BOROUGH OF ROSELLE MAYOR AND COUNCIL WORKSHOP MEETING – REVISED AGENDA MAY 10, 2023 – 6:30 P.M.

MEETING CALLED TO ORDER

FLAG SALUTE

INVOCATION

STATEMENT OF COMPLIANCE

The requirements of N.J.S.A. 10:4-6 et seq., the "Sunshine Law" has been met. A notice of this meeting was sent to the Star Ledger, published in the Home News Tribune on December 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

PUBLIC COMMENTS

DEPARTMENT REPORTS

• All Department Heads

PRESENTATIONS

CLOSED EXECUTIVE SESSION

2023-166 - Resolution for Closed Executive Session

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

RESOLUTIONS

BOROUGH	I CLERK
2023-167	RESOLUTION TO AMEND RESOLUTION 2023-147
2023-168	RESOLUTION AMENDING RESOLUTION 2023-163 HIRING PARKING
	ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT AT A RATE
	OF \$19.20 PER HOUR
2023-169	RESOLUTION OF THE BOROUGH OF ROSELLE COUNCIL
	AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN ON BEHALF
	OF THE EVERETT HATCHER MUNICIPAL ALLIANCE FOR FISCAL
	YEAR 2024

SETTING THE AGENDA FOR THE MAY 17, 2023 REGULAR MEETING

PROCLAMATION

APPROVAL OF MINUTES OF MEETINGS

Minutes of the Mayor and Council Workshop Meeting – April 12, 2023 Minutes of the Mayor and Council Regular Meeting – April 19, 2023

INTRODUCTION, CONSIDERATION AND PASSAGE OF ORDINANCES

ORDINANCE ON SECOND READING/PUBLIC HEARING – Ordinance Number 2709-23

AN ORDINANCE TO AMEND AND SUPPLEMENT THE LAND USE CODE OF THE BOROUGH OF ROSELLE, CHAPTER 650, ARTICLE XI, ADMINISTRATION, ENFORCEMENT AND FEES, SECTION 650-86.1, FEES AND ESCROW DEPOSITS; TO AMEND THE CODE TO REQUIRE ALL APPLICANTS TO SUBMIT AN ESCROW AGREEMENT

- a) Public Hearing
- b) Motion for Final Adoption:

Second:

ORDINANCE ON FIRST READING & INTRODUCTION – Ordinance Number XXXX-23

AMENDMENT FOR THE NORTH CHESTNUT REDEVELOPMENT PLAN **[TO BE PROVIDED]**

a) Motion to Adopt:

Second:

b) Public Hearing scheduled for June 21, 2023

ORDINANCE ON FIRST READING & INTRODUCTION – Ordinance Number XXXX-23

CALENDAR YEAR 2023 ORDINANCE TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

a) Motion to Adopt: Second:

b) Public Hearing scheduled for June 21, 2023

RESOLUTIONS

BORO	UGH COUNCIL
1.	RESOLUTION OF THE BOROUGH OF ROSELLE COUNCIL SUPPORTING
	MOM & POP SHOP, LLC'S APPLICATION TO THE NEW JERSEY
	CANNABIS REGULATORY COMMISSION FOR A CLASS 5 CANNABIS
	RETAILER LICENSE AND CONFIRMING THAT THE INTENDED SITE IS
	SUITABLE FOR THE OPERATIONS OF THE PROPOSED CANNABIS
	RETAILER
BORO	UGH ADMINISTRATOR
2.	RESOLUTION EXPRESSING SUPPORT FOR UNION COUNTY CONNECTS
	SEEKING TO TURN INACTIVE STATEN ISLAND RAPID TRANSIT RAIL
	LINE INTO TRIAL
3.	RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
	CONTRACT TO NATIONAL FITNESS CAMPAIGN
BORO	UGH ATTORNEY
4.	RESOLUTION AUTHORIZING THE TAX ASSESSOR AND THE TAX
	APPEAL ATTORNEY TO FILE COUNTERCLAIM REGARDING BLOCK
	999, LOT 1, PU PP
5.	RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
	ROSELLE, COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING
	THE BOROUGH OF ROSELLE TO JOIN WITH THE STATE OF NEW
	JERSEY AND OTHER LOCAL GOVERNMENTAL UNITS AS A
	PARTICIPANT IN THE FORMAL AGREEMENTS IMPLEMENTING A
	UNIFIED PLAN FOR THE PROPOSED ALLOCATION AND USE OF OPIOID
	LITIGATION SETTLEMENT PROCEEDS
6.	RESOLUTION AUTHORIZING SETTLEMENT OF THE 2022 TAX
	APPEALS ENTITLED SHERIDAN ESTATE URBAN RENEWAL ENTITY,
	LLC v. BOROUGH OF ROSELLE, DOCKET NOS.: 000111-2022 & 006124-
	2022 BLOCK 407 LOT 10, COMMONLY KNOWN AS 533 E 2ND AVENUE
	OMIC & HOUSING
7.	RESOLUTION OF THE BOROUGH OF ROSELLE AUTHORIZING
	EXECUTION OF A USE & OCCUPANCY AGREEMENT WITH FOYA
	DEVELOPMENT GROUP, LLC FOR USE OF CERTAIN BOROUGH
	PROPERTY IDENTIFIED AS BLOCK 2605, LOT 1.01 ON THE BOROUGH'S
0	TAX MAPS [TO BE PROVIDED]
8.	RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
	ROSELLE DESIGNATING THE AREA IDENTIFIED AS BLOCK 3802, LOTS

	25, 26, 27, & 28, BLOCK 4802, LOTS 2 & 3, AND LAUREL STREET, A "PAPER STREET", ON THE BOROUGH'S TAX MAP AS A CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT
	TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A.
0	40A:12A-1 ET SEQ.
9.	RESOLUTION AUTHORIZING THE BOROUGH OF ROSELLE TO APPLY FOR THE NPP AMERICAN RESCUE PLAN GRANT
ENGINE	ERING
10.	RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SURVEY SERVICES IN CONNECTION WITH THE BIRCH DRIVE SURVEY PROJECT FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY
FINANC	\mathbf{E}
11.	RESOLUTION AUTHORIZING REFUND OF AMBULANCE FEES
FIRE	
12.	RESOLUTION FOR THE PURCHASE OF A SPARTAN 4-DOOR CUSTOM 93' MID-MOUNT FIRE APPARATUS UNDER THE HOUSTON-GALVESTON AREA COUNCIL FOR THE BOROUGH OF ROSELLE FIRE DEPARTMENT
HUMAN	RESOURCES
13.	RESOLUTION ACKNOWLEDGING END OF SEASONAL TEMPORARY LABORERS' ASSIGNMENT
14.	RESOLUTION ACKNOWLEDGING NEW JOB STATUS OF SEASONAL LABORERS IN THE DEPARTMENT OF PUBLIC WORKS
15.	RESOLUTION ACCEPTING THE RESIGNATION OF WILLIAM G. WILKINS
16.	RESOLUTION APPOINTING BUILDING SUBCODE OFFICIAL
17.	RESOLUTION APPOINTING TRACYANN WENSKOSKI AS TEMPORARY CONSTRUCTION OFFICIAL [TO BE PROVIDED]
18.	RESOLUTION ACCEPTING THE RESIGNATION OF EUGENIA SIMMS
POLICE	
19.	RESOLUTION APPROVING 2023 TOWING LICENSE – C & M TOWING
20.	RESOLUTION SUPPORTING THE <i>CLICK IT OR TICKET</i> MOBILIZATION OF MAY 22 – JUNE 4, 2023
21.	NJCSC ALTERNATIVE HIRING PROCEDURES (C.11A:4-1.3) [TO BE PROVIDED]
22.	RESOLUTION APPOINTING WILLIAM D. LORD TO THE POSITION OF POLICE CAPTAIN
23.	RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY UNDER ITS FY 2023 SAFE AND SECURE COMMUNITIES GRANT PROGRAM

PAYMENT OF BILLS

24.	RESOLUTION APPROVING THE BILLS LIST DATED MAY 17, 2023 [TO
	BE PROVIDED

COUNCIL COMMENT

MAYOR'S COMMENTS

ADJOURNMENT



RESOLUTION NUMBER 2023-166

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 Workshop Meeting of said Council held on May 10, 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 10th of May 2023.

Lisette Sanchez, Borough Clerk	



RESOLUTION NUMBER 2023-167

RESOLUTION TO AMEND RESOLUTION 2023-147

WHEREAS, on April 19, 2023 in Resolution No. 2023-147 the Borough transferred A.B.C. License# 2014-33-022-007, license name: Weis Buffett Corporation to El Popocatepelt, Inc., and

WHEREAS, due to clerical error, the application was processed for a person-to-person transfer, rather than a person-to-person and place-to-place transfer; and

WHEREAS, the action taken on a said resolution must include both the person-toperson and place-to-place transfer in order to properly endorse the license to the new ownership to El Popocatepelt, Inc.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey that it hereby amends Resolution No. 2023-147 to authorize the transfer of Plenary Retail Consumption License #2014-33-022-007, and hereby authorizes the Municipal Clerk to endorse said license to the new ownership as follows: This license, subject to all its terms and conditions, is hereby transferred to El Popocatepelt, Inc., t/a El Popocatepelt, 201 Sheridan Avenue, Roselle, New Jersey 07203, effective April 19, 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 Workshop meeting of said Council held May 10, 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 10th day of May 2023.

Lisette Sanche	z, Borough Clerk	



RESOLUTION NUMBER 2023-168

RESOLUTION AMENDING RESOLUTION 2023-163 HIRING PARKING ENFORCEMENT OFFICERS IN THE POLICE DEPARTMENT AT A RATE OF \$19.20 PER HOUR

WHEREAS, on April 19, 2023 in Resolution No. 2023-163 the Borough Council approved a resolution to hire two parking enforcement officers Mr. Jody Brooke and Ms. Keyana Hall; and

WHEREAS, due to clerical error, the hours per week must be amended from 35 hours per week to 37.5 hours per week.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey that it hereby amends Resolution 2023-163 to reflect that Mr. Jody Brooke and Ms. Keyana Hall are hereby appointed to the position of Parking Enforcement Officer, on a full-time basis at amended hours of *37.5 hours per week* and at an hourly rate of \$19.20 per hour in the Police Department of the Borough of Roselle, effective Monday, May 1, 2023, subject to the successful completion of the ninety (90) day working test period.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, at a Workshop Meeting of said Council held May 10, 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 10th day of May, 2023.

Lisette Sanchez,	Borough Clerk
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RESOLUTION NUMBER 2023-169

RESOLUTION OF THE BOROUGH OF ROSELLE COUNCIL AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN ON BEHALF OF THE EVERETT HATCHER MUNICIPAL ALLIANCE FOR FISCAL YEAR 2024

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

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

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

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

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

1. The Borough Council does hereby authorize the submission of the attached strategic plan for the Everett Hatcher Municipal Alliance grant for fiscal year 2024 in the following amounts:

DMHAS \$3,403.00 DEDR \$6,547.00 Cash Match \$1,637.00 In-Kind \$4,910.00

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

APPROVED:	
	Donald Shaw, Mayor

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Workshop Meeting of said Council held May 10, 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 10th day of May 2023.

Lisette Sanchez, Borough Clerk



ORDINANCE NUMBER 2709-23

AN ORDINANCE TO AMEND AND SUPPLEMENT THE LAND USE CODE OF THE BOROUGH OF ROSELLE, CHAPTER 650, ARTICLE XI, ADMINISTRATION, ENFORCEMENT AND FEES, SECTION 650-86.1, FEES AND ESCROW DEPOSITS; TO AMEND THE CODE TO REQUIRE ALL APPLICANTS TO SUBMIT AN ESCROW AGREEMENT

WHEREAS, the Borough is experiencing an increase in the number of submitted development applications;

WHEREAS, to aid applicants in understanding the review process and associated escrows required to be funded under the Municipal Land Use Law, the Borough believes an escrow agreement will provide applicants information and clarity.

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 Land Use is hereby amended as follows (additions in <u>underline</u>; deletions in <u>strikeout</u>):

SECTION I. The Code of Borough of Roselle, Chapter 650 Land Use, Article XI Administration, Enforcement and Fees, Section 650-86.1 Fees and escrow deposits, is hereby amended and supplemented as follows:

A. Fees and escrow.

- (4) Escrow account.
 - (e) All applications for development within the Borough of Roselle shall be accompanied by an executed Escrow Agreement. No application for development shall be deemed complete unless an executed Escrow Agreement is received. The Escrow Agreement is attached hereto and known as Attachment 8 Escrow Agreement.

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

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

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

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda			X			
Councilwoman Johnson						
Councilwoman Thomas			X			
Councilman Fortuna			X			
Councilwoman Wilkerson		X	X			
Council President Bernier	X		X			
X Adopted Amended	□Defeated □	Tabled	□Withda	awn		
Recorded Vote on Final Pass				1		
C 1 1711 1	Motion	Second	Ayes	Nays	Abstain	Absent
Councilman Villeda						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						
Council President Bernier						
□ Adopted □ Amended □	Defeated	Tabled	□Withdra	awn		
Approved Vetoed and returned to th	e Municipal	Clerk with	the follov	ving statem	ent and obje	ections:
Donald Shaw, Mayor	DAT	E:				
NOTICE is hereby giver second and final reading at a I 5:30 P.M., 210 Chestnut St., F	Regular mee	unce Numb ting of the	er 2709-23 Mayor and	3 was passe l Council o	ed and adopt n May 17, 2	ed on 023 after
	Liset	te Sanchez	, Municip	al Clerk		_



ORDINANCE NUMBER 2023-XXX AMENDMENT FOR THE NORTH CHESTNUT REDEVELOPMENT PLAN [TO BE PROVIDED]



ORDINANCE NUMBER XXXX-23

CALENDAR YEAR 2023 ORDINANCE TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous years final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations and the 3.5% increase authorized by this ordinance when said difference is not appropriated as part of the final budget; and,

WHEREAS, the Borough Council of the Borough of Roselle, County of Union, hereby determines that this difference in the amount of \$352,698.00 that is not appropriated as part of the final 2023 budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Recorded Vote on Introduction Ordinance No. XXXX-23 – May 17, 2023

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

Recorded Vote on Final Pas	sage of Ord	linance No	Ayes	- June 21 Nays	, 2023 Abstain	Absent
Councilman Villeda	WIOUIOII	Second	Ayes	Ivays	Austaili	Ausent
Councilman Bernier						
Councilwoman Johnson						
Councilwoman Thomas						
Councilman Fortuna						
Councilwoman Wilkerson						
□Adopted □ Amended □Defe	eated □ Tal	bled □V	Vithdrawn			
Approved Vetoed and returned to the	ne Borough (Clerk with	the follow	ing stateme	ent and obje	ctions:
	2	Clerk with TE:	the follow	ing statemo	ent and obje	ctions:
Vetoed and returned to th	DA given that (Regular Me	TE: Ordinance	Number 2	XXXX-23	was passed	and adopted



1

RESOLUTION NUMBER 2023-XXX

RESOLUTION OF THE BOROUGH OF ROSELLE COUNCIL SUPPORTING MOM & POP SHOP, LLC'S APPLICATION TO THE NEW JERSEY CANNABIS REGULATORY COMMISSION FOR A CLASS 5 CANNABIS RETAILER LICENSE AND CONFIRMING THAT THE INTENDED SITE IS SUITABLE FOR THE OPERATIONS OF THE PROPOSED CANNABIS RETAILER

WHEREAS, Mom & Pop Shop, LLC ("Mom & Pop Shop") plans to apply to the New Jersey Cannabis Regulatory Commission ("CRC") for a Class 5 cannabis retailer license with a proposed retail site (the "Site") to be located at 605 W. 1st Avenue, Roselle, identified as Block 6502, Lot 3 on the current Official Tax Map of the Borough of Roselle ("Borough"); and

WHEREAS, Mom & Pop Shop has provided the Borough with information regarding their proposed cannabis business at the Site; and

WHEREAS, the Site is located in the Business/Commercial Zone, where "Cannabis Retailer" is a conditionally permitted use pursuant to Borough Code § 650-94(B)(4)(L), provided that the following conditions set forth in Borough Code § 650-102(B)(8) are met:

- (a) All other regulations applicable to the zoning district are complied with;
- (b) The establishment is licensed and located more than 1,000 feet from the property line of any elementary or secondary school property; and
 - (c) 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 Site permits the operation of a cannabis retailer if the conditions contained in Borough Code § 650-102(B)(8) are met; and

WHEREAS, pursuant to Borough Code § 155-5(I) and (J), a maximum of three (3) Class 5 cannabis retailers may obtain a local license to operate within the Borough (with two (2) additional Class 5 licenses available for businesses that qualify as a microbusiness under N.J.S.A. 24:6I-33); and

- WHEREAS, the issuance of a Class 5 cannabis retailer license to Mom & Pop Shop would not exceed the applicable limit of three (3) Class 5 licensed cannabis retailers within the Borough; and
- **WHEREAS**, N.J.S.A. 24:6I-36 and N.J.A.C. 17:30-7.10 require applicants to the CRC for a state cannabis business license to submit proof of local support for the suitability of a cannabis business's proposed location, which is demonstrated by a resolution adopted by the municipality's governing body; and
- WHEREAS, provided that all applicable conditions and requirements of the Borough Code are met, the Site permits the operation of a Class 5 licensed cannabis retailer; and
- WHEREAS, the Borough Council believes that permitting Mom & Pop Shop to operate a cannabis retailer at the Site will satisfy patients' and consumers' interests and help create jobs and economic opportunity within the Borough.
- **THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey, that above recitals are incorporated as though set forth at length herein, and that the Borough of Roselle supports Mom & Pop Shop's application to the CRC for a Class 5 Cannabis Retailer Annual License.
- **BE IT FURTHER RESOLVED** that, while the Borough Code establishes a limit of three Class 5 cannabis retailers that may operate within the Borough (with two additional licenses available for microbusinesses), license applicants that receive CRC approval first in time shall be deemed approved by the municipality until the local license limit is reached.
- **BE IT FURTHER RESOLVED** that 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 a copy of this resolution be sent to Jeff Brown, Executive Director of the New Jersey Cannabis Regulatory Commission, together with a request that the CRC timely inform the Borough prior to the CRC's approval of any annual license application (including an application to convert a conditional license to an annual license) that would result in the above-described local license limit being reached or exceeded, so that the Borough may advise the CRC of the number of remaining available licenses and provide the CRC with the Borough's preferences as to licensure.

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 May 17, 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 17th day of May 2023.

Lisette	Sanchez,	Borough	Clerk





RESOLUTION NUMBER 2023-XXX

RESOLUTION EXPRESSING SUPPORT FOR UNION COUNTY CONNECTS SEEKING TO TURN INACTIVE STATEN ISLAND RAPID TRANSIT RAIL LINE INTO TRIAL

WHEREAS, the Mayor and Borough Council of the Borough of Roselle wish to support expanded means and methods for connectivity, transportation, and passive recreation within the municipality and the greater Union County area; and

WHEREAS there exists a non-profit organization "Union County Connects" that seeks to advocate and fundraise in support of Union County Parks' Master Plan to convert unused railroads into greenways for walking and biking trails under the "Rails to Trails Union County" Program; and

WHEREAS, the Staten Island Rapid Transit (SIRT) railway line that extends from Cranford to Staten Island, New York, including a portion traveling through the Borough of through Roselle, has been out of service for several years; and

WHEREAS, the pathway travels along former SIRT rail lines in the Borough connecting the municipality with the neighboring City of Linden and Township of Cranford. This railway is now owned by the New Jersey Department of Transportation and is included in Union County Parks' 2010 Master Plan; and

WHEREAS, the Mayor and the Council believe that the aforementioned objective of "Rails to Trails Union County" is valuable and necessary for creating a community and a region that is more walkable and bikeable.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Roselle, in the County of Union, New Jersey, do hereby express support for the "Union County Connects" group in their pursuit of transformation of the unutilized railroad lines into walking and biking trails between the City of Linden and the Township of Cranford.

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 May 17, 2023.

IN WITNESS WHEREOF, I have he Borough of Roselle in the county of Union and	ereunto set my hand and affixed the seal of the State of New Jersey this 17 th day of May, 2023.
	Lisette Sanchez, Borough Clerk



3

RESOLUTION NUMBER 2023-

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO NATIONAL FITNESS CAMPAIGN

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

WHEREAS, the Purchasing Agent has and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, National Fitness Campaign has submitted a proposal indicating they will provide goods and services to the Borough; and

WHEREAS, National Fitness Campaign has completed and submitted a Business Entity Disclosure Certification which certifies that National Fitness Campaign 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 National Fitness Campaign from making any reportable contributions through the term of the contract; 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 budget in account C-04-270-008-010.

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

- 1. That the Borough Council awards a contract to National Fitness Campaign with a mailing address of P.O. Box 2367, San Francisco, CA 94126 to provide goods and services for a fitness court and national campaign services to the Borough, for an amount not to exceed \$160,000.00.
- 2. That this Contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law (N.J.S.A. 40A: 11-5(1)(a)(i)).

- 3. That a notice in accordance with this resolution and the Local Public Contracts Law of New Jersey, shall be published in the official newspaper or newspapers of the Borough as required by law, within twenty (20) days of execution of the contract.
- 4. That an executed copy of the Contract between the Borough and National Fitness Campaign with a mailing address of P.O. Box 2367, San Francisco, CA 94126, and a copy of this resolution shall be filed in the Office of the Borough Clerk and be available there for public inspection in accordance with law.
- 5. This Resolution is adopted and shall be instituted as part of a Non-Fair and Open Process established and exercised pursuant to N.J.S.A. 19:44A-20.5.
- 6. All previous Resolutions and/or orders and directives of Borough employees or officials, which are contrary to or inconsistent with the terms of this instant Resolution, are hereby rescinded, repealed and otherwise deemed ineffectual, to the extent of their inconsistency.
 - 7. That this Resolution shall take effect immediately.

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held May 17, 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 17th day of May, 2023.

Lisette Sanchez Borough Clerk

Certification of Availability of Funds:

(Acct #C-04-270-008-010)

Nick Trasente, CFO

Date



4

RESOLUTION NUMBER 2023-XXX

RESOLUTION AUTHORIZING THE TAX ASSESSOR AND THE TAX APPEAL ATTORNEY TO FILE COUNTERCLAIM REGARDING BLOCK 999, LOT 1, PU PP

WHEREAS, an appeal on property known and designated as Block 999, Lot 1, on the tax map of the Borough of Roselle, commonly known as PU PP has been filed by the taxpayer, Verizon New Jersey, Inc., under Docket Number 005074-2023; and

WHEREAS, the Borough of Roselle asserts that the property is underassessed and that the assessed value of said property should be increased; and

WHEREAS, a method exists in the Tax Law for the Municipality to counterclaim from the current assessment to seek an increase in the assessed value;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Roselle, that the Tax Assessor, Pamela Steele, and Tax Appeal Attorneys, Renaud Colicchio, LLC, be and are hereby authorized and directed to file such counterclaims or appeals and/or take such other actions as are appropriate to increase the assessed value of said property to the value which the Tax Assessor deems to more properly reflects the value of said property for the year 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 May 17, 2023.

Lisette Sanchez, Borough Clerk



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RESOLUTION NUMBER 2023-XX

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE, COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH OF ROSELLE TO JOIN WITH THE STATE OF NEW JERSEY AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN FOR THE PROPOSED ALLOCATION AND USE OF OPIOID LITIGATION SETTLEMENT PROCEEDS

WHEREAS, the Borough of Roselle ("Borough") has suffered harm from the opioid epidemic; and

WHEREAS, the Borough recognizes that the entire State of New Jersey has suffered harm as a result of the opioid epidemic; and

WHEREAS, there is currently pending a class action lawsuit entitled National Prescription Opiate Litigation bearing Case No. 1:17-md-2804 (N.D. Ohio) (the "Opioid Litigation"); and

WHEREAS, the State of New Jersey has opted into a proposed settlement of the Opioid Litigation with multiple National Prescription Opioid Litigation Defendants; and

WHEREAS, participation in the New Jersey Plan by a large majority of New Jersey municipalities and counties will materially increase the amount of funds to New Jersey and should improve New Jersey's relative bargaining position during additional settlement negotiations; and

WHEREAS, failure to participate in the New Jersey Plan will reduce funds available to the State, the Borough, and every other New Jersey municipality and county;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE, NEW JERSEY, AS FOLLOWS:

1. <u>Adoption of Representations.</u> The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

2. <u>Participation in the New Jersey Plan.</u> The Governing Body of the Borough finds

that participation in the New Jersey Plan would be in the best interests of the Borough and its

citizens in that the plan ensures that almost all the settlement funds go to abate and resolve the

opioid epidemic and that each and every municipality and county receives funds for the harm

that it has suffered.

3. Support for the Unified Plan. The Borough hereby expresses its support of the

proposed unified plan for the allocation and use of opioid settlement proceeds.

4. Authorization. The Borough Administrator is hereby expressly authorized to

execute the New Jersey Plan. The Borough Counsel or his designee is also authorized to execute

any Formal Agreements implementing a unified plan for the allocation and use of opioid

settlement proceeds that is not substantially inconsistent with the New Jersey Plan and this

Resolution.

5. <u>Effective Date.</u> This Resolution shall be retroactively effective to January 1, 2022

upon its passage and adoption.

I. Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of

New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution

adopted by the Governing Body of the Borough of Roselle, County of Union, State of New

Jersey at a Regular meeting of said Council held May 17, 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 17th day of May 2023.

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Lisette Sanchez Certified Municipal Clerk Borough of Roselle



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RESOLUTION NUMBER 2023-

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2022 TAX APPEALS ENTITLED SHERIDAN ESTATE URBAN RENEWAL ENTITY, LLC v. BOROUGH OF ROSELLE, DOCKET NOS: 000111-2022 & 006124-2022 BLOCK 407 LOT 10, COMMONLY KNOWN AS 533 E 2nd AVENUE

WHEREAS, an appeal of the real property tax assessment for tax years 2021, via an added assessment appeal, and 2022, involving Block 407 Lot 10 has been filed by the taxpayer, Sheridan Estate Urban Renewal Entity, LLC and

WHEREAS, the Borough of Roselle desires to settle the tax appeals for the tax years 2021, and 2022, and the proposed settlement agreement has been reviewed and recommended by the Borough Special Tax Counsel and Tax Assessor; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interests of the Borough of Roselle;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Roselle that the tax appeal settlement for the property and tax year herein is hereby authorized as follows:

1. Settlement of the 2021 Added Appeal and 2022 Appeal are hereby authorized as follows:

533 E 2nd Avenue

2021 Added Assessment

	_	al Added ssment	ounty Tax ed Judgment		ested Added As Court Judgment	
Land	\$	0	\$ 0	\$	0	
Improvements	\$ 1,00	06,700	\$ 112,400	\$	0	
Total	\$ 1,00	06,700	\$ 180,000	\$	0	
Prorated Months	6 M	onths	6 Months	0 1	Months	
Prorated Amoun	t \$ 50	3,350	\$ 503,350	\$	0	

Tax Year 2022

	Original Assessment	County Tax Board Judgment	Requested Tax Court Judgment
Land	\$ 258,400		\$ 158,400
Improvements	\$ 801,100	N/A	\$ 801,100
Total	\$ 1,059,500		\$ 959,500

- 2. The provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property for the tax year 2022. The 2023 assessment shall be reduced to the level on the Tax Court Judgment for the 2022 tax year.
- 3. The Mayor, Borough Clerk and Special Tax Counsel are hereby authorized and directed to execute and deliver such agreements, pleadings stipulations or other documentation as is reasonably necessary and/or appropriate to memorialize the settlement authorized herein;
- 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 May 17, 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 17th day of May, 2023.

sette Sanchez, Borough Clerk



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RESOLUTION NUMBER 2023-

RESOLUTION OF THE BOROUGH OF ROSELLE AUTHORIZING EXECUTION OF A USE & OCCUPANCY AGREEMENT WITH FOYA DEVELOPMENT GROUP, LLC FOR USE OF CERTAIN BOROUGH PROPERTY IDENTIFIED AS BLOCK 2605, LOT 1.01 ON THE BOROUGH'S TAX MAPS

[TO BE PROVIDED]





RESOLUTION NUMBER 2023-

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE DESIGNATING THE AREA IDENTIFIED AS BLOCK 3802, LOTS 25, 26, 27, & 28, BLOCK 4802, LOTS 2 & 3, AND LAUREL STREET, A "PAPER STREET", ON THE BOROUGH'S TAX MAP AS A CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

WHEREAS, by Resolution No. 2022-182, adopted on May 18, 2022 and Resolution No. 2022-345, adopted on November 9, 2022, the Borough Council (the "Borough Council") of the Borough of Roselle (the "Borough") authorized and directed the Borough's Planning Board (the "Planning Board") to conduct a preliminary investigation to determine whether the properties identified as Block 3802, Lots 25, 26, 27 & 28, Block 4802, Lots 2 and 3, and Laurel Street, a "paper street" on the Borough's official tax map (the "Study Area") meet the criteria set forth in the Redevelopment Law for designation as an area in need of redevelopment; and

WHEREAS, said resolutions also authorized and directed the Borough's Planning Consultant, Colliers Engineering & Design Inc. (the "Planning Consultant"), to perform the preliminary investigation and prepare a report containing its findings; and

WHEREAS, the Planning Consultant undertook the preliminary investigation and prepared a report containing its findings entitled "Redevelopment Area with Condemnation: Determination of Need Study Block 3802, Lots 25-28, Block 4802, Lots 2 & 3, Laurel Street" dated April 4, 2023 (the "Report"); and

WHEREAS, on May 3, 2023, after providing due notice, the Planning Board conducted a public hearing in accordance with the Redevelopment Law to determine whether the Study Area qualifies as a condemnation area in need of redevelopment and whether to recommend the Borough Council designate the Study Area as a condemnation area in need of redevelopment; and

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

- WHEREAS, the Planning Consultant concluded in the Report, and testified to the Planning Board at the public hearing, that there is evidence to support the conclusion that the properties in the Study Area satisfy the criteria set forth in the Redevelopment Law for designation as a condemnation area in need of redevelopment; and
- WHEREAS, at the conclusion of the public hearing, the Planning Board determined and recommended, for the reasons set forth in the Report and explained during the public hearing as memorialized in a resolution of the Planning Board, that the properties in the Study Area meet the criteria set forth in the Redevelopment Law and recommended that the Borough Council designate the Study Area as a condemnation area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and
- **WHEREAS**, the Borough agrees with the Planning Board's findings and the Planning Consultant's conclusions in the Report, and desires to designate the Study Area as a condemnation area in need of redevelopment pursuant to *N.J.S.A.* 40A:12A-6.
- **NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Roselle, in the County of Union, New Jersey, as follows:
- Section 1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.
- Section 2. After considering the conclusions set forth in the Report and the Planning Board's findings and recommendations, the Borough hereby finds that the Study Area meets the statutory criteria pursuant to *N.J.S.A.* 40A:12A-5 for designation as a condemnation area in need of redevelopment, and the Study Area is hereby designated as a condemnation area in need of redevelopment pursuant to *N.J.S.A.* 40A:12A-6 (the "Condemnation Redevelopment Area").
- Section 3. The designation of the Study Area as a condemnation area in need of redevelopment shall authorize the Borough to exercise all of its powers under the Redevelopment Law in the Condemnation Redevelopment Area, including the power of eminent domain.
- Section 4. The Borough Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6b(5)(c) of the Redevelopment Law.
- Section 5. The Borough Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Condemnation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.
 - **Section 6.** This Resolution shall take effect immediately.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a Regular meeting of said Council held on May 17, 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 17th day of May 2023.

Lisette Sand	chez Boro	nigh Clerk	
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RESOLUTION NUMBER 2023-

RESOLUTION AUTHORIZING THE BOROUGH OF ROSELLE TO APPLY FOR THE NPP AMERICAN RESCUE PLAN GRANT

WHEREAS, the Borough of Roselle desires to apply for the NPP American Rescue Plan (ARP) Grant from the New Jersey Department of Community Affairs for TWO HUNDRED THIRTY-FIVE THOUSAND SIX HUNDRED DOLLARS (\$235,600) to carry out a project to support the economic recovery of local merchants located in the NPP district by:

- 1) contracting with several of the merchants to supply free refreshments (snacks, food and beverages), and free giveaway items (balloons, glowing light sticks, and Roselle-labeled novelties) that will be freely distributed to visitors that attend Roselle's 2023 outdoor public events;
- 2) requiring event attendees with interest in the free refreshments and giveaway items to register with the Borough at the entrance to the outdoor event by providing adult name and email contact info and authorizing future marketing outreach;
- 3) supplying registered 2023 outdoor event attendees with a temporary plastic bracelet or similar object identifying them as eligible for free items;
- 4) promoting 2023 outdoor events with marketing initiatives (social media advertisements, email outreach, website postings, and temporary signage) that will stimulate visitor attendance, and inform potential visitors of the free items provided by Roselle merchants;
- creating and distributing bounce-back coupons (coupons that are valid for limited dates following the event date) to 2023 outdoor event attendees; the coupons will offer discounts on purchases in participating businesses in Roselle's NPP district; merchants that accept the coupons and make sales at a discount shall redeem the used coupon (with accompanying sales receipt as proof of purchase) with the Borough to be reimbursed with NPP-ARP grant funds for the discounted amount;
- 6) further stimulate attendance at Roselle's outdoor events by using grant funds to obtain a portable performance stage to be used at the events, as well as portable outdoor chairs and tables to be available to event attendees for seating at the outdoor events; and

7) utilizing the visitor registration information and the coupon redemption information to track and measure the success of this program to both stimulate visitor attendance at outdoor events, and to drive the visitors attending those events into the businesses in Roselle's NPP district.

BE IT THEREFORE RESOLVED that the Borough of Roselle does hereby authorize the application for such grant; and, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Borough of Roselle and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the Borough of Roselle recognizes and accepts that the Department may offer a lesser amount and therefore will accept any potential award amount pursuant to the execution of a grant agreement.

BE IT FURTHER RESOLVED that the persons whose names and signatures appear below are authorized to sign the application, the agreement, and any other documents in connection therewith.

·(Signature) DONALD R. SHAW Mayor (Signature) SHANEL ROBINSON Acting Business Administrator

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 May 17, 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 17th day of May, 2023.

Lisette Sanchez Borough Clerk



RESOLUTION NUMBER 2023-XXX

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SURVEY SERVICES IN CONNECTION WITH THE BIRCH DRIVE SURVEY PROJECT FUNDED BY THE MUNICIPALITY WITHIN THE BOROUGH OF ROSELLE, UNION COUNTY, NEW JERSEY

WHEREAS, the Borough of Roselle is desirous in performing survey services for the Boroughowned property located at Block 5702, Lot 12 located within the Borough; and

WHEREAS, Colliers Engineering & Design dba Maser Consulting is familiar with the survey services necessary to perform said task as delineated in the March 6, 2023 correspondence for the survey services; and

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

WHEREAS, on January 6, 2023, the Borough Council, after review of the responses deemed certain firms as "Qualified" in accordance with the terms of the Request for Qualifications (Resolution No. 2023-012) and also the Borough Council subsequently awarded the Borough Engineering Contract (Resolution No. 2023-050); and

WHEREAS, the Borough Council has deemed it necessary and in the best interest of the Borough to retain the services of an engineering firm for said purposes and has selected Colliers Engineering & Design dba Maser Consulting from the "Qualified" firms; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose; specifically within <u>bond</u> ordinance number 2708-23 for said engineering services for the various roadway improvements.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Roselle, Union County, New Jersey that the Borough Engineer (Colliers Engineering & Design) is authorized to perform professional engineering survey services in the amount of \$19,500.00 for the Birch Drive Survey Project.

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

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the 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 May 17, 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 17th day of May, 2023.

Lisette Sanchez, Borough Clerk

Certification of Availability of Funds: (Acct#C-04-270-008-004)

Nicola Trasente, CFO

Date



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RESOLUTION NUMBER 2023-XXX

RESOLUTION AUTHORIZING REFUND OF AMBULANCE FEES

WHEREAS, Lorene Nash has requested a refund of the ambulance fees paid on March 20, 2023. Borough resident paid balance in error; and

WHEREAS, the Fire Department has approved the refund for the ambulance 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 ambulance fees in the amount of \$200.

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 May 17, 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 17th day of May 2023.

Lisette	Sanchez,	Borough Clerk	k



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RESOLUTION NUMBER 2023-XXX

RESOLUTION FOR THE PURCHASE OF A SPARTAN 4-DOOR CUSTOM 93' MID-MOUNT FIRE APPARATUS UNDER THE HOUSTON-GALVESTON AREA COUNCIL FOR THE BOROUGH OF ROSELLE FIRE DEPARTMENT

WHEREAS, the Borough of Roselle wishes to purchase a Spartan 4- Door Custom 93' Mid-mount tower ladder from Spartan ERV, an authorized vendor under Houston Galveston Area Council Contract number 113021-RVG-4; and

WHEREAS, Spartan ERV, 64 Cocalico Creek, Ephrata, PA, 17522 is an authorized vendor under the Houston Galveston Area Council Contract with the Borough of Roselle; and

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

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

- 1. That the Borough Council a contract to Spartan ERV, 64 Cocalico Creek, Ephrata, PA, 17522 for a Spartan 4- Door Custom 93' Mid-mount tower Apparatus not to exceed \$2,025,000.00
- 2. The Chief Financial Officer has certified that sufficient funds are available within the 2023 Capital Budget in the amount of \$2,025,000.00 in Account#C-04-270-008-002.
- 3. Pursuant to N.J.A.C. 50:30-5.5(e), the award of the contract shall be subject to the availability and appropriation of funds in the 2023 capital budget in account# C-04-270-008-002; and
- I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey at a council meeting held May 17, 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 17th day of May, 2023.

Lisette Sanchez, Borough Clerk

Certification of Availability of Funds: (Acct # C-04-270-008-002)

Nicola Trasente, CFO

Date:



13.

RESOLUTION NUMBER 2023-

RESOLUTION ACKNOWLEDGING END OF SEASONAL TEMPORARY LABORERS' ASSIGNMENT

WHEREAS, Justin Hardrick, Kelsee Holloway, and Brandon John were hired as Part Time Seasonal Temporary Laborers in the Department of Public Works effective June 13, 2022, and

WHEREAS, the term of said employees' Part Time Seasonal Temporary work has ended effective April 28, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby acknowledges the end of the Part Time Seasonal Temporary Laborers assignments effective April 28, 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 May 17th, 2023.

Lisette Sanchez	
Borough Clerk	



RESOLUTION NUMBER 2023-

14.

RESOLUTION ACKNOWLEDGING NEW JOB STATUS OF SEASONAL LABORERS IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the below-named employees were hired in the position of Laborer 1 on a seasonal basis within the Department of Public Works; and

WHEREAS, the term of said employees' seasonal work has concluded within the Borough of Roselle; and

WHEREAS, there remains an ongoing need for employees in the position of Laborer 1 within the Borough of Roselle; and

WHEREAS, the below-named employees have proven themselves capable of fulfilling the responsibilities of the position of Laborer 1 and have indicated their availability and intention to continue fulfilling such duties.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby acknowledges a conversion of job status for the following Laborers from Seasonal to Part-time effective May 18th, 2023 at a rate of pay of \$18.00 per hour:

1. Garrett Anderson

5. Hubert Jones

2. Lyndon Barrett

6. Dontay Payne

3. Kanye Crockett

7. Robert Petty

4. Brian Holt

NOW, THEREFORE, BE IT FURTHER RESOLVED, that said Laborers shall work on a Part-Time basis, and will retain permanent status subject to successful completion of a 3-month Working Test Period, pursuant to the provisions of N.J.A.C. 4A:4-5, after which time they will be afforded all rights and privileges of a permanent employee, pursuant to the provisions of N.J.S.A. 11A:1-1, et seq, pertaining to non-competitive titles.

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 May 17th, 2023.

Lisette	Sanchez,	Borough	Clerk



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RESOLUTION NUMBER 2023-

RESOLUTION ACCEPTING THE RESIGNATION OF WILLIAM G. WILKINS

WHEREAS, William G. Wilkins has, within an appropriate timeframe, notified the Borough of Roselle that he will be resigning from the position of Construction Official, effective May 1, 2023; and

WHEREAS, the Borough Council of has determined that it has appropriate staffing within the Building Department to meet the needs of the Borough and its residents at this time; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to accept the resignation of William G. Wilkins.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby accepts the resignation of William G. Wilkins effective May 1st, 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 May 17th, 2023.

Lisette Sanchez	
Borough Clerk	



16.

RESOLUTION NUMBER 2023-

RESOLUTION APPOINTING BUILDING SUBCODE OFFICIAL

WHEREAS, there is a need Borough of Roselle to supplement its workforce with the position of Building Subcode Official; and

WHEREAS, William G. Wilkins has the requisite knowledge, experience, and license to perform the duties of a Building Subcode Official, and has indicated his availability for and willingness to fill said position.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby appoints William G. Wilkins to the position of Building Subcode Official on a temporary basis at a rate of pay of \$45.00 per hour, payable on a biweekly basis, until such time as a permanent Building Subcode Official is appointed.

BE IT FURTHER RESOLVED, that said temporary appointment shall be effective May 18th, 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 Workshop Meeting of said Council held May 17, 2023.

Lisette Sanchez	
Borough Clerk	



17.

RESOLUTION NUMBER 2023-

RESOLUTION APPOINTING TRACYANN WENSKOSKI AS TEMPORARY CONSTRUCTION OFFICIAL

[TO BE PROVIDED]



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RESOLUTION NUMBER 2023-

RESOLUTION ACCEPTING THE RESIGNATION OF EUGENIA SIMMS

WHEREAS, Eugenia Simms has, within a reasonable timeframe, notified the Borough of Roselle that she will be resigning from the position of Recreation Leader, effective May 24, 2023; and

WHEREAS, the Borough Council has determined that it has appropriate staffing within the Division of Recreation to meet the needs of the Borough and its residents at this time; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to accept the resignation of Eugenia Simms.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Roselle, hereby accepts the resignation of Eugenia Simms effective May 24, 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 May 17, 2023.

Lisette Sanchez	
Borough Clerk	



19.

RESOLUTION NUMBER 2023-

RESOLUTION APPROVING 2023 TOWING LICENSE - C & M TOWING

WHEREAS, a complete application for a Towing License from C&M Towing has been submitted to the Borough Clerk; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Roselle, County of Union, and State of New Jersey that the Borough Clerk is authorized to issue a one (1) year Towing License to C&M Towing and Police Impound located at 372 East Westfield Ave, Roselle Park, NJ 07204, effective January 1, 2023 to December 31, 2023.

I, Lisette Sanchez, Borough Clerk of the Borough of Roselle, in the County of Union, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Roselle, County of Union, State of New Jersey Regular Meeting said Council held May 17, 2023.

Lisette	Sanchez,	Borough	Clerk

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BOROUGH OF ROSELLE



RESOLUTION NUMBER 2023-XXX

RESOLUTION SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF MAY 22 – JUNE 4, 2023

WHEREAS, there were 701 motor vehicle fatalities in New Jersey in 2021; and

WHEREAS, approximately 37% of the motor vehicle occupants killed in those traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 22 – June 4, 2023 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of further increasing the seat belt usage rate in the state from the current level of 94%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

NOW THEREFORE BE IT RESOLVED, that the Borough of Roselle declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 22 – June 4, 2023 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

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 May 19, 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 19th day of May 2023.

Lisette Sanchez, Borough Clerk

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BOROUGH OF ROSELLE



RESOLUTION NUMBER 2023-NJCSC ALTERNATIVE HIRING PROCEDURES (C.11A:4-1.3) [TO BE PROVIDED]





RESOLUTION NUMBER 2023-XXX

RESOLUTION APPOINTING WILLIAM D. LORD TO THE POSITION OF POLICE CAPTAIN

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

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

WHEREAS, William D. Lord is a permanent employee in the Borough of Roselle Police Department, presently holding the title of Police Lieutenant, who is qualified for the position of Captain.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Roselle, in the County of Union, State of New Jersey, that William D. Lord is hereby promoted to the position of Police Captain, effective May 17, 2023, subject to the ninety (90) day working test period pursuant to Civil Service regulations; and

BE IT FURTHER RESOLVED that the compensation for William D. Lord shall be that of a Captain pursuant to the collective bargaining agreement between the Borough and the Roselle Police Benevolent Association, Local 99A, presently \$147,527.00, prorated for calendar year 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 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 May 17, 2023.

Lisette Sanchez,	Borough Clerk
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23.

RESOLUTION NUMBER 2023-

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY UNDER ITS FY 2023 SAFE AND SECURE COMMUNITIES GRANT PROGRAM

WHEREAS, the Mayor and Council of the Borough of Roselle wish to file an application with the New Jersey Department of Law and Public Safety for project funding under its FY2023 Safe and Secure Communities Grant Program identified as Grant Application 23-2014 for the grant term period of November 13, 2022 through November 12, 2023, which will provide \$32,400.00 for use in creating more effective crime reduction strategies; and

WHEREAS, the Mayor and Council of the Borough of Roselle are in support of the New Jersey Department of Law and Public Safety FY2023 Safe and Secure Communities Grant Program; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Roselle; and

WHEREAS, the Mayor and Council of the Borough of Roselle are desirous of obtaining a New Jersey Department of Law and Public Safety FY2023 Safe and Secure Communities Grant in the amount of \$32,400.00, with a cash match of fringe benefits; and

WHEREAS, the cash match is the current fringe benefits already being paid for the two (2) participating Roselle Police Officers; and

WHEREAS, the Mayor and Council of the Borough of Roselle recognize and accept that the Department of Law and Public Safety may offer a greater or lesser amount in connection therewith.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL OF ROSELLE, UNION COUNTY, NEW JERSEY:

- 1. The Mayor and Council of the Borough of Roselle as a matter of public policy, hereby endorse, support and authorize the filing of a FY 2023 New Jersey Department of Law and Public Safety Safe and Secure Communities Grant application and will participate to the fullest extent possible with the Department of Law and Public Safety.
- 2. The Attorney General will receive the funds on behalf of the applicant.

- 3. The NJ Department of Law and Public Safety, Office of the Attorney General shall be responsible for the receipt and review of the application for said funds.
- 4. The NJ Department of Law and Public Safety, Office of the Attorney General shall initiate allocations to each applicant.
- 5. Upon receipt of the Grant Agreement from the New Jersey Department of Law and Public Safety, the signature of the Mayor, Borough Administrator and/or any other municipal official, or their successors in said title, which is required on the agreement and any other documents necessary in connection therewith, is hereby approved.
- 6. Upon receipt of the fully executed Grant Agreement from the New Jersey Department of Law and Public Safety, the expenditure of funds is hereby authorized pursuant to the terms of the agreement between the Borough of Roselle and the Department of Law and Public Safety.
- 7. A copy of this resolution shall be sent to the New Jersey Department of Law and Public Safety so that implementation of the grant program may be expedited.
- 8. No additional Borough funds, other than the cash match equivalent to the current fringe benefits for the participating Roselle Police Officers is required.
- 9. 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 May 17, 2023.

Lisette Sanchez,	Borough Clerk
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Q4.



RESOLUTION NUMBER 2023-XXX RESOLUTION APPROVINGS A BILLS LIST DATED MAY 17, 2023 [TO BE PROVIDED]