 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 February 16, 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 16th day of February, 2022.

RESOLUTION NUMBER 2022-095

**RESOLUTION AMENDING RESOLUTION 2021-397 OF THE BOROUGH OF
ROSELLE DESIGNATING REDEVELOPER AND AUTHORIZING EXECUTION OF
THE REDEVELOPMENT AGREEMENT WITH ROSE HOMES LLC FOR TWO
PARCELS AT OAK AND TENTH STREETS**

WHEREAS, the Borough Council (the “**Borough Council**”) of the Borough of Roselle (the “**Borough**”) adopted a Resolution on September 19, 2007, requesting the Planning Board of the Borough (the “**Planning Board**”) review a resolution designating the Borough as an area in need of rehabilitation in accordance with *N.J.S.A.* 40A:12-14; and

WHEREAS, the Planning Board received a report from the Borough Engineer that within the Borough, the water and sewer lines are at least 50 years old and are in need of substantial maintenance, and that the designation of the Borough as an area in need of rehabilitation is necessary to prevent further deterioration and to promote the overall development of the Borough (the “**Report**”); and

WHEREAS, based on the Borough Engineer’s Report, and after holding hearings, the Planning Board found that the Borough satisfied the statutory criteria to be designated as an area in need of rehabilitation; and

WHEREAS, the Planning Board reviewed the recommendation its adoption and designation of the entire Rehabilitation Area in need of rehabilitation in accordance with *N.J.S.A.* 40A:12A-14 (the “**Rehabilitation Area**”); and

WHEREAS, the Borough Council reviewed the recommendation of the Planning Board and Adopted a Resolution on October 11, 2007, directed the Planning Board to develop a redevelopment plan for certain parcels located in the Rehabilitation Area in accordance with *N.J.S.A. 40A:12A-7(f)*; and

WHEREAS, the Planning Board prepared a redevelopment plan pursuant to *N.J.S.A. 40A:12A-7* for an area bounded as follows:

Beginning at the corner of Chestnut Street and St. George 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 Part, south along the eastern border of Blocks 1402 and 1404 to St. George, and St. George Avenue west to Chestnut Avenue, (hereinafter the **(Central Roselle Revitalization Area)**) entitled the Central Roselle Revitalization Plan (the **“Initial Redevelopment Plan”**); and

WHEREAS, the Planning Board forwarded the Initial Redevelopment Plan to the Borough Council for review and adoption pursuant to *N.J.S.A. 40A:12A-7* by Resolution dated October 11, 2007; and

WHEREAS, the Borough Council reviewed the Initial Redevelopment Plan and approved the Initial Redevelopment Plan as recommended by the Planning Board, with one modification thereto (the Initial Redevelopment Plan with the Borough Council’s amendment hereafter being referred to as the **“Redevelopment Plan”**); and

WHEREAS, the Borough Council adopted the Redevelopment Plan by Ordinance dated December 19, 2007, finding among other things, it was substantially consistent with the Master Plan of the Borough; 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 Rehabilitation

Area to exercise the powers contained in the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Act**”); and

WHEREAS, the Borough is the owner of certain parcels of real property within the Rehabilitation Area which includes the entire Borough as set forth in **Exhibit A**, attached hereto and made part hereof, the (“**Project Parcels**”); and

WHEREAS, both parcels are within the Central Roselle Rehabilitation Area;
and

WHEREAS, the Borough has determined that Project Parcels are no longer needed for public use, and that the redevelopment thereof in accordance with the applicable provision of the Redevelopment Plan will contribute to the rehabilitation and reinvigoration of the Borough and to the social and economic improvement of the Borough in accordance with the legislative intent, goals and objectives of the Act; and

WHEREAS, Rose Homes, LLC (referred to herein as “**Redeveloper**”) has expressed a desire to redevelop the Project Parcels with the construction of residential properties thereon; and

WHEREAS, Redeveloper has previously purchased from the Borough forty-four parcels and completed forty-four single family homes creating approximately \$450,000 per annum in new taxes; and

WHEREAS, the two parcels can become five building lots subject to the Boards actions; and

WHEREAS, the Borough and Redeveloper have negotiated the terms and conditions of a redevelopment agreement governing the Redeveloper’s redevelopment of the Project Parcels (the “**Redevelopment Agreement**”), (a copy of which is attached hereto as **Exhibit B** and made a part hereof); and

WHEREAS, the Borough has determined that it is in the best interest of the Borough to enter into the Redevelopment Agreement with the Redeveloper for the redevelopment of the Project Parcels and to authorize the execution of the Redevelopment Agreement.

WHEREAS, at a Regular Meeting on December 15, 2021, the Borough Council adopted Resolution 2021-397, which contained the incorrect attachment and did not accurately reflect the relevant Block and Lot numbers to which the resolution applied; and

WHEREAS, the Borough and Council recognizes the need to amend the previously entered resolution to reflect the correct Block and Lot numbers relevant to the redevelopment agreement.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE, as follows:

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

Section 2. The Redeveloper is hereby designated as the redeveloper of the Project Parcels, subject to the execution of the Redevelopment Agreement.

Section 3. The Mayor is authorized to execute a Redevelopment Agreement with the Redeveloper in substantially the same form as the Redevelopment Agreement attached hereto as Exhibit B, with such additions deletions and modification as the Mayor may determine necessary upon consultation with counsel and the Redeveloper.

Section 4. A copy of this Resolution shall be filed in the Office of the Borough Clerk.

Section 5. 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 if the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held on February 16, 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 16th day of February, 2022.

RESOLUTION NUMBER 2022-096

**RESOLUTION OF THE BOROUGH OF ROSELLE, IN THE COUNTY OF UNION,
NEW JERSEY, DESIGNATING A CONDITIONAL REDEVELOPER FOR BLOCK
3801, LOTS 2.01, 4, 5 AND 6 ON THE BOROUGH'S TAX MAP AND AUTHORIZING
THE EXECUTION OF AN INTERIM COSTS AGREEMENT WITH RESPECT
THERE TO**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the "Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas designated as being in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, on April 15, 2020, the Municipal Council of the Borough (the "Borough Council") **adopted Resolution 2020-135 designating the properties identified on the official tax map of the Borough as Block 3801, Lots 2.01, 4, 5, and 6, as an area in need of redevelopment with condemnation powers referred to as the "Central Business District Redevelopment Area" (the "Redevelopment Area" or "Project Area"); and**

WHEREAS, pursuant to the Redevelopment Law, on March 17, 2021, **the Borough Council adopted Ordinance No. 2642-21 approving a redevelopment plan for the Redevelopment Area entitled the "Redevelopment Plan for Block 3801" (the "Redevelopment Plan"); and**

WHEREAS, 118 Roselle Properties Urban Renewal, LLC (and/or its affiliates, the "Conditional Redeveloper") **is the owner or contract purchaser of certain properties within the Project Area identified on the official tax map of the Borough as Block 3801, Lots 4 and 6; and**

WHEREAS, **one of the parcels located within the Project Area, Block 3801, Lot 2.01, as identified on the official tax map of the Borough, is presently owned by the Borough; and**

WHEREAS, **one of the parcels located within the Project Area, Block 3801, Lot 5, as identified on the official tax map of the Borough, is presently owned by a third party; and**

WHEREAS, Conditional Redeveloper **proposes to assemble the Project Area to remediate, develop, finance, construct, implement, and cohesively redevelop same with one (1) mixed-use building comprised of approximately 134 residential dwellings, two (2) commercial retail units,**

and approximately 157 parking spaces (together with certain other on-site and off-site improvements and other related obligations, collectively, the “Project”); and

WHEREAS, the Borough wishes to engage in preliminary negotiations with the Conditional Redeveloper in furtherance of entering into a formal redevelopment agreement, with said preliminary negotiations to include the receipt and review of additional Project specific information from the Conditional Redeveloper as may be requested; and

WHEREAS, the Borough has determined that in order to coordinate the redevelopment of the Redevelopment Area in the most timely and efficient manner, it is in the best interests of the Borough to designate the Conditional Redeveloper as the conditional redeveloper of the Redevelopment Area, pending the negotiation and execution of a more comprehensive redevelopment agreement (the “Redevelopment Agreement”) with the Conditional Redeveloper; and

WHEREAS, the Borough desires to authorize the execution of an interim costs agreement with the Conditional Redeveloper (in the form attached hereto as Exhibit A, the “Interim Costs Agreement”) to reimburse the Borough for any and all costs incurred by the Borough prior to the execution of a Redevelopment Agreement, including the Borough’s reasonably incurred out-of-pocket fees, costs and expenses for outside professionals or consultants retained by the Borough, related to the designation of the Redevelopment Area as an area in need of redevelopment, the preparation and adoption of the Redevelopment Plan, the designation of the Conditional Redeveloper as the conditional redeveloper of the Redevelopment Area, negotiation of the terms and conditions of a redevelopment agreement and other documents related to the redevelopment of the Redevelopment Area, including, but not limited to, fees for legal, accounting, engineering, planning, appraisal and financial advisory services, including all such fees, costs and expenses incurred prior to the date of adoption of this resolution (the “Interim Costs”).

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 foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. 118 Roselle Properties Urban Renewal, LLC is hereby designated as the Conditional Redeveloper of the Redevelopment Area pending the execution of the Redevelopment Agreement with the Borough.

Section 3. The within designation is hereby made for a limited period of one hundred twenty (120) days and is contingent upon the Conditional Redeveloper providing any additional Project related information as may be requested by the Borough.

Section 4. The within designation is further contingent upon (i) the Conditional Redeveloper agreeing to reimburse the Borough for all Interim Costs in accordance with the Interim Costs

Agreement and (ii) negotiating a formal Redevelopment Agreement between the Borough and the Conditional Redeveloper.

Section 5. The Mayor of the Borough is hereby authorized and directed to execute the Interim Costs Agreement, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Borough's counsel and other professionals.

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 February 16, 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 16th day of February 2022.

RESOLUTION NUMBER -2022-097

**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR THE 2021 NJDOT
VARIOUS 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, January 20, 2022, at 9:00 A.M. for the above-referenced project; and

WHEREAS, there were eleven (11) of bids received with the low bidder for the project being American Asphalt & Trucking LLC, 818 Summer Avenue, Newark, NJ 07104 with a Base Bid of \$539,093.65, Alternate Bid A of \$278,203.64 and Total Bid amount of \$817,297.29; 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 American Asphalt & Trucking LLC; and

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

WHEREAS, this Project is funded by multiple sources including NJDOT Fiscal Year 2021 Municipal Aid 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 American Asphalt & Trucking, LLC with a Total Base Bid amount of **\$817,297.29**.

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 February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-098

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING
CONSTRUCTION ADMINISTRATION SERVICES IN CONNECTION WITH
THE NJDOT FISCAL YEAR 2021 VARIOUS STREETS IMPROVEMENTS FOR
DRAKE AVENUE AND WEST 4TH AVENUE FUNDED BY NJDOT AND THE
MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY,
NEW JERSEY.**

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

WHEREAS, Colliers Engineering & Design dba Maser Consulting is familiar with the design procedures that are necessary for said improvements and shall perform the tasks as delineated in the January 27, 2022 correspondence; and

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

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

WHEREAS, on January 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 Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically within bond ordinance number 2643-21 for said engineering services for the various roadway improvements.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer (Colliers Engineering & Design) is authorized to perform professional engineering construction administration services in the amount of \$75,000.00 for the Fiscal Year 2021 NJDOT Various Streets Improvements.

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 February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-099

RESOLUTION FOR A CHANGE ORDER NO. 2 AMENDMENT TO THE CONTRACT FOR DLS CONTRACTING, INC. REGARDING ADDITIONAL SITE WORK FOR THE COMPLETION OF THE 2020 NJDOT VARIOUS STREETS IMPROVEMENTS PROJECT

WHEREAS, DLS Contracting Inc., 36 Montesano Road, Fairfield, NJ 07004 was awarded a contract for the above-referenced project in the amount of \$409,657.97 by way of Resolution Number 2020-343 and Change Order Resolution Number 2021-256 in the amount of \$6,500.00 for a total adjusted contact amount of \$416,157.97; and

WHEREAS, additional funds are required to complete the project due to unforeseen ponding conditions on W 6th and Martin and additional construction needed as listed in the Colliers Engineering & Design email correspondence dated January 26, 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 **\$14,575.21**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose, specifically Bond Ordinance 2627-20.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the above-referenced increase in project scope is authorized to DLS Contracting Inc. as per the Colliers Engineering & Design email dated January 26, 2022 and the following breakdown:

Contract Amount	\$409,657.97
Approved Change Order No. 1	\$ 6,500.00
Adjusted Contract Amount	\$416,157.97
Change Order No 2	\$ 14,575.21
Total Adjusted Contract Amount	\$430,733.18

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 February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-100

**RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING DESIGN
SERVICES IN CONNECTION WITH THE 2022 CAPITAL ROAD PROGRAM
FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION
COUNTY, NEW JERSEY.**

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

WHEREAS, Colliers Engineering & Design dba Maser Consulting is familiar with the design procedures that are necessary for said improvements and shall perform the tasks as delineated in the January 26,2022 correspondence; and

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

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

WHEREAS, on January 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 Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically within bond ordinance number 2643-21 for said engineering services for the various roadway improvements.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer (Colliers Engineering & Design) is authorized to perform professional engineering design services in the amount of \$180,000.00 for the 2022 Capital Road Program.

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 February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-101

RESOLUTION AUTHORIZING THE REFUND OF ESCROW DEPOSIT

WHEREAS, Allen Industries has requested a refund for the unspent moneys for escrow deposit at 67 St. George Ave on January 25, 2022, and

WHEREAS, the Economic Development Department has approved the refund of the escrow 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 the remainder of the escrow deposit in the amount of \$2,637.43.

I, Lisette Sanchez, Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held on February 16, 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 16th day of February 2022

RESOLUTION NUMBER 2022-102

RESOLUTION CANCELLING CHECKS

WHEREAS, a review of the Finance Department records revealed that there is/are stale outstanding check/checks to be canceled; and

WHEREAS, the following list of check/checks will be voided:

#	11686	Current	\$ 20.00	2019
#	11763	Current	\$ 135.00	2019
#	11769	Current	\$ 50.00	2019
#	12297	Current	\$ 354.05	2019
#	12357	Current	\$ 10.35	2019
#	12565	Current	\$ 13.00	2020
#	12744	Current	\$ 10.00	2020
#	12816	Current	\$ 150.00	2020
#	12822	Current	\$ 155.00	2020
#	12853	Current	\$ 75.00	2020
#	12998	Current	\$ 150.00	2020
#	13391	Current	\$ 30.78	2020
#	13468	Current	\$1,775.00	2020
#	13582	Current	\$ 106.20	2020
#	13899	Current	\$ 600.00	2020
#	14168	Current	\$ 654.00	2020
#	14253	Current	\$ 100.00	2020
#	14326	Current	\$ 450.00	2020
#	14384	Current	\$ 100.00	2020
#	14444	Current	\$ 175.00	2020
#	14543	Current	\$ 62.00	2020
#	15283	Current	\$ 100.00	2020

5420 Capital \$ 695.00 2019

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle, that the above stale check/checks be canceled and voided.

I, Lisette Sanchez, Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held on February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-103

**RESOLUTION AUTHORIZING A CORRECTION OF REFUND OF TAX
OVERPAYMENTS**

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

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

WHEREAS, a correction is being made to Resolution 2022-040 where the amount resolved was incorrect.

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 correction and to deliver said checks to the proper persons.

Name	Mailing Address	Block	Lot	Q	Reason	Total
Gladys Monteiro	1515B St. George	1403	93		C515B Incorrect Amt	\$ 3,021.05
Gladys Monteiro	1515B St. George	1403	93		C515B Correction	\$ 921.09

I, Lisette Sanchez, Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held on February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-104

RESOLUTION TO CANCEL RESERVE OF FUNDS - GENERAL CAPITAL

WHEREAS, there are certain reserves in the capital account for open grant receivables; and

WHEREAS, those grant monies have been received or canceled;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle, County of Union, State of New Jersey that the reserve for capital grants receivable be canceled and be credited to the Capital Surplus or Deferred Charged unfunded as appropriate.

<u>Reserve</u>	<u>Amount</u>
Capital Grants Receivable	\$ 351,003.05

I, Lisette Sanchez, Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held February 16, 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 16th day of February, 2022.

RESOLUTION NUMBER 2022-105

RESOLUTION CANCELING GRANT BALANCE

WHEREAS, there exists Grant Receivables and Grant Reserves on the Balance Sheet;

WHEREAS, it is necessary to formally cancel the receivable balance and their offsetting appropriation balance from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, that the following grant receivable and appropriation balance be canceled:

Grant	Year	Cancel Appropriation	Cancel Receivable
DDEF	2016		25,634.66
Total			25,634.66

1. The Borough Clerk is hereby authorized and directed to transmit to the Chief Financial Officer and Borough Auditor, a certified copy of this resolution.
2. This resolution shall take effect immediately.

3. A copy of this resolution shall be filed forthwith with the Director of New Jersey, Division of Local Government Service.

I, Lisette Sanchez, Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held February 16, 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 16th day of February, 2022.

RESOLUTION NUMBER 2022-106

**RESOLUTION APPOINTING ACRISURE AS INSURANCE BROKERS OF RECORD
FOR THE BOROUGH OF ROSELLE FOR MEDICAL/HEALTH INSURANCE NOT TO
EXCEED \$45,000.00**

WHEREAS, the Borough Council of the Borough of Roselle hereby approves Acrisure as qualified vendor as part of a Fair and Open Process established and exercised pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough Council desires to appoint Acrisure with offices at 1460 Route 9 North, Ste. 310, Woodbridge, NJ 07095 conditioned upon the negotiation and execution of a satisfactory contract; and

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

1. That the Borough Council appoints Acrisure as Insurance Broker of Record for the Borough of Roselle for Health Insurance for the period January 1, 2022 through December 31, 2022, subject to the negotiation and execution of a satisfactory contract as approved by this council, and

2. This Resolution is adopted and shall be instituted as part of a Fair and Open Process established and exercised pursuant to N.J.S.A. 19:44A-20.5, and

3. That this Contract is awarded without competitive bidding for the provision of insurance services under the provisions of the Local Public Contracts Law (N.J.S.A. 40A: 11-5(1)(m)) and based upon the proposal for such services and the qualifications of the firm set forth therein.

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.

5. 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.

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 February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-107

**RESOLUTION APPROVING A LIST OF QUALIFIED VENDORS FOR
PROFESSIONAL SERVICES WITHIN THE BOROUGH OF ROSELLE FOR THE
CALENDAR YEAR 2022**

WHEREAS, in accordance with N.J.S.A. 40A:11-2(6) the Borough of Roselle in the County of Union, a municipal corporation of the State of New Jersey, instituted a policy to negotiate agreements for Professional Services on the basis of demonstrated confidence and qualifications for types of Professional Services required by the Borough of Roselle pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.4; and,

WHEREAS, the Borough of Roselle has received in accordance with a published notice, sealed qualifications for various positions; and,

WHEREAS, pursuant to the fair and open process, and based upon review of specifications, qualifications and recommendations therefore, certain professionals are qualified for certain positions for the calendar year 2022:

Appraisal Services

Appraisal Consultants Corp.
293 Eisenhower Parkway, Suite 180
Livingston, NJ 07039

Special Counsel Tax Foreclosures

Shain Schaffer
150 Morristown Road, Suite 105
Bernardsville, NJ 07924

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle, County of Union, State of New Jersey, that in accordance with N.J.S.A. 40A:11-2(6) on such basis as necessary, and for each of the approved and qualified vendors, a resolution approving each individual specified contract shall be considered by the Mayor and Council; and

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a regular meeting of said Council held February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-108

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND NON-OPEN
CONTRACT TO BLAU AND BLAU, ATTORNEYS AT LAW TO FILE AFFIRMATIVE
TAX APPEALS ON BEHALF OF THE BOROUGH**

WHEREAS, the Borough of Roselle (the "Borough") has determined that certain commercial properties within the Borough appear to be under-assessed; and

WHEREAS, the Borough of Roselle has a need to acquire Reverse Tax Appeal Services as a non-fair and non-open contract pursuant to the provisions of N.J.S.A. 40A:11-3(b); and,

WHEREAS, the Purchasing Agent has and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, Blau and Blau has previously provided Reverse Tax Appeal services to the Borough, which were found to be acceptable; and

WHEREAS, Blau and Blau have indicate that they are willing to provide Reverse Tax Appeal services to the Borough for the period of January 1, 2022 through December 31, 2022; and

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

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

1. That the Borough Council awards a contract to and appoints Blau and Blau, 223 Mountain Avenue, Springfield, NJ 07081 to provide reverse tax appeal services to the Borough, on a contingent-fee arrangement, under which the Borough will not incur any legal expenses unless successful in the anticipated affirmative tax appeals, said contract to be for a period from January 1, 2022 through December 31, 2022.
2. No appropriation of funds is required at this time, with payment to Blau & Blau coming from the proceeds of any successful tax appeals.
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 Blau and Blau, 223 Mountain Avenue, Springfield, NJ 07081, 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.

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-109

**RESOLUTION OF THE BOROUGH OF ROSELLE COUNCIL
AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN ON BEHALF OF THE
EVERETT HATCHER MUNICIPAL ALLIANCE FOR FISCAL YEAR 2023**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government, law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies, in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, recognizing that the abuse of alcohol and drugs is a serious problem in our society among persons of all ages, has established the Everett Hatcher Municipal Alliance Committee; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon the entire community, as well as public officials, to take action to prevent the abuse of alcohol and drugs in our community; and

WHEREAS, The Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Union;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, hereby recognizes the following:

1. The Borough Council does hereby authorize the submission of the attached strategic plan for the Everett Hatcher Municipal Alliance grant for fiscal year 2023 in the following amounts:

DEDR	\$6,547.00
Cash Match	\$1,637.00
In-Kind	\$4,910.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

I, Lisette Sanchez, Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held February 16, 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 16th day of February 2022.

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

Vote Record –Consent Agenda (Resolution Nos. 2022-088 through 2022-091 and Resolution Nos. 2022-093 through 2022-109)				
	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 2022-092

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE DESIGNATING THE AREA KNOWN AND DESIGNATED ON THE BOROUGH TAX MAP AS BLOCK 3902, LOTS 14,15,16, 17 & 18 AS AN AREA IN NEED OF REDEVELOPMENT AS A CONDEMNATION AREA PURSUANT TO THE LOCAL REDEVELOPMENT HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, on March 17, 2021, the Borough Council (“Borough Council”) of the Borough of Roselle (the “Borough”) adopted Resolution 2021-125 authorizing and directing the Planning Board to conduct a preliminary investigation of the properties designated as **BLOCK 3902, LOTS 14,15,16, 17 & 18** on the tax map of the Borough (hereinafter the “Study Area”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

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

WHEREAS, the redevelopment area determination requested hereunder operates as a finding of public purpose and the determination of a condemnation area shall authorize the Borough and Borough Council to exercise all those powers provided by the Redevelopment Law for use in a redevelopment area; and

WHEREAS, on December 22, 2021, after providing due notice, the Planning Board conducted a public hearing in accordance with the Redevelopment Law to determine whether the Study Area qualified as an area in need of redevelopment and whether to recommend to the Borough Council to designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law and the Planning Board; and

WHEREAS, the Planning Board considered the Determination of Need Study dated November 8, 2021, from Colliers Engineering & Design, Inc., which determined that the Study Area qualifies as an Area in Need of Redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Planning Board concluded that substantial credible evidence exists to recommend to the Borough Council that the Study Area, **BLOCK 3902, LOTS 14,15,16, 17 & 18**, meets the criteria set forth in N.J.S.A. 40A:12A-5 for redevelopment designation as an area in need of redevelopment with N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the Borough of Roselle considered the Planning Board's recommendation and Resolution recommending that the Study Area be designated as a Condemnation Redevelopment Area, at its regularly scheduled public meeting on February 9, 2022, wherein members of the general public were given an opportunity to be heard and to address questions concerning the potential designation of the Study Area as a Condemnation Redevelopment Area; and

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

NOW THEREFORE, BE IT RESOLVED, by the Borough of Roselle, in the County of Union, after having considered the aforementioned report and having held a public hearing finds that the subject properties known as **BLOCK 3902, LOTS 14,15,16, 17 & 18** meet the statutory criteria pursuant to N.J.S.A. 40A:12A-5 and are recommended to be designated as a condemnation area in need of redevelopment; and

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

BE IT FURTHER RESOLVED, that the designation of the Study Area as a Condemnation Redevelopment Area shall authorize the Borough to exercise all of its powers under statutory criteria pursuant to N.J.S.A. 40A:12A-5 in the Study Area; and

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

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

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

I, 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 February 16, 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 16th day of February 2022.

Motion to amend Resolution 2022-092 to reflect "non-condemnation" throughout the resolution by Councilman Bernier, second by Council President Wilkerson.

Vote Record – Resolution No. 2022-092 (Amendment)				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			
Councilwoman Johnson	X			
Councilwoman Thomas				X
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
<input type="checkbox"/> Adopted <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

RESOLUTION NUMBER 2022-092 (AMENDED)

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE
DESIGNATING THE AREA KNOWN AND DESIGNATED ON THE BOROUGH TAX
MAP AS BLOCK 3902, LOTS 14, 15, 16, 17 & 18 AS A NON-CONDEMNATION AREA
IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT
HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, on March 17, 2021, the Borough Council (“Borough Council”) of the Borough of Roselle (the “Borough”) adopted Resolution 2021-125 authorizing and directing the Planning Board to conduct a preliminary investigation of the properties designated as **BLOCK 3902, LOTS 14, 15, 16, 17 & 18** on the tax map of the Borough (hereinafter the “Study Area”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

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

WHEREAS, the redevelopment area determination requested hereunder operates as a finding of public purpose and the determination of a non-condemnation area shall authorize the Borough and Borough Council to exercise all those powers provided by the Redevelopment Law for use in a redevelopment area, except for the power of eminent domain; and

WHEREAS, on December 22, 2021, after providing due notice, the Planning Board conducted a public hearing in accordance with the Redevelopment Law to determine whether the Study Area qualified as an area in need of redevelopment and whether to recommend to the Borough Council to designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law and the Planning Board; and

WHEREAS, the Planning Board considered the Determination of Need Study dated November 8, 2021, from Colliers Engineering & Design, Inc., which determined that the Study Area qualifies as an Area in Need of Redevelopment pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Planning Board concluded that substantial credible evidence exists to recommend to the Borough Council that the Study Area, **BLOCK 3902, LOTS 14,15,16, 17 & 18**, meets the criteria set forth in N.J.S.A. 40A:12A-5 for redevelopment designation as an area in need of redevelopment with N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the Borough of Roselle considered the Planning Board’s recommendation and Resolution recommending that the Study Area be designated as a Non-Condensation Redevelopment Area, at its regularly scheduled public meeting on February 9, 2022, wherein members of the general public were given an opportunity to be heard and to address questions concerning the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

WHEREAS, the Borough accepted the recommendation of the Planning Board to declare the Study Area as an area in need of redevelopment, although the Borough intends to designate the area as a Non-Condensation Redevelopment Area.

NOW THEREFORE, BE IT RESOLVED, by the Borough of Roselle, in the County of Union, after having considered the aforementioned report and the Planning Board's findings and recommendations, finds that the subject properties known as **BLOCK 3902, LOTS 14, 15, 16, 17 & 18** meet the statutory criteria pursuant to N.J.S.A. 40A:12A-5 and are recommended to be designated as a non-condemnation area in need of redevelopment; and

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

BE IT FURTHER RESOLVED, that the designation of the Study Area as a Non-Condensation Redevelopment Area shall authorize the Borough to exercise all of its powers under statutory criteria pursuant to N.J.S.A. 40A:12A-5 in the Study Area, except for the power of eminent domain; and

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

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

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

I, 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 February 16, 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 16th day of February 2022.

Motion to adopt Resolution 2022-092 as amended by Councilman Bernier, second by Council President Wilkerson.

Vote Record – Resolution No. 2022-092 (Amended)				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilman Bernier	X			

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

RESOLUTION NUMBER 2022-110

RESOLUTION ACCEPTING RESIGNATION OF CHIEF FINANCIAL OFFICER AND APPOINTMENT AS TEMPORARY INTERIM CHIEF FINANCIAL OFFICER

WHEREAS, Anders T Hasseler, CMFO, was appointed as Chief Financial Officer (CFO) for the Borough of Roselle on April 22, 2019 on a full-time basis; and

WHEREAS, Mr. Hasseler wishes to resign his position as of February 23, 2022; and

WHEREAS, said resignation will create a vacancy in the office of chief financial officer as of February 23, 2022; and

WHEREAS, N.J.S.A. 40A:9-140.10 requires every municipality to have a chief financial officer appointed by the governing body; and

WHEREAS, N.J.S.A. 40A: 9-140.11 and N.J.S.A. 40A:9-140.13 allows for the appointment of a chief financial officer on a temporary and interim basis;

WHEREAS, Mr. Hasseler has agreed to serve as chief financial officer on a part-time temporary and interim basis until such time as the Borough of Roselle hires a permanent replacement; and

WHEREAS, the Borough is desirous of allowing Mr. Hasseler to serve as CFO on a part-time temporary and interim basis for the continued and efficient operation of the finance activities of the Borough while the Borough seeks a permanent CFO.

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

1. It hereby accepts the resignation of Anders T Hasseler, CMFO, as full-time Chief Financial Officer for the Borough of Roselle.
2. Anders T Hasseler, CMFO, is hereby appointed as “temporary chief financial officer” on an interim part-time basis effective February 23, 2022 not to exceed six (6) months.

3. Mr. Hasseler shall be compensated at the rate of \$ \$70 per hour not to exceed 15 hours per week and shall not be entitled to any benefits or emoluments.
4. Mr. Hasseler's employment as temporary chief financial officer shall terminate upon the appointment of a permanent chief financial officer for the Borough of Roselle.
5. The requirements of the Borough Code Section 5-10 as to residency in the Borough are hereby waived by the Borough Council as to Anders T Hasseler, CMFO.
6. The provisions of this resolution are severable. To any extent that any clause, phase, sentence, paragraph, or provision of the Resolution shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

I, Lisette Sanchez, Municipal Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a meeting of said Council held February 16, 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 16th day of February, 2022.

RESOLUTION NUMBER 2022-111

RESOLUTION FOR A CHANGE ORDER AMENDMENT TO THE CONTRACT FOR AB CONTRACTING, LLC REGARDING ADDITIONAL SITE WORK FOR THE COMPLETION OF THE ARMINIO FIELD PROPOSED FIELDHOUSE PROJECT

WHEREAS, AB Contracting C, 10 West Thomas Street, Wharton, NJ 07885 was awarded a contract for the above-referenced project in the amount of \$1,823,316.20 by way of Resolution Number 2021-322; and

WHEREAS, additional funds are required to complete the project due to unforeseen project cost as listed in the Colliers Engineering & Design correspondence dated February 10, 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 **\$1,900.00**; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose, specifically Bond Ordinance 2643-21.

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 AB

Contracting, LLC. as per the Colliers Engineering & Design correspondence dated February 10, 2022 and the following breakdown:

Contract Amount	\$1,823,316.20
Change Order	\$ 1,900.00
Adjusted Contract Amount	\$1,825,216.20

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 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 February 16, 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 16th day of February 2022.

RESOLUTION NUMBER 2022-112

RESOLUTION TO EXECUTE AN AGREEMENT WITH PATCH MANAGEMENT, INC., FOR UTILIZING THE POTHOLE KILLER VEHICLE IN THE BOROUGH OF ROSELLE

WHEREAS, the Borough of Roselle authorized the utilization of the PK2000 specialized spray injection patcher truck (Pothole Killer vehicle) in the Borough of Roselle in 2021; and

WHEREAS, the Borough of Roselle would like to utilize the Pothole Killer vehicle to provide patented spray injection road repair technology that will perform emergency pothole repairs in the Borough of Roselle; and

WHEREAS, the Borough of Roselle would to utilize the Pothole Killer vehicle in the Borough of Roselle not to exceed \$20,000.00 within State Contract # 18-GNSV2-00428; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle authorize the Borough Administrator to execute an agreement with Patch Management, Inc. for utilizing the Pothole Killer vehicle in the Borough of Roselle; and

WHEREAS, the approval of the agreement to utilize these services shall be contingent on the Certification of Availability of Funds in the 2022 adopted budget; and

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by

the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, at a Regular meeting of said Council held February 16, 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 16th day of February 2022

RESOLUTION NUMBER 2022-113

**RESOLUTION HIRING SEASONAL TEMPORARY LABORERS IN THE
DEPARTMENT OF PUBLIC WORKS**

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Roselle that Paul Clayton, Lyndon Barrett and Rahmil Jones-Rayner are hereby appointed to the position of Seasonal Temporary Laborer in the Department of Public Works in the Borough of Roselle, effective February 17, 2022, not to exceed six (6) months, at the salary of \$18.00 per hour, from account 2-01-26-291-000-112.

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

I, 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 February 16, 2022.

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 16th day of February, 2022.

Motion to adopt Non-Consent Agenda (Resolution Nos. 2022-110 through 2022-113) by Council President Wilkerson, second by Councilman Villeda,

Vote Record –Non-Consent Agenda (Resolution Nos. 2022-110 through 2022-113)				
	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 # 2022 -114

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

16-Feb-22

FUND

ANIMAL CONTROL		
CAPITAL ACCOUNT	\$	42,152.95
CDBG TRUST		
CURRENT FUND	\$	4,538,123.76
ESCROW TRUST	\$	19,381.25
FSLEF		
SLEF		
GENERAL TRUST ACCOUNT	\$	550.00
TRUST DCA FEES		
GRANT ACCOUNT	\$	2,780.80
NJ HEALTH BENEFITS		
SUI		
JANUARY 28, 2022		
PAYROLL	\$	674,575.00
FEBRUARY 8, 2022 PAYROLL	\$	684,003.43
MANUAL CHECK		3677105.17
POAA		

REDEMPTION PREMIUM ACCOUNT	\$ 31,350.00
PUBLIC DEFENDER REDEMPTION TRUST	\$ 16,118.31
RESERVE FOR ESCROW	
SALARY DEDUCTION	

Motion to adopt Bills List (Resolution No. 2022-114) by Councilman Bernier, second by Councilman Fortuna.

Vote Record – Bills List (Resolution Nos. 2022-114)				
	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 COMMENTS

Councilman Villeda provided the following comments:

- Thanked God for another day of life and keeping his family healthy
- Theft of vehicles in the 1st Ward
- Garbage collection issues on holidays and weekends
- DPW Superintendent resignation
- Traffic signs

Councilman Bernier provided the following comments:

- Urged residents to reach out
- Can be reached by email at bbernier@boroughofroselle.com and/or call or text at (732) 943-6498
- Thanked Congressman Payne for coming out and Grant Writer David Biunno to get access to funding
- Energy Tax Receipts Property Tax Relief Fund
- Thanked the Library Team
- Purchase of the bank building next door
- Ratables in Roselle

- CFO and Library Project

Councilwoman Johnson provided the following comments:

- Acknowledged her mother, Dorothy Mae Dobbins, Black History Month and wished her a happy birthday
- Thanked 3rd ward residents for phone calls
- Posting that there will be no garbage collection on holidays
- Thanked DPW for snow plowing
- Read a letter into the record about parking within 50ft of stop sign
- Unfair treatment directed towards her by her colleagues
- Thanked everyone for coming out and to say safe

Councilman Fortuna provided the following comments:

- New Library project
- Thanked Congressman Payne for stopping by and happy to hear about infrastructure money
- Next 5th Ward meeting is scheduled for March 21, 2022 7 p.m. to 9:00 p.m., at the Amalfe Community Center
- Raised rumble strips for speeding issues
- Working to fill DPW Superintendent position
- Praised Anders Hasseler for doing a great job as CFO

Council President Wilkerson provided the following comments:

- Thanked Congressman Payne for coming out
- Thanked Jackie Dirmann, Colliers for working on an infrastructure plan
- Thanked Dave Biunno for submitting the grants on time
- Thanked Bibi Taylor, Architects, Georgette Bradshaw, Jeanne Marie Ryan and library staff on the new library project
- Resource Fair on March 5th from 10:00 am to 2:00 p.m. at Borough Hall Council Chambers
- Upcoming Food Distribution Drive and Vaccinations
- Speeding in the Borough
- Roselle's social media outlets and volunteerism
- Can be reached at (908) 514-5471
- Rails to Trails
- Purchase of the bank building next door
- Praised Anders Hassler for his work as CFO
- Call to action for Black History Month

MAYOR'S COMMENTS

Mayor Shaw provided the following comments:

- Urged residents to reach out to him and Council
- Gaslighting

- Expressed condolences to Magretta Morgan and family and the Benjamin Hall Family
- Thanked Bibi Taylor of the UCIA
- Common Sense Bail Reform
- Shootings in Roselle
- Arminio Field House Groundbreaking Ceremony scheduled for February 23, 2022 at 11:00 a.m.
- Utility Assistance Program available on February 23, 2022 at 6:00 p.m. in Council Chambers
- Black History quote “Never Be Limited by Other Peoples Limited Imaginations”

RESOLUTION NUMBER 2022-115

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.

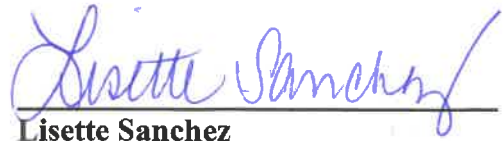
I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held February 16, 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 16th day of February 2022.

No action was taken on Resolution 2022-115.

ADJOURNMENT

Motion to adjourn by Councilman Bernier, second by Councilman Fortuna. Motion was approved by unanimous vote. Meeting adjourned at 9:27 p.m.



**Lisette Sanchez
Borough Clerk**