

**BOROUGH OF ROSELLE
MAYOR AND COUNCIL
REGULAR MEETING MINUTES
MARCH 15, 2023**

Mayor Shaw called the Regular Meeting of the Mayor and Council of the Borough of Roselle, Union County, New Jersey, held at Borough Hall, 210 Chestnut Street, Roselle, New Jersey to order on March 15, 2023 at 6:30 p.m. The flag salute was done and the invocation was given by Councilman Fortuna.

Municipal 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., "Sunshine Law" has been met. A notice of this meeting was sent to the Star Ledger, published in the Home News Tribune on December 23, 2022, 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
Councilwoman Cynthia Johnson, Third Ward
Councilwoman Cindy Thomas, Fourth Ward
Councilman John Fortuna, Fifth Ward
Councilwoman Denise Wilkerson, At-Large
Council President Brandon Bernier, Second Ward
Mayor Donald Shaw

Also Present:

Lisette Sanchez, Borough Clerk
Shanel Robinson, Acting Borough Administrator
Mohamed Jalloh, Esq., Borough Attorney

PROCLAMATIONS

Proclamation for Tamara Suvil was read into the record by Councilwoman Johnson.

Proclamation for Latifah Smith was read into the record by Councilwoman Thomas.

Proclamation for Delia Ware-Tibbs was read into the record by Councilwoman Wilkerson.

Proclamation for the Abraham Clark High School Cheerleaders and Coaches was read into record by Council President Bernier.

PRESENTATION – None.

APPROVAL OF MINUTES OF MEETINGS

Minutes of the Mayor and Council Workshop Meeting – February 8, 2023

Minutes of the Mayor and Council Regular Meeting – February 15, 2023

Minutes of the Mayor and Council Special Meeting – February 24, 2023

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

Vote Record – Approval of Minutes				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
Council President Bernier	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

CORRESPONDENCE / APPOINTMENTS - None

PUBLIC COMMENTS

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

1. Patty Fabrizio of 308 Hamilton Street talked about damages to her property, which occurred several years ago allegedly by construction done by the Borough and she is seeking damages.
2. Renee of 314 Dermody Street talked about an incident at Abraham Clark High School with her granddaughter.
3. Kimberly Nix of 801 Baltimore Avenue, presented Councilwoman Johnson with flowers for the Black History Month program and complained about the condition of Amsterdam Avenue.
4. Alia Alexander of 200 Pine Street reported that vehicles are speeding on Pine Street and suggested speed bumps be installed.
5. Barbara Dixon of 271 E. 2nd Avenue talked about the Black Lives Matter sign in front of Borough Hall and feels that it should be removed.
6. Helene Hauffer of Ardleigh Park and Carolyn Terrace talked about an on-going problem on Carolyn Terrace and looks forward to some kind of resolution.
7. Sharice Alexander of 105 Hillcrest Avenue talked about her taxes increasing and asked who she should talk to about it.
8. A resident said she enjoyed the Mayor's State of the Borough event and asked for programs

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

COMMITTEE REPORTS

DPW Committee– Councilman Fortuna reported the following:

- Bulk trash for the east side and west side resumed on March 1, 2023
- Thanked DPW staff for a job well done with bulk trash
- Pothole killer truck was postponed due to inclement weather, but will resume March 21, 2023
- DPW seasonal workers will be hired for the Spring
- Ordered 65-gallon garbage cans for seniors who have difficulty with 90-gallon cans
- Contact DPW via phone or email to switch garbage cans

Public Safety Committee– Councilman Fortuna reported the following:

Police Department

- Calls for service: 2,547
- Area Checks/Park & Walks: 789
- M.V. Accidents: 87
- Drunk Drivers: 4
- Ambulance: 152
- Summons Issued: 538
- Call Taking Time: 1 min, 4 seconds
- Call Holding Time: 19 seconds
- Response Time: 1 min, 35 seconds
- Feedback from the Union County Police Academy on 5 new hires is positive
- In planning phase for impound yard auction
- NJTPA completed the Route 27 Corridor Safety Study

Fire Department

- Total fire alarms for 2023: 427
- Total ambulance calls for 2023: ~500
- Response Time for February: 1 min, 48 seconds

Recreation Committee – Councilwoman Thomas reported the following:

- The Buffalo Soldiers gave a great Black History program on February 26, 2023
- The 2nd Annual Women’s Round Table will be held Saturday, March 25, 2023 from 12:00 p.m. to 4:00 p.m., at the Amalfe Community Center
- A Youth Art Month event will be held Wednesday, March 29, 2023 at the Amalfe Community Center at 6:00 p.m.

Redevelopment Committee – Councilwoman Wilkerson reported the following:

- Reviewing the RFPs for 901 Chandler Avenue redevelopment project
- Cherry Gardens certificate of occupancy is ongoing
- Saint George’s Avenue in need of study is ongoing
- Designating redevelopers and authorizing execution of a redevelopment agreement with FOYA Development regarding the IHOP project

Finance Committee – Councilwoman Wilkerson reported the following:

- Working to complete the capital budget for all capital budget requests
- Capital budget includes upgrade to the telephone system
- Doing preliminary work with the Chief Finance Officer on the Municipal Budget
- Plan is to have zero increase in municipal taxes
- Amending the temporary budget as needed

Governance Committee – Council President Bernier reported the following:

- Borough seeks to fill several of positions
- On-going clean up with Human Resource Department's records
- Filling positions as needed in the Clerk's Office and Municipal Court
- Customer service training for all departments is ongoing

Planning Committee – Council President Bernier reported the following:

- The Planning Board held a regular meeting on March 1, 2023 at 7:00 p.m., and passed a resolution regarding the Joy Leaf application
- The next Planning Board meeting is April 5, 2023 at 7:00 p.m. in Council Chambers

Zoning Board – Council President Bernier reported the following:

- The Zoning Board held a regular meeting on February 27, 2023 at 7:30 p.m. and approved an application for the Agape House of Worship parking lot expansion and a subdivision application for 258 E. 6th Avenue and Spruce Street
- The next Zoning Board meeting is March 27, 2023 at 7:30 p.m., in Council Chambers

INTRODUCTION, CONSIDERATION AND PASSAGE OF ORDINANCES

ORDINANCE ON SECOND READING/PUBLIC HEARING

ORDINANCE NUMBER 2703-23

AN ORDINANCE AMENDING CHAPTER 523 OF THE BOROUGH CODE TO DESIGNATE A HANDICAP PARKING SPACE RESERVED FOR A SPECIFIC PERSON IN FRONT OF A CERTAIN RESIDENCE (327 DIETZ STREET)

WHEREAS, the Police Department has received an application for a personalized handicap parking space pursuant to N.J.S.A. 39:4-197.7 along with the requisite \$25.00 fee; and

WHEREAS, the Mayor and Council have approved said application and the Borough Clerk has collected the additional fee of \$150.00 for same prior to adoption of the ordinance.

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

1. Article III of Chapter 523 of the "Code of the Borough of Roselle" is amended by adding the following to § 523-38 – Restricted Handicap Parking Spaces

Section 523-138, Schedule XXIX – Restricted handicap parking spaces reserved for a specific person in front of a certain residence:

Address of Residence	Street	Location	Name of Person	Placard#
327 Dietz Street	Dietz Street	Front of Residence	Cheryl P. Mayers	P2298655

(1) If any person for whom a parking space has been designated pursuant to this section ceases to reside at the specified resident address, he or she (or other person authorized to act on their behalf) shall promptly notify the Borough Clerk in writing that the designated parking space is no longer required.

(2) In the event that the person holding the designated handicapped parking permit no longer resides at the specified residence address, the designation may be terminated by resolution.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall remain valid and effective.

This ordinance shall take effect after public hearing and final adoption and publication according to law.

Mayor Shaw read Ordinance Number 2703-23 by title and opened the public hearing on the ordinance. Seeing no one come forward, Mayor Shaw closed the public hearing on the ordinance.

Motion to adopt Ordinance 2703-23 on Second Reading/Public Hearing by Councilman Villeda, second by Council President Bernier.

Vote Record – Ordinance 2703-23				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
Council President Bernier	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

ORDINANCE NUMBER 2704-23

ORDINANCE AMENDING CHAPTER 511 “PARKING, RESIDENTIAL OVERNIGHT” TO REVISE ALISON ROAD AREA RESTRICTED HOURS

WHEREAS, the Mayor and Borough Council of the Borough of Roselle previously adopted Ordinances 2454-13, 2621-20, and 2637-20 which created and modified residential overnight parking restrictions in the Alison Road area of the Borough; and

WHEREAS, the Borough Council of the Borough of Roselle has recognized the need to further limit parking and to establish new regulations and control parking in the Alison Road area between the hours of 3:00 pm and 6:00 am; and

WHEREAS, the Borough Council finds and determines that for the good and welfare of its citizens, it is necessary and advisable to establish regulations and provide for the enforcement of parking regulations within the Borough that improve the quality of life for residents.

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

SECTION I. The Code of the Borough of Roselle, Chapter 511 Parking, Residential Overnight, Article I Alison Road Area, Section 3 Parking restriction is hereby amended and supplemented by adding or deleting the following (additions in **bold**, deletions ~~struck through~~):

Parking in the Alison Road Area, in nonmetered spaces, shall be restricted to those licensed, registered and insured vehicles displaying a valid parking permit between the hours of ~~8:00~~**3:00** p.m. and 6:00 a.m., except for Grant Avenue which will be between the hours of 3:00 p.m. and 10:00 a.m.

SECTION II. The Code of the Borough of Roselle, Chapter 523 Vehicles and Traffic, Article III Parking, Standing and Stopping, Section 39 Alison Road Area resident parking permit is hereby deleted in its entirety as it is duplicative, redundant, and in conflict with similar provisions in Chapter 511.

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

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

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

Mayor Shaw read Ordinance Number 2704-23 by title and opened the public hearing on the ordinance. Seeing no one come forward, Mayor Shaw closed the public hearing on the ordinance.

Motion to adopt Ordinance 2704-23 on Second Reading/Public Hearing by Councilman Fortuna, second by Councilwoman Wilkerson.

Vote Record – Ordinance 2704-23				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilwoman Johnson		X		
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
Council President Bernier	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

ORDINANCE NUMBER 2705-23

BOND ORDINANCE PROVIDING FOR VARIOUS BUILDING IMPROVEMENTS AND APPROPRIATING \$278,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$264,100 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:

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 \$278,000, such sum includes the sum of \$13,900 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.

In order to finance the cost of the Improvements and grant not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$264,100 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 \$264,100 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

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:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Useful Life</u>
1. Improvements to Building located at 220 Chestnut Street, including all structures and appurtenances, 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.	\$168,000	159,600	15 Years
2. Technology upgrades for various buildings throughout the Borough, including all structures and appurtenances, 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.	110,000	104,500	5 Years
TOTAL:	\$278,000	\$264,100	

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 \$264,100.

The estimated cost of the Improvement is \$278,000 which amount represents the initial appropriation made by the Borough.

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.

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.

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

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.

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 11.04 years.

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 \$264,100 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

An aggregate amount not exceeding \$30,000 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.

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.

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 10 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 \$264,100.

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 2705-23 by title and opened the public hearing on the ordinance. Seeing no one come forward, Mayor Shaw closed the public hearing on the ordinance.

Motion to adopt Ordinance 2705-23 on Second Reading/Public Hearing by Councilwoman Wilkerson, second by Council President Bernier.

Vote Record – Ordinance 2705-23				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilwoman Johnson			X	
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
Council President Bernier	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

ORDINANCE ON FIRST READING & INTRODUCTION

ORDINANCE NUMBER 2706-23

AN ORDINANCE TO AMEND AND SUPPLEMENT THE LAND USE CODE OF THE BOROUGH OF ROSELLE, CHAPTER 650, ARTICLE XII, ZONING, SECTION 650-95, BUSINESS/COMMERCIAL ZONE AND SECTION 650-99, COMMERCIAL-

**INDUSTRIAL ZONE; TO AMEND AND SUPPLEMENT THE FIRST AVENUE
REDEVELOPMENT PLAN; AND TO AMEND THE REDEVELOPMENT PLAN FOR
BLOCK 3801 TO CLARIFY THE PERMITTED AND CONDITIONAL USES**

WHEREAS, the Borough has received inquiries regarding the operation of two cannabis uses within the same building and/or on the same property;

WHEREAS, the Business/Commercial Zone and Commercial-Industrial Zone only allow certain permitted uses to be within the same building and/or property, which does not include cannabis-related uses; and

WHEREAS, the First Avenue Redevelopment Plan and Redevelopment Plan for Block 3801 do not reflect the latest conditions for cannabis retailers and/or allow cannabis retailers as of right, when they were envisioned to be conditionally permitted uses; and

WHEREAS, the Mayor and Borough Council have reviewed the Ordinance and wishes to amend the Business/Commercial Zone and Commercial-Industrial Zone to allow more than one permitted cannabis-related use to operate within the same building and/or on the same property; and

WHEREAS, the Mayor and Borough Council have reviewed the redevelopment plans and wish to clarify that cannabis retailers are permitted uses where allowed and properly refer to the correct conditions.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Roselle that the Code of the Borough of Roselle, Chapter 650 Zoning and the First Avenue Redevelopment Plan are hereby amended as follows (additions in underline; deletions in ~~strikeout~~):

SECTION I. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-95 Business/Commercial Zone, is hereby amended and supplemented as follows:

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

- (1) Permitted principal uses.
 - (i) Mixed-use structures with a combination of two or more of the aforementioned permitted principal uses.
 - (i) Cannabis delivery service.

SECTION II. The Code of Borough of Roselle, Part VIII, Chapter 650 Zoning, Section 650-99 Commercial-Industrial Zone, is hereby amended and supplemented as follows:

C. Use regulation. A building or premises shall be used only for the following purposes:

- (2) Permitted uses.

(k) Mixed-use structures with a combination of two or more of the aforementioned permitted principal uses.

(k) (l) Cannabis delivery service.

(l) (m) Cannabis manufacturer.

(m) (n) Cannabis wholesaler.

(n) (o) Cannabis distributor.

SECTION III. The First Avenue Redevelopment Plan, Amendment #3, is hereby amended to be Amendment #4 and Chapter VIII shall be amended and supplemented as follows:

A. Commercial Redevelopment Zone. The purpose of this district is to establish a zone which will permit the construction of commercial uses, compatible with the trend in the surrounding area; and the conversion of formerly industrial lands to commercial uses in an orderly manner.

3. Conditional Uses:

a. Cannabis retailer, which shall meet the following conditions: in Section 650-102B.(8).

i. Said establishment shall be licensed and shall be located more than 1,000 feet from the property lien of any elementary or secondary school property.

ii. No outdoor consumption areas are permitted.

B. Commercial Residential Transition Zone: The purpose of this district is to establish a zone which will permit the orderly phased conversion of residential land uses to commercial land uses compatible with the development trend in the surrounding area of First Avenue. It is anticipated that certain of the existing residential structures may continue to be used for residential purposes while new commercial land uses are introduced into the Area. Therefore, this plan will provide the flexibility to allow the existing residential properties to continue or to be assembled for redevelopment for commercial purposes.

1. Permitted Principal Uses and Structures:

(g) Mixed-use structures with a combination of two or more of the uses in b. through f. above.

(h) Cannabis retailer.

g. (i) Cannabis delivery service.

3. Conditional Uses:

- a. Cannabis retailer, which shall meet the conditions in Section 650-102B.(8).

4. 3. Bulk Standards:

5. 4. Buffers: Non-residential uses shall provide a buffer along any property line shared with a property containing a single- or two-family home. Said buffer shall be at least 6 feet wide; with a 6 foot high board on board fence, or approved equivalent fence, constructed along the property line. The buffer strip shall be planted with dense evergreen trees not less than 6 feet tall at the time of planting and spaced not more than 10 feet on center; along with flowering deciduous and board-leaf evergreen plant material in order to create a visual barrier and aesthetically appealing appearance.

6. 5. Parking:

SECTION IV. The Redevelopment Plan for Block 3801, Amendment #1, is hereby amended to be Amendment #2 and Section 6.2 shall be amended and supplemented as follows:

A. Principal Permitted Uses

1. The following uses are permitted on the ground or first floor:

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

B. Permitted Accessory Uses

C. Conditional Uses

1. Cannabis retailer, which shall meet the conditions in Section 650-102B.(8).

D. C. Prohibited Uses

E. D. Area and Bulk Regulations

F. E. Off-Street Parking

G. F. Loading

H. G. Pedestrian Accessibility

I. H. Landscaping

J. I. Trash

K. J. Stormwater. All applications for development shall conform to the stormwater regulations contained in the Borough of Roselle's code.

L. K. Signage. The following standards shall apply to all signs in the Redevelopment Area. Refer to Chapter 620 "Signs" Section 1 "Definitions" within the Borough Code for a description of the terms below. No sign type other than those identified below shall be permitted.

M. L. Workforce Housing

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

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

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

Motion to adopt Ordinance 2706-23 on First Reading & Introduction by Council President Bernier, second by Councilwoman Thomas.

Vote Record – Ordinance 2706-23				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
Council President Bernier	X			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				

Public Hearing scheduled for April 19, 2023.

RESOLUTIONS

RESOLUTION NUMBER 2023-109

RESOLUTION APPOINTING A LAND USE ADMINISTRATOR

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

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

WHEREAS, the Administration has determined that the Borough is in need of continued Land Use Administrator services, through December 31, 2023 or until a successor is selected and, which Colliers Engineering & Design is qualified and willing to provide or until such time the Borough hires a Borough employed Land Use Administrator; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle hereby appoints Colliers Engineering & Design as the Land-Use Administrator for the period of April 1, 2023 to December 31, 2023 or until a successor is selected; and for an amount not to exceed \$45,000.00.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held March 15, 2023.

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 15th day of March, 2023.

RESOLUTION NUMBER 2023-110

RESOLUTION AMENDING RESOLUTION 2023-064 REFLECTING INCREASES TO THE CONTRACT AMOUNTS FOR SPECIAL LABOR/PERSONNEL

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 certain 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 the published notice, sealed qualifications for various positions; and,

WHEREAS, pursuant to the fair and open process and based upon a review of specifications, qualifications, and recommendations. Therefore, certain professionals are qualified for certain positions for the calendar year 2023; and

WHEREAS, at a prior Council meeting dated January 18, 2023, the Borough Council approved contracts for a specified not to exceed amount; and

WHEREAS, it is the intention of the Council to increase those amounts reflected an amended not to exceed amount.

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) that each of the previously approved and qualified vendors shall receive a specified contract as set forth below:

Ruderman Roth, LLC 150 Morris Avenue, Ste. 303 Springfield, NJ 07081	\$10,000.00
Antonelli Kantor, PC 354 Eisenhower Parkway, Suite 1000 Livingston, NJ 07039	\$10,000.00
Simmons Law 28 Washington Street, Suite 104 East Orange NJ 07017	\$10,000.00
Hickerson Breedon 21 Lee Place, 2 nd Flr. Paterson, NJ 07505	\$10,000.00
Rainone Coughlin Minchello 555 US Highway 1 South, Ste 440 Iselin, NJ 08830	\$10,000.00
Kologi & Simitz 500 North Wood Avenue, Suite 4B Linden, NJ 07036	\$10,000.00

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the 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 March 15, 2023.

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 15th day of March 2023.

RESOLUTION NUMBER 2023-111

RESOLUTION AMENDING RESOLUTION 2023-049 REFLECTING AN INCREASE TO THE CONTRACT AMOUNT FOR BOND COUNSEL NOT TO EXCEED \$20,000.00

WHEREAS, the Borough Council of the Borough of Roselle (“Borough”) has by Resolution approved a list of qualified vendors as part of a Fair and Open Process established and exercised pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, N.J.S.A. 40A: 2-38.1 provides for the compensation of an attorney for services rendered in connection with the issuance of bonds and similar obligations; and

WHEREAS, there exists a need for specialized legal services in connection with the authorization and the issuance of bonds and other obligations and other matters relating to capital financing by the Borough; and

WHEREAS, at a prior Council meeting dated January 18, 2023, the Borough Council approved a contract for bond counsel to Gibbons, PC in the amount not to exceed \$15,000.00; and

WHEREAS, it is the intention of the Council to increase the amount by \$5,000.00 for a new contact amount not to exceed \$20,000.00.

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: 2-38.1 that the contract for Gibbons, PC, One Gateway Center, Newark, New Jersey 07102-310 shall increase by \$5,000.00 for a new contract amount for not to exceed \$20,000.00.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held March 15, 2023.

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 15th day of March, 2023.

RESOLUTION NUMBER 2023-112

RESOLUTION AMENDING RESOLUTION 2023-059 REFLECTING INCREASE TO CONTACT AMOUNT FOR MCMANIMON SCOTLAND BAUMANN, AS REDEVELOPMENT COUNSEL NOT TO EXCEED \$60,000.00

WHEREAS, the Borough Council of the Borough of Roselle has by Resolution approved a list of qualified vendors as part of a Fair and Open Process established and exercised pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, at a prior Council meeting dated January 18, 2023, the Borough Council approved a contract for redevelopment counsel to McManimon Scotland Baumann located at 72 Livingston Avenue, 2nd Floor, Roseland, New Jersey 07068 as redevelopment counsel in the amount not to exceed \$10,000.00; and

WHEREAS, it is the intention of the Council to increase the amount by \$50,000.00 for a new contract amount not to exceed \$60,000.00.

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: 2-38.1 that the contract for McManimon Scotland Baumann located at 72 Livingston Avenue, 2nd Floor, Roseland, New Jersey 07068 shall increase by \$50,000.00 for a new contract amount for not to exceed \$60,000.00.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held March 15, 2023.

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 15th day of March, 2023.

RESOLUTION NUMBER 2023-113

RESOLUTION AMENDING RESOLUTION 2023-044, GRANTING CONTRACTS FOR ACTING PUBLIC DEFENDER

WHEREAS, on January 18, 2023, the Borough of Roselle previously appointed Michelle Welsh as Acting Public Defender for Calendar Year 2023, pursuant to N.J.S.A. 40A:11-2(6) and N.J.S.A. 19:44A-20.4, under resolution 2023-044; and

WHEREAS, the Borough of Roselle wishes to amend Resolution 2023-044 to appoint The Law Office of Michelle Welsh to the title of Assistant Public Defender and in the amount of \$10,000 for Calendar Year 2023.

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

1. Michelle Welsh's title is hereby amended to Assistant Public Defender for Calendar Year 2023;
2. Michelle Welsh is entitled to monthly installment payments for the annual contract amount of \$10,000.00.

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the 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 March 15, 2023.

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 15th day of March 2023.

RESOLUTION NUMBER 2023-114

**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, 2023 through December 31, 2023; 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, 2023 through December 31, 2023.
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 March 15, 2023.

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 15th day of March 2023.

RESOLUTION NUMBER 2023-115

RESOLUTION AMENDING RESOLUTION 2023-063 GRANTING CONTRACTS FOR SPECIAL COUNSEL OPRA SERVICES

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 certain 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 the published notice, sealed qualifications for various positions; and,

WHEREAS, pursuant to the fair and open process and based upon a review of specifications, qualifications, and recommendations. Therefore, certain professionals are qualified for certain positions for the calendar year 2023; and

WHEREAS, at a prior Council meeting dated January 18, 2023, the Borough Council resolved to enter into contracts for a specified not to exceed amount; and

WHEREAS, it is the intention of the Council to increase those amounts reflected an amended not to exceed amount.

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) that each of the following vendors shall receive the new not to exceed contract amount as set forth below:

	Not to Exceed
Weber Dowd 365 Rifle Camp Road Woodland Park, NJ 07424	\$10,000.00

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the 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 March 15, 2023.

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 15th day of March 2023.

RESOLUTION NUMBER 2023-116

RESOLUTION AMENDING RESOLUTION 2023- 060 REFLECTING INCREASES TO THE CONTRACT AMOUNTS FOR COUNSEL TAX FORECLOSURES

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 certain 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 the published notice,

sealed qualifications for various positions; and,

WHEREAS, pursuant to the fair and open process and based upon a review of specifications, qualifications, and recommendations. Therefore, certain professionals are qualified for certain positions for the calendar year 2023; and

WHEREAS, at a prior Council meeting dated January 18, 2023, the Borough Council approved contracts for a specified not to exceed amount; and

WHEREAS, it is the intention of the Council to increase those amounts reflected an amended not to exceed amount.

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) that each of the following vendors shall receive the new not to exceed contract amount as set forth below:

	Not to Exceed
Eric Bernstein 34 Mountain Blvd. Building A, Warren, NJ 07059	\$10,000.00
Schaffer Shain Jalloh, PC 150 Morristown Road, Suite 105 Bernardsville, NJ 07924	\$10,000.00

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the 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 March 15, 2023

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 15th day of March, 2023.

RESOLUTION NUMBER 2023-117

RESOLUTION AMENDING RESOLUTION 2023-056 REFLECTING INCREASES TO THE CONTRACT AMOUNTS FOR LITIGATION DEFENSE COUNSEL

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 certain 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 the published notice, sealed qualifications for various positions; and,

WHEREAS, pursuant to the fair and open process and based upon a review of specifications, qualifications, and recommendations. Therefore, certain professionals are qualified for certain positions for the calendar year 2023; and

WHEREAS, at a prior Council meeting dated January 18, 2023, the Borough Council approved contracts for a specified not to exceed amount; and

WHEREAS, it is the intention of the Council to increase those amounts reflected an amended not to exceed amount.

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) that each of the following vendors shall receive the new not to exceed contract amount as set forth below:

	Not to Exceed
Renaud Deappolonio, LLC 190 North Ave, East Cranford, NJ 07016	\$10,000.00
Schaffer Shain Jalloh, PC 150 Morristown Road, Suite 105 Bernardsville, NJ 07924	\$20,000.00
Antonelli Kantor, PC 354 Eisenhower Parkway, Suite 1000 Livingston, NJ 07039	\$20,000.00

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the 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 March 15, 2023.

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 15th day of March 2023.

RESOLUTION NUMBER 2023-118

**RESOLUTION AMENDING RESOLUTION 2023-062 INCREASING THE
CONTRACTS FOR SPECIAL COUNSEL SERVICES**

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 certain 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 the published notice, sealed qualifications for various positions; and,

WHEREAS, pursuant to the fair and open process and based upon a review of specifications, qualifications, and recommendations. Therefore, certain professionals are qualified for certain positions for the calendar year 2023; and

WHEREAS, at a prior Council meeting dated January 18, 2023, the Borough Council resolved to enter into contracts for a specified not to exceed amount; and

WHEREAS, it is the intention of the Council to increase those amounts reflected an amended not to exceed amount.

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) that each of the following vendors shall receive the new not to exceed contract amount as set forth below:

	Not to Exceed
Eric Bernstein 34 Mountain Blvd. Building A, Warren, NJ 07059	\$10,000.00
Schaffer Shain Jalloh, PC 150 Morristown Road, Suite 105 Bernardsville, NJ 07924	\$10,000.00

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the 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 March 15, 2023.

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 15th day of March 2023.

RESOLUTION NUMBER 2023-119

RESOLUTION OF THE BOROUGH OF ROSELLE DESIGNATING REDEVELOPER AND AUTHORIZING EXECUTION OF REDEVELOPMENT AGREEMENT WITH FOYA DEVELOPMENT GROUP, LLC AND OTHER MATTERS IN CONNECTION THEREWITH

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 in need of redevelopment; and

WHEREAS, the Municipal Council of the Borough (the “**Borough Council**”) adopted an ordinance, as amended November 7, 2007, April 14, 2008, July 20, 2011 and April 16, 2014, approving and adopting the Central Roselle Revitalization Plan (as amended, the “**Central Roselle Revitalization Plan**”), a redevelopment plan applicable to the area described as follows:

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

WHEREAS, pursuant to the Redevelopment Law, on August 20, 2014, the Borough Council adopted Resolution No. 2014-371 designating the properties identified as Block 2604, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10, and Block 2605, Lots 1, 2, 3, 4, 5, 7.01 & 8 on the official tax map of the Borough (the “**Redevelopment Area**”) as an area in need of redevelopment under Section 5(g) of the Redevelopment Law (*N.J.S.A. 40A:12A-5(g)*), only for the purposes of long-term tax exemption and/or abatement pursuant to *N.J.S.A. 40A:20-1 et seq.* or *N.J.S.A. 40A:21-1 et seq.*, as applicable; and

WHEREAS, on September 17, 2014, the Borough Council adopted an ordinance further amending the Central Roselle Revitalization Plan (as amended, the “**Redevelopment Plan**”) to include therein a reference to the redevelopment area designation of the Redevelopment Area for purposes of long-term tax exemption and/or abatement pursuant to *N.J.S.A. 40A:20-1 et seq.* or *N.J.S.A. 40A:21-1 et seq.*, as applicable; and

WHEREAS, the Borough presently owns a portion of the Redevelopment Area now identified as Block 2605, Lot 1.01 (formerly identified as Block 2605, Lots 1, 2, 3, 4, 5, 7.01 & 8) on the Borough’s maps (the “**Project Area**”); and

WHEREAS, Foya Development Group, LLC (and/or its affiliates, the “**Redeveloper**”) proposes to purchase and redevelop the Project Area by constructing thereon an approximately 3,500 square foot IHOP restaurant with indoor seating and outdoor seating (which will be the first

in the North East), as well as offer takeout together with certain other on-site and off-site improvements and other related obligations (collectively, the “**Project**”); and

WHEREAS, the Borough desires to enter into a redevelopment agreement (the “**Redevelopment Agreement**”) with the Redeveloper in order to set forth the rights and obligations of the Borough and the Redeveloper with respect to the undertaking of the Project on the Redevelopment Area; and

WHEREAS, the Borough now desires to designate the Redeveloper as “redeveloper” of the redevelopment Area, and authorize the conveyance of the Project Area to the Borough and the execution of the Redevelopment Agreement.

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

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

Section 2. The Mayor is hereby authorized to execute the Redevelopment Agreement in substantially the same form as that attached hereto as **Exhibit A**, with such additions, deletions or modifications as the Mayor deems necessary upon consultation with the Borough’s counsel.

Section 3. So long as the Redevelopment Agreement is executed and in effect, the Redeveloper shall be the designated “redeveloper” (as that term is defined and used in the Redevelopment Law) for the Redevelopment Area.

Section 4. Subject to and in accordance with the terms set forth in the Redevelopment Agreement, the Borough is hereby authorized to convey the Project Area to the Redeveloper. Toward that end, the Mayor, and any other necessary official or consultant of the Borough, may execute any and all documents in connection therewith.

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 March 15, 2023.

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 15th day of March, 2023.

RESOLUTION NUMBER 2023-120

**RESOLUTION AMENDING RESOLUTION NUMBER 2023-065 AWARDED A
CONTRACT TO COLOGNA PRODUCTIONS FOR TV MANAGEMENT SERVICES**

**FOR THE BOROUGH NOT TO EXCEED \$20,000.00 TO CORRECT CERTIFICATION
OF FUNDS**

WHEREAS, the Borough Council of the Borough of Roselle adopted Resolution Number 2023-065, which is listed account number 3-01-20-165-000-228 as the certification of funds,

WHEREAS, the certification of funds should be 3-01-20-100-000-228,

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

That this revised resolution be adopted to reflect that the certification of funds is now revised from 3-01-20-165-000-228 to 3-01-20-100-000-228.

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 March 15, 2023.

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 15th of March 2023.

RESOLUTION NUMBER 2023-121

**RESOLUTION ADJUSTING THE JOB TITLE AND SALARY OF
LA2EBDUIN OF THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, in accordance to Resolution 2022-177 **LA2EBDUIN**, was previously demoted to the position of Laborer due to the suspension period of the employee's Commercial Driver's License (CDL); and

WHEREAS, **LA2EBDUIN's** previous Job Title of Equipment Operator requires the Commercial Driver's License credential issued by the New Jersey Division of Motor Vehicles as a requirement to perform the duties of said position; and

WHEREAS, **LA2EBDUIN**, met the Civil Service Commission's disciplinary suspension period with restoration to the Job Title of Equipment Operator effective November 1, 2022; and

WHEREAS, **LA2EBDUIN** continued to remain non-compliant with Division of Motor Vehicles' restoration requirements until November 29, 2022; and

WHEREAS, the Borough of Roselle has determined that **LA2EBDUIN's** full restoration requirements have been justly satisfied effective November 29, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby approves the restoration of **LA2EBDUIN** from the Job Title of Laborer to the Job Title of Equipment Operator effective November 1, 2022.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Borough Council of the Borough of Roselle recognizes **LA2EBDUIN**'s period of non-compliance from November 2, 2022 through November 29, 2022, and disciplinary measures thereof, after which **LA2EBDUIN** would be fully restored to the Job Title of Equipment Operator with all of the terms and conditions forthwith.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Borough Council of the Borough of Roselle authorizes the Borough Administrator to provide for any and all salary adjustments to account for the proper time and title based on the dates set forth in 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 March 15, 2023.

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 15th day of March, 2023.

RESOLUTION NUMBER 2023- 122

RESOLUTION ACCEPTING THE RESIGNATION OF 1KG9RR35C OF THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, **1KG9RR35C** has notified the Borough of Roselle that he will be resigning from the position of Part Time Laborer in the Department of Public Works, and

WHEREAS, **1KG9RR35C** submitted a letter of resignation on February 16th, 2023 to be effective February 17th, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby acknowledges the resignation of **1KG9RR35C** effective February 17th, 2023.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held March 15th, 2023.

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 15th day of March, 2023.

RESOLUTION NUMBER 2023-123

**RESOLUTION AUTHORIZING THE BOROUGH OF ROSELLE TO ENTER INTO A
CONTRACT WITH SAINT BARNABAS MANAGEMENT SERVICES / ONE SOURCE
EAP, FOR AN EMPLOYEE ASSISTANCE PLAN**

WHEREAS, Saint Barnabas Management Services / Once Source EAP provides assistance to business and governmental organizations in connection with the design, implementation, and maintenance of Employee Assistance Programs; and

WHEREAS, the optimal productivity level of every employee in the workforce can be adversely affected by factors beyond the control of the employer; and

WHEREAS, a multitude of studies have shown that the cost of lost productivity is consistently greater than the cost of providing certain types of confidential assistance to employees; and

WHEREAS, Saint Barnabas Management Services / Once Source EAP (formerly Trinitas Hospital) has diligently continued to administer the Borough's Employee Assistance Plan (EAP); and.

WHEREAS, pursuant to N.J.A.C. 50:30-5.5(e) the award of the contract shall be subject to the availability and appropriation of funds in the CY 2023; and

WHEREAS, if funds are not available for the contract in the 2023 temporary and permanent budget, the contract will be terminated.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle, County of Union, State of New Jersey that the Acting Borough Administrator is hereby authorized to execute a contract with Saint Barnabas Management Services / Once Source EAP for an Employee Assistance Plan at the cost of Four Thousand Five Hundred Dollars (\$4,500.00) from January 1, 2023 until December 31, 2023.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held March 15th, 2023.

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 15th day of March 2023.

RESOLUTION NUMBER 2023-124

**RESOLUTION ACCEPTING THE RESIGNATION OF V9Z1AY4TD
OF THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, V9Z1AY4TD has notified the Borough of Roselle that he will be resigning from the position of Part Time Laborer in the Department of Public Works, and

WHEREAS, V9ZIAY4TD submitted a letter of resignation on March 3rd, 2023 to be effective March 6th, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby acknowledges the resignation of **V9ZIAY4TD** effective March 6th, 2023.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held March 15th, 2023.

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 15th day of March, 2023.

RESOLUTION NUMBER 2023-125

RESOLUTION AUTHORIZING REFUND OF STREET OPENING ESCROW FEES

WHEREAS, Rana Construction has requested a refund of the street opening escrow fees paid on June 4, 2022. The work that was has been completed and requested was received for reimbursement of the escrow deposit; and

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

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Roselle that the Municipal Finance Officer is hereby authorized to refund the street opening escrow fees in the amount of \$6,000.

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 March 15, 2023.

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 15th day of March 2023.

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

Vote Record –Consent Agenda (Resolution Nos. 2023-109 through 2023-125)				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			

Councilwoman Johnson	X	2023-		
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
Council President Bernier	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 RESOLUTIONS

RESOLUTION NUMBER 2023-126

RESOLUTION AUTHORIZING MUNICIPAL TAX APPEALS

WHEREAS, the Borough of Roselle entered into a Redevelopment Agreement with Rose Urban Renewal, LLC and

WHEREAS, the Redevelopment Agreement provided for short-term partial tax exemptions for the subject properties listed herein, pursuant to Section 106-15 of Roselle Borough's Municipal Code, most recently amended by adoption of Ordinance 2406-11 on July 20, 2011, and *N.J.S.A.* 40A:21-5; and

WHEREAS, said short-term partial tax emptions expire after a term of five (5) years, after which time the subject properties are no longer partially exempt from taxation; and

WHEREAS, the properties referenced herein were granted said short-term partial tax exemptions beginning in tax year 2018, which expired at the end of tax year 2022, and should be taxed at the full assessed value for tax year 2023; and

WHEREAS, the existing tax assessments for the subject properties are as follows:

BLOCK: 1201, LOT: 10

	<u>Assessment</u>
Land	\$ 50,400
Improvements	\$ 108,100
Exemption	\$ (62,443)
Total	\$ 96,057

BLOCK: 1202, LOT: 13

	<u>Assessment</u>
Land	\$ 48,000
Improvements	\$ 89,500
Exemption	\$ (56,566)
Total	\$ 80,934

BLOCK: 2301, LOT: 35

	<u>Assessment</u>
Land	\$ 49,000
Improvements	\$ 106,100
Exemption	\$ (57,739)
Total	\$ 97,361

BLOCK: 2403, LOT: 14

	<u>Assessment</u>
Land	\$ 48,000
Improvements	\$ 89,500
Exemption	\$ (50,966)
Total	\$ 86,534

BLOCK: 2405, LOT: 4

	<u>Assessment</u>
Land	\$ 47,800
Improvements	\$ 106,100
Exemption	\$ (58,627)
Total	\$ 95,273

BLOCK: 2504, LOT: 12

	<u>Assessment</u>
Land	\$ 48,000
Improvements	\$ 106,100
Exemption	\$ (56,915)
Total	\$ 97,185

BLOCK: 2702, LOT: 5

	<u>Assessment</u>
Land	\$ 51,800
Improvements	\$ 108,100
Exemption	\$ (58,900)
Total	\$ 101,100

BLOCK: 2802, LOT: 5

	<u>Assessment</u>
Land	\$ 52,000
Improvements	\$ 106,100
Exemption	\$ (60,497)
Total	\$ 97,603

BLOCK: 2802, LOT: 7

	<u>Assessment</u>
Land	\$ 50,000
Improvements	\$ 108,100
Exemption	\$ (62,800)
Total	\$ 95,300

BLOCK: 2806, LOT: 4

	<u>Assessment</u>
Land	\$ 51,600
Improvements	\$ 106,100
Exemption	\$ (61,300)
Total	\$ 96,400

BLOCK: 2401, LOT: 3.01

	<u>Assessment</u>
Land	\$ 47,600
Improvements	\$ 106,100
Exemption	\$ (54,538)
Total	\$ 99,162

BLOCK: 2401, LOT: 3.02

	<u>Assessment</u>
Land	\$ 47,600
Improvements	\$ 106,100
Exemption	\$ (57,763)
Total	\$ 95,937

BLOCK: 2401, LOT: 3.03

	<u>Assessment</u>
Land	\$ 47,200
Improvements	\$ 106,100
Exemption	\$ (55,999)
Total	\$ 97,301

BLOCK: 2401, LOT: 3.05

	<u>Assessment</u>
Land	\$ 47,200
Improvements	\$ 106,100
Exemption	\$ (58,547)
Total	\$ 94,753

BLOCK: 2401, LOT: 3.06

	<u>Assessment</u>
Land	\$ 47,200
Improvements	\$ 110,200

Exemption	\$ (64,565)
Total	\$ 92,835

WHEREAS, the assessments for said real properties for the tax year 2023 should be, as per the expiration of any exemptions, the following:

BLOCK: 1201, LOT: 10

	<u>Assessment</u>
Land	\$ 50,400
Improvements	\$ 108,100
Exemption	\$ 0
Total	\$ 158,500

BLOCK: 1202, LOT: 13

	<u>Assessment</u>
Land	\$ 48,000
Improvements	\$ 89,500
Exemption	\$ 0
Total	\$ 137,500

BLOCK: 2301, LOT: 35

	<u>Assessment</u>
Land	\$ 49,000
Improvements	\$ 106,100
Exemption	\$ 0
Total	\$ 155,100

BLOCK: 2403, LOT: 14

	<u>Assessment</u>
Land	\$ 48,000
Improvements	\$ 89,500
Exemption	\$ 0
Total	\$ 137,500

BLOCK: 2405, LOT: 4

	<u>Assessment</u>
Land	\$ 47,800
Improvements	\$ 106,100
Exemption	\$ 0
Total	\$ 153,900

BLOCK: 2504, LOT: 12

	<u>Assessment</u>
Land	\$ 48,000
Improvements	\$ 106,100
Exemption	\$ 0

Total \$ 154,100

BLOCK: 2702, LOT: 5

	<u>Assessment</u>
Land	\$ 51,800
Improvements	\$ 108,100
Exemption	\$ 0
Total	\$ 159,900

BLOCK: 2802, LOT: 5

	<u>Assessment</u>
Land	\$ 52,000
Improvements	\$ 106,100
Exemption	\$ 0
Total	\$ 158,100

BLOCK: 2802, LOT: 7

	<u>Assessment</u>
Land	\$ 50,000
Improvements	\$ 108,100
Exemption	\$ 0
Total	\$ 158,100

BLOCK: 2806, LOT: 4

	<u>Assessment</u>
Land	\$ 51,600
Improvements	\$ 106,100
Exemption	\$ 0
Total	\$ 157,700

BLOCK: 2401, LOT: 3.01

	<u>Assessment</u>
Land	\$ 47,600
Improvements	\$ 106,100
Exemption	\$ 0
Total	\$ 153,700

BLOCK: 2401, LOT: 3.02

	<u>Assessment</u>
Land	\$ 47,600
Improvements	\$ 106,100
Exemption	\$ 0
Total	\$ 153,700

BLOCK: 2401, LOT: 3.03

Assessment

Land	\$ 47,200
Improvements	\$ 106,100
Exemption	\$ 0
Total	\$ 153,300

BLOCK: 2401, LOT: 3.05

	<u>Assessment</u>
Land	\$ 47,200
Improvements	\$ 106,100
Exemption	\$ 0
Total	\$ 153,300

BLOCK: 2401, LOT: 3.06

	<u>Assessment</u>
Land	\$ 47,200
Improvements	\$ 110,200
Exemption	\$ 0
Total	\$ 157,400

WHEREAS, a method exists in the Tax Law for the Municipality to appeal from the current assessments;

WHEREAS, the Borough Council of the Borough of Roselle is in agreement that the assessments for such real properties should be corrected;

NOW, THEREFORE, be it resolved by the Borough Council of the Borough of Roselle that the Borough Tax Assessor and Borough Special Tax Counsel be and are hereby authorized to file appeals from the current assessments, pursuant to N.J.S.A. 54:3-21, with the Union County Board of Taxation to correct the above assessments for the tax year 2023 with respect to the above properties.

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 March 15, 2023.

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 15th day of March 2023.

RESOLUTION NUMBER 2023-127

**RESOLUTION OF THE BOROUGH OF ROSELLE COUNCIL
SUPPORTING ROLL MODELS LLC'S APPLICATION FOR A RETAIL
DISPENSARY MICRO-LICENSE TO THE NEW JERSEY CANNABIS
REGULATORY COMMISSION AND CONFIRMING THAT THE
INTENDED SITE IS SUITABLE FOR THE OPERATIONS OF THE
PROPOSED CANNABIS MICRO-DISPENSARY**

WHEREAS, the Borough Council of the Borough of Roselle (“Borough”) previously adopted Resolution No. 2022-358 in support of the application of Roll Models LLC (“Roll Models”) to the New Jersey Cannabis Regulatory Commission (“CRC”) for an annual license to operate a cannabis micro-dispensary; and

WHEREAS, the Borough has been informed by Roll Models that the address included in Resolution No. 2022-358 for their proposed retail site is incorrect, and that Roll Models plans to apply to the CRC as a microbusiness for an annual license with a proposed retail site within the existing building located at 731 E. St. Georges Ave., Roselle (the “Site”), identified as Block 2904, Lot 6, on the current Official Tax Map of the Borough; and

WHEREAS, Roll Models has provided the Borough with information regarding their business model at the Site; and

WHEREAS, the Site is located in the Mixed-Use Commercial Sub-Zone of the Central Roselle Revitalization Plan Area, Amendment # 12, where “Cannabis Retailer” is a conditionally permitted use pursuant to the Central Roselle Revitalization Plan, provided that:

- (a) The establishment is licensed and located more than 1,000 feet from the property line of any elementary or secondary school property; and
- (b) The establishment does not include an outdoor consumption area; and

WHEREAS, the zoning officer of the Borough has analyzed the applicable law and public records and has made such other inquiries as necessary and opined that the proposed site is appropriate as a cannabis micro-dispensary if the conditions contained in Amendment # 12 of the Central Roselle Revitalization Plan are met; and

WHEREAS, the Borough Council believes that permitting Roll Models to operate the Site as a cannabis micro-retailer will satisfy patients’ and consumers’ interests and help create jobs and economic opportunity within the Borough and enhance public safety; and

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

WHEREAS, N.J.S.A. 24:6I-36 and N.J.A.C. 17:30-7.10 require that an applicant for Cannabis Business License submit proof of local support for the suitability of a cannabis business’s proposed location, which shall be demonstrated by a resolution adopted by the municipality’s governing body;

THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, that Roselle Borough supports Roll Model’s application to the CRC for an Annual Cannabis Retailer Micro-License and urges the CRC to grant its application.

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

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

BE IT FURTHER RESOLVED that the zoning officer or appropriate official of the Borough be authorized to issue any required letter or affidavit confirming that the proposed Site is located within a zone that permits cannabis retailers upon the satisfaction of the conditions set forth hereinabove.

BE IT FURTHER RESOLVED that this Resolution shall supersede Resolution No. 2022-358.

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

I, Lisette Sanchez, 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 March 15, 2023.

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 15th day of March 2023.

RESOLUTION NUMBER 2023-128

RESOLUTION HIRING AS A FULL-TIME KEYBOARDING CLERK 1 IN THE BOROUGH CLERK'S OFFICE AT THE CONTRACTUAL ANNUAL SALARY OF \$33,347.76

WHEREAS, there is a need in the Office of the Borough Clerk to fill the position of full-time Keyboarding Clerk 1 to which the incumbent shall have fluency in the language of Spanish; and

WHEREAS, Marta Antunes was interviewed and judged to be qualified for employment in the title of Keyboarding Clerk 1 in the Office of the Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle that Marta Antunes is hereby appointed to the position of Keyboarding Clerk 1 in the Office of the Borough Clerk in the Borough of Roselle, effective Monday, March 27th, 2023, subject to the successful completion of the ninety (90) day working test period as required by Civil Service Regulations; and

BE IT FURTHER RESOLVED, that the annual salary for Marta Antunes shall be \$33,347.76 prorated for calendar year 2023, pursuant to the collective negotiation agreement presently in effect between the Borough and OPEIU Local 32, White Collar Unit; and

BE IT FURTHER RESOLVED, that the hiring of Marta Antunes is subject to the satisfactory completion of a criminal background check, the initial cost of which is to be borne by employee and will be reimbursed by the Borough so long as the check is satisfactory and employment is continued. A Residency Waiver is requested.

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 March 15th, 2023.

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 15th day of March, 2023.

RESOLUTION NUMBER 2023-129

**RESOLUTION AMENDING RESOLUTON 2023-095 ESTABLISHING 2023
TEMPORARY EMERGENCY APPROPRIATIONS**

WHEREAS, the 2023 Budget has not been adopted and additional temporary appropriations are required in order to provide Borough services until the 2023 budget is adopted; and

WHEREAS, N.J.S.A.40A:4-20 of the Local Budget Law provides for the creation of emergency temporary appropriations for purposes mentioned above;

WHEREAS, Resolution number 2023-095 establishing the 2023 Temporary Emergency Appropriations was adopted by Borough Council on February 15, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the following temporary emergency appropriations be made for the year 2023:

**Temporary Emergency Appropriation
2023**

	NJSA 40A:4- 19 Temp Budget	Modified Temp Budget 1/18/23	NJSA 40A: 4-20 Temp Emergency	Modified Temp Budget
General Admin SW	80,000.00	80,000.00	16,670.00	96,670.00

General Admin OE	180,000.00	180,000.00		180,000.00
Human Resources				
SW	26,000.00	26,000.00	15,000.00	41,000.00
Human Resources				
OE	12,500.00	12,500.00		12,500.00
Mayor and Council				
SW	45,000.00	60,000.00	17,000.00	77,000.00
Mayor and Council				
OE	12,000.00	15,000.00		15,000.00
Municipal Clerk SW	78,000.00	78,000.00	52,000.00	130,000.00
Municipal Clerk OE	35,000.00	35,000.00		35,000.00
Finance				
Administration SW	105,000.00	105,000.00	90,000.00	195,000.00
Finance				
Administration OE	63,000.00	63,000.00		63,000.00
Audit	25,000.00	25,000.00		25,000.00
Revenue				
Administration SW	24,000.00	24,000.00	17,000.00	41,000.00
Revenue				
Administration OE	4,000.00	4,000.00		4,000.00
Tax Assessment SW	34,000.00	34,000.00	31,000.00	65,000.00
Tax Assessment OE	28,000.00	43,000.00		43,000.00
Legal Services	145,000.00	245,000.00	150,000.00	395,000.00
Engineering Services	52,000.00	52,000.00	45,000.00	97,000.00
Economic				
Development SW	25,000.00	25,000.00	16,500.00	41,500.00
Economic				
Development OE	50,000.00	150,000.00	60,000.00	210,000.00
Planning Board SW	1,575.00	1,575.00	2,700.00	4,275.00
Planning Board OE	10,000.00	10,000.00		10,000.00
Zoning Board of				
Adjustment SW	1,575.00	1,575.00	2,700.00	4,275.00
Zoning Board of				
Adjustment OE	2,000.00	2,000.00		2,000.00
Budling Department				
SW	115,000.00	115,000.00	105,000.00	220,000.00

Budling Department				
OE	15,000.00	15,000.00		15,000.00
Code Enforcement				
SW	80,000.00	80,000.00	74,000.00	154,000.00
Code Enforcement				
OE	10,000.00	10,000.00		10,000.00
Parking Enforcement				
SW	18,500.00	18,500.00	5,000.00	23,500.00
Parking Enforcement				
OE		-		-
Hispanic/Latino				
Board Multicultural	200.00	3,000.00		3,000.00
Senior Advisory				
board		3,000.00		3,000.00
Other Insurance				
Premiums	1,319,000.00	1,319,000.00		1,319,000.00
Workers				
Compensation				
Insurance	325,000.00	325,000.00		325,000.00
Employee Group				
Insurance	1,549,500.00	1,549,500.00	1,200,000.00	2,749,500.00
Health Benefits				
Waiver	45,000.00	45,000.00		45,000.00
State Unemployment				
Insurance	60,000.00	60,000.00		60,000.00
Police Department				
SW	1,885,000.00	1,885,000.00	2,310,000.00	4,195,000.00
Police Department				
OE	315,000.00	315,000.00		315,000.00
Traffic Control				
School Crossing SW	82,000.00	82,000.00	72,000.00	154,000.00
Traffic Control				
School Crossing OE	4,200.00	4,200.00		4,200.00
Police Dispatch/911				
SW	210,000.00	210,000.00		210,000.00
Police Dispatch/911				
OE	1,500.00	1,500.00		1,500.00
Fire Department SW	1,090,000.00	1,090,000.00	1,065,000.00	2,155,000.00
Fire Department OE	80,000.00	80,000.00		80,000.00
Office of Emergency				
Management SW	4,200.00	4,200.00	1,000.00	5,200.00
Office of Emergency				
Management OE	11,000.00	11,000.00		11,000.00

Municipal Prosecutor SW	13,500.00	13,500.00	15,500.00	29,000.00
Municipal Prosecutor OE	5,000.00	5,000.00		5,000.00
Shade Tree	18,000.00	18,000.00		18,000.00
Public Works SW	800,000.00	800,000.00	450,000.00	1,250,000.00
Public Works OE	225,000.00	225,000.00		225,000.00
Vehicle Maintenance - Fire	25,000.00	25,000.00		25,000.00
Vehicle Maintenance - Police	25,000.00	25,000.00	2,000.00	27,000.00
Vehicle Maintenance - PW/Motor pool	50,000.00	50,000.00	20,000.00	70,000.00
Solid Waste	400,000.00	400,000.00	100,000.00	500,000.00
Recycling	28,000.00	28,000.00	25,000.00	53,000.00
Snow Removal	60,000.00	60,000.00		60,000.00
Municipal Service Act	9,000.00	9,000.00		9,000.00
Public Health Services SW	32,000.00	62,000.00	16,000.00	78,000.00
Public Health Services OE	17,000.00	17,000.00	5,000.00	22,000.00
Community Center SW	10,000.00	10,000.00	14,000.00	24,000.00
Community Center OE	1,000.00	4,000.00		4,000.00
Parks & Playgrounds SW	30,000.00	30,000.00	22,000.00	52,000.00
Parks & Playgrounds OE	40,000.00	40,000.00		40,000.00
Maintenance of Free Public Library	175,000.00	175,000.00	175,000.00	350,000.00
Accumulated Leave Compensation	53,500.00	53,500.00		53,500.00
Electricity OE	167,000.00	167,000.00	167,000.00	334,000.00
Telephone	119,000.00	119,000.00	119,000.00	238,000.00
Fire Hydrant Service	100,000.00	100,000.00	100,000.00	200,000.00

Water OE	23,000.00	23,000.00	5,000.00	28,000.00
Natural Gas	25,000.00	25,000.00	25,000.00	50,000.00
Sewerage Disposal Lind/Roselle Authority	800,000.00	800,000.00	800,000.00	1,600,000.00
Gasoline	80,000.00	80,000.00	20,000.00	100,000.00
Contingency	10,000.00	10,000.00		10,000.00
PERS		-	773,626.00	773,626.00
Social Security	220,000.00	220,000.00	220,000.00	440,000.00
Police & Fire Retirement		-	3,715,716.57	3,715,716.57
DCRP	3,500.00	3,500.00		3,500.00
Tax Appeals Reserve	7,500.00	7,500.00		7,500.00
Judgements	100,000.00	100,000.00		100,000.00
Shared Service: Dispatch	70,000.00	70,000.00		70,000.00
Shared Service: STD Elizabeth	3,000.00	5,000.00		5,000.00
Shared Service: Health Officer	52,000.00	52,000.00		52,000.00
Shared Service: Animal Control	11,000.00	11,000.00		11,000.00
Municipal Court SW	115,000.00	115,000.00	120,000.00	235,000.00
Municipal Court OE	18,000.00	18,000.00		18,000.00
Public Defendant SW	8,100.00	8,100.00	2,000.00	10,100.00
Public Defendant OE	2,500.00	2,500.00		2,500.00
Capital Improvement Fund	400,000.00	400,000.00		400,000.00
Bond Principal	1,945,000.00	1,945,000.00		1,945,000.00
Bond Interest	1,217,000.00	1,217,000.00		1,217,000.00

Not Interest	330,000.00	330,000.00		330,000.00
NJEIT Loan	100,000.00	100,000.00		100,000.00
Green Trust Loans	2,600.00	2,600.00		2,600.00
	16,204,950.00	16,478,750.00	12,259,412.57	28,738,162.57

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 March 15, 2023.

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 15th of March 2023.

RESOLUTION NUMBER 2023-130

RESOLUTION AUTHORIZING PAYMENT OF PROFESSIONAL INVOICES

WHEREAS, the Borough of Roselle engaged professional services and some of their invoices have not been paid from the year 2022;

WHEREAS, the payment of these outstanding invoices would exceed the amount approved in the existing contracts from the year 2022;

WHEREAS, the approval of the increase in these contracts is before the Borough Council at a meeting on March 15, 2023;

WHEREAS, in order for these invoices to be paid, the Borough Council must approve this resolution authorizing the payment of these outstanding invoices,

NOW, THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE, that the Borough Council authorize the payment of the following outstanding invoices:

Professional	Date	Amount not To Exceed	Account number
Shain Shaffer & Rafanello	12/31/2022	\$9,000	2-01-20-155-000-228
Renaud Colicchio	12/31/2022	\$16,900	2-01-20-155-000-228
AlphaDog	12/31/2022	\$2,505	2-01-20-100-000-229

SLEF

GENERAL TRUST		\$
ACCOUNT		4,830.00
TRUST DCA		
FEEES		
GRANT		\$
ACCOUNT		600.00
SUI	\$	25,525.36
FEBRUARY 24, 2023	\$	682,000.54
PAYROLL		
MARCH 10, 2023	\$	671,782.48
PAYROLL		
MANUAL	\$	417,634.42
CHECK		
POAA		
REDEMPTION PREMIUM		
ACCOUNT		
PUBLIC		
DEFENDER		
REDEMPTION		
TRUST		
RESERVE FOR ESCROW		
SALARY		
DEDUCTION		
GRAND TOTAL		\$4,847,420.74

LISETTE SANCHEZ
MUNICIPAL BOROUGH CLERK

DATED: MARCH 15, 2023

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

Vote Record – Resolution No. 2023-131				
	Ayes	Nays	Abstain	Absent
Councilman Villeda	X			
Councilwoman Johnson	X			
Councilwoman Thomas	X			
Councilman Fortuna	X			
Councilwoman Wilkerson	X			
Council President Bernier	X			

☒ **Adopted** ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Withdrawn

RESOLUTION NUMBER 2023-132

RESOLUTION AUTHORIZING A CLOSED (EXECUTIVE SESSION)

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

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

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

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

This resolution shall take effect immediately.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular Meeting of said Council held on March 15, 2023.

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 15th of March 2023.

No action taken on Resolution 2023-132.

COUNCIL COMMENTS

Councilman Villeda provided the following comments:

- Four-way stop-signs and speed bumps need to be placed in the 1st Ward
- Accidents on Sheridan Ave. and E. 2nd and Thompson Ave. and E. 3rd
- Asked for support from his Council colleagues

Councilwoman Johnson provided the following comments:

- Wished the public a happy Women's History Month and wished several women who

work at Borough Hall the same

Councilwoman Thomas provided the following comments:

- Congratulated the recipients of the proclamations
- Reminded everyone of the upcoming events at the Amalfe Community Center
- The next 4th Ward meeting will be held on March 28, 2023 from 7:00 p.m., to 8:30 p.m. at the Amalfe Community Center
- Provided her contact information to the residents

Councilman Fortuna provided the following comments:

- Thanked his Council colleagues for passing the parking restriction legislation
- Thanked Acting Borough Administrator Shanel Robinson for participating in the March 6, 2023 Fifth Ward meeting
- Talked about Airbnb's in the Borough of Roselle

Councilwoman Wilkerson provided the following comments:

- Talked about advocacy for the residents and Council working together
- Encouraged residents to help to keep Amsterdam Avenue clean
- Talked about lack of tax information to new homeowners by sellers and relators
- Wished everyone a happy Women's History Month and wished the Recreation Director and Recreation Chair the same
- Encouraged women to attend the upcoming Women's Round Table event
- Congratulated the recipients of the proclamations
- Announced the free tax preparation service provided by Agape House of Worship
- Congratulated Mayor Shaw and the Borough Administrator Robinson for the Mayor's State of the Borough Address and thanked the Agape House of Worship for hosting the event.

Council President Bernier provided the following comments:

- The next 2nd Ward meeting will be held on March 28, 2023 at 7:00 p.m.
- Provided his contact information to the residents
- Supports the Black Lives Matter signage now and in the foreseeable future
- Encouraged residents and his colleagues to reach out to him with any issues
- Talked about the redevelopment agreement for the IHOP in the 2nd Ward
- Congratulated Mayor Shaw on the State of the Borough Address
- Congratulated his Council colleagues for their participation in the video shown during the Mayor's State of the Borough Address
- Excited where the Borough is headed

MAYOR'S COMMENTS

- Gave his condolences to the family of Commissioner Alexander Mirabella on the passing of his mother, as well as, to the family of Senator Ronald Rice, Sr. on his passing
- Talked about being grateful for his Council colleagues
- Talked about attending fellow Mayor's State of Addresses for their Municipality
- Encouraged Council members to reach out to the Acting Borough Administrator and

- to be diligent to the residents
- Thanked everyone for their support of the Mayor's Borough Address event

ADJOURNMENT

Motion to adjourn by Councilwoman Thomas, second by Councilwoman Wilkerson. Motion was approved by unanimous vote. Meeting adjourned at 8:23 p.m.


Lisette Sanchez, Borough Clerk

