

BOROUGH OF ROSELAND
NEW JERSEY

JANUARY 19, 2016
PUBLIC MEETING ROOM
BOROUGH HALL
7:00 PM

COUNCIL MEETING MINUTES

CALL TO ORDER & SUNSHINE STATEMENT

The January 19, 2016 Council Meeting of the Roseland Mayor and Council was called to order at 7:00 PM by Mayor Duthie. Adequate notice of the meeting was provided in accordance with the Open Public Meeting Act in that the date, time and location of the meeting were included in the Annual Meeting Schedule, was sent to The Progress and the Star Ledger, posted on the public bulletin board in the Municipal Building and filed in the office of the Borough Clerk.

IN ATTENDANCE:

John Duthie, Mayor
David Jacobs, Council President
Richard N. Leonard, Councilman
Peter M. Smith, Councilman
Thomas Tsilionis, Councilman
Mark Vidovich, Councilman

ABSENT:

Michelle Tolli, Councilwoman

ALSO IN ATTENDANCE:

Maureen Chumacas, Borough Administrator
Ethan Jesse Sheffet, Borough Attorney
Jock H. Watkins, Borough Clerk
Gary Schall, Superintendent of Public Works

SALUTE TO THE FLAG

Mayor Duthie led the Salute to the Flag.

MAYOR'S REPORT

Mayor Duthie read his annual State of the Borough Message highlighting 2015 accomplishments: NJ Monthly magazine rated Roseland as the 7th best town to live in out of the 565 municipalities in the state; the Borough finalized the purchase of the Fernwood Golf property with Open Space Trust Funds without requiring a tax increase; completed the Fernwood Baseball Field reconstruction and improvements; upgraded the Bond Force Park building; paved Beechtree Road, Cedar Lane and Paradise Court with \$225,000 in NJ DOT grant funds, bid and awarded a contract for resurfacing Monroe Court with \$232,000 in NJ DOT funds, executed a shared services agreement with West Caldwell and Caldwell resulting in the receipt of a \$70,780 Community Development Block Grant to purchase a new Senior

Citizens Transportation bus; substantially completed post fire repairs at 19 Harrison Avenue, entered into an agreement with the ARC of Essex to lease the second floor of 19 Harrison Avenue; built a new salt shed primarily with funds from an insurance claim settlement following the storm related collapse of the old salt shed; finalized a water agreement with Essex Fells, a sewer agreement with Caldwell and a labor agreement with the FOP Patrol Officers; and adopted a municipal budget with only a one quarter of one percent increase in local spending.

Mayor Duthie also announced, that of the challenges facing the Borough in 2016, there is one very serious issue that residents must be made aware of: After ten years of actions in court and efforts by multiple Governors, the New Jersey Supreme Court ruled in late 2015 that all municipalities in the state have an obligation to provide affordable housing, and established a short deadline for compliance.

An organization called the Fair Share Housing Center (FSHC) has targeted Roseland as a municipality that has not provided adequate affordable housing. The FSHC has been involved in litigation over the past ten years demanding that Roseland construct almost five hundred (500) affordable housing units.

The Governing Body has filed a court action for immunity, temporarily barring developers from initiating developer's remedy lawsuits. Council has retained and is working with affordable housing experts to develop a credible plan in response to the Supreme Court ruling.

PUBLIC COMMENT

There was not public comment at this time.

INTRODUCTION OF ORDINANCES

Clerk Watkins read Ordinance No. 1-2016 for the first time. Councilman Jacobs made a motion with a second by Councilman Tsilionis to introduce Ordinance No. 01-2016:

ORDINANCE NO. 01-2016 – AN ORDINANCE AMENDING CHAPTER II OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ROSELAND ENTITLED “ADMINISTRATION”, AMENDING SECTION 2-33 ENTITLED “DIRECTOR OF RECREATION, PARKS AND PLAYGROUNDS” TO AMEND THE DUTIES OF THE RECREATION DIRECTOR

There being no comments or questions on the ordinance, the ordinance was introduced by a 5-0 voice vote (Tolli absent). The public hearing on the ordinance will be held on February 23, 2016.

Clerk Watkins read Ordinance No. 2-2016 for the first time. Councilman Vidovich made a motion with a second by Councilman Smith to introduce Ordinance No. 02-2016:

ORDINANCE NO. 02-2016 – AN ORDINANCE TO AMEND CHAPTER VI OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ROSELAND

ENTITLED "ALCOHOLIC BEVERAGE CONTROL" AMENDING SECTION 6-3.4
ENTITLED "LICENSE FEES; MAXIMUM NUMBER"

There being no comments or questions on the ordinance, the ordinance was introduced by a 5-0 voice vote (Tolli absent). The public hearing on the ordinance will be held on February 23, 2016.

ADOPTION OF RESOLUTIONS

Councilman Smith made a motion to approve all seventeen Resolutions and all ten Consent Agenda items:

Resolution No. 24-2016 approving the return of the cash Performance & Maintenance Bond in the amount of \$1,000.00 to Glen Taylor for 34 Cortlandt Street

Resolution No. 25-2016 amending Resolution No. 87-2015 authorizing the extension of State Contract No. A80914 to Allied Oil LLC Inc. for the purchase of unleaded gasoline through February 29, 2016 and authorizing an amount not to exceed of \$6,000.00

Resolution No. 26-2016 amending Resolution No. 332-2013 awarding a contract to Silverberg and Associates for improvements to 19 Harrison Avenue and 140 Eagle Rock Avenue increasing the contract by an additional \$1,200.00

Resolution No. 27-2016 authorization hiring of seasonal employee Lindsey Reed for the Recreation Basketball Program as Gym Supervisor at a rate of \$10.00 per hour.

Resolution No. 28-2016 appointing Settembrino Architects as the Borough Architect for calendar year 2016

Resolution No. 29-2016 amending Resolution No. 281-2015 authorizing the appointment of Vincent Loughlin to file a Declaratory Judgement Action and increasing the not to exceed amount to \$31,167.02

Resolution No. 30-2016 appointing Vincent Loughlin of the Loughlin Law Firm as Special Counsel for COAH Matters for calendar year 2016 for an amount not to exceed \$50,000.00

Resolution No. 31-2016 appointing Kaufman, Semeraro, Bern, Deutsch & Leiberman as 2016 Tax Appeal Attorney with a not to exceed amount of \$50,000.00

Resolution No. 32-2016 appointing Robert L. Zelle from Maser Consulting as the Municipal Environmental Engineer and LSRP for an amount not to exceed of \$20,000.00

Resolution No. 33-2016 authorizing contracts with certain approved MCCPC Vendors for Contracting Units Pursuant to N.J.S.A 40A:11-10

Resolution No. 34-2016 approving an Emergency Temporary Budget

Resolution No. 35-2016 authorization the hiring of Carmen Koshnick as instructor for the Crafts for Kids Program at a Rate of \$25.00 an hour

Resolution No. 36-2016 amending Resolution No. 84-2015 authorizing an increase to the not to exceed amount for services rendered by Cap Electric for 2015 general, electric services by \$3,317.89 for a total not to exceed of \$9,317.89

Resolution No. 37-2016 approving Budget Transfers

Resolution No. 38-2016 approving the January 15th Bill List

Resolution No. 39-2016 approving the January 15th Open Space Bill List

Resolution No. 40-2016 appointing McManimon, Scotland, Baumann LLC as 2016 Special Redevelopment Attorney for a term of one year for an amount not to exceed \$10,000.00

CONSENT AGENDA

Appointment of Steven Batta to the Recreation Committee for a 2 year term expiring December 31, 2017

Approval for Maureen Chumacas to attend an Annual Financial Statement Workshop on January 22, 2016 at the NJ Law Center in New Brunswick for a total cost of \$99.00

Approval for Maureen Chumacas to attend the Information Technology Security Workshop on January 29, 2016 at the NJ Law Center in New Brunswick for a total cost of \$99.00

Approval for Jock Watkins to attend the OPRA and Records Management seminar on January 22, 2016 at the NJ Law Center in New Brunswick for a total cost of \$99.00

Approval for Police Officer Lorenzo Williams to attend the following courses at the Union County Academy for a total cost of \$120.00

- Interviews and Interrogation Training Course on May 11, 2016 and May 12, 2016
- Search Warrants A-Z and Legal Issues Course on May 26, 2016
- Statement Taking Course on May 21, 2016

Approval for Michael Colitti to attend the Annual NJRPA Conference in Atlantic City from February 28, 2016 through March 2, 2016 at a cost of \$360.00

Approval for Michele Stefanelli to attend New Jersey Planning Officials mandatory training course in Morris Plains on January 30, 2016 at a cost of \$80.00

Approval for William Yates to attend a 2016 Annual Training Conference in Atlantic City from March 9, 2016 through March 11, 2016 at a cost of \$450.00

Approval for D. Yates, P. Bilancia and M. Popola to attend Fire Instructor 1 Course to be given for 5 weeks every Tuesday beginning on February 2, 2016 at the Morris County Public Safety Training Academy for a total cost of \$900.00

Approval of the January Treasurer's Report

Councilman Vidovich seconded the motion and the motion was approved by a 5-0 voice vote (Jacobs absent).

COMMITTEE REPORTS

PUBLIC WORKS

Councilman Smith reminded residents that the DPW is continuing to pick up Christmas trees at the curb. Mr. Smith asked residents to please get any additional trees to the curb as soon as possible so that DPW can pick them up before the pending storm.

Regarding the storm, Councilman Smith asked residents to keep the streets clear of any debris and vehicles so that snow plows can keep up with the snow. If the storm is a significant as predicted, residents are also asked to clear snow from fire hydrants in their neighborhoods.

PUBLIC SAFETY

Councilman Jacobs advised residents that PSE&G will be coming through the Borough soon doing a massive tree trimming project to keep lines clear of tree limbs. This work is not being done by the Shade Tree Commission.

Mr. Jacobs also cautioned residents not to leave cars running unattended, including warming cars up in the morning. The Police Department reports that neighboring communities are experiencing the theft of running vehicles that have been left unattended.

Councilman Jacobs reported that the Police Department cautions residents about two current telephone scams. One scam involves callers stating that they are collecting over the phone for due bills. PSE&G does not collect via telephone. The other scam involves calls that show up on caller ID as from California, stating that they have been hired to help resolve computer issues over the phone. The best defense against these scams is to simply hang up the phone.

Mr. Jacobs closed his report by thanking fire department members for their year round service, but especially during the cold winter months.

Mayor Duthie added that the IRS phone scam is still active, cautioning residents that the IRS does not solicit payment by phone. The Mayor advised that the IRS recommends that if you receive a call demanding payment, just hang up the phone.

RECREATION

Councilman Tsilionis congratulated new Recreation Committee Chairman Chuck Lombardi and Vice Chairman John Flood, both of whom were elected at the Committee's recent reorganization meeting.

Mr. Tsilionis also congratulated new Board of Education President Anna Gordon, Vice President Neal Goldstein, and new Board members Scott Gorman and Jean Perrotti.

CAPITAL IMPROVEMENTS

Councilman Leonard advised that PSE&G has recently sent a reminder to all customers to make sure that their carbon monoxide alarms are working, as carbon monoxide incidents are more frequent in winter months.

Mr. Leonard also reported on comments received from Maria Lee Oak of Drive complimenting the fire department on their response to a recent house fire in the neighborhood.

Councilman Leonard reminded residents that the deadline for obtaining or renewing dog license is February 28th, and reminded residents that rabies vaccinations must be kept current.

Mr. Leonard asked Superintendent of Public Works Gary Schall to put residents at ease regarding the Borough's water system in light of recent problems experienced in Flint, Michigan. Mr. Schall reported that the problems in Flint, Michigan were the result of the city changing to a different source of water supply. Mr. Schall added that water systems in New Jersey must comply with rigorous testing requirements set by the New Jersey Department of Environmental Protection and that the Borough's water supply is compliant with the DEP's strict limits.

Councilman Leonard introduced Mr. Rene Rodriguez, owner of the local Tens Pharmacy. Mr. Rodriguez made a brief presentation about Project Medicine Drop – a program where residents can safely dispose of unneeded and expired medications in order to keep them away from those at risk of abusing them.

Councilman Leonard then introduced Mr. Jason Greene. Mr. Greene described his personal experiences during his journey into and out of drug addiction, and provided suggestions for helping loved ones from becoming addicted to prescription or illegal drugs.

Councilmen Leonard and Jacobs thanked Mr. Green and Mr. Rodriguez for their presentations.

PUBLIC AFFAIRS

No report.

ADMINISTRATION & FINANCE

Councilman Vidovich reported that the next budget meeting will be held at 6:00 PM on February 2nd at 6:00 PM at 140 Harrison Avenue. Mr. Vidovich also explained that the state has extended the deadline for introducing the budget, and that Council plans introduce the Borough's 2016 Budget at the March 15th Council meeting.

Councilman Vidovich made a motion to approve Resolution No. 42-2016 approving a retroactive 1.9% salary increase for non-union employees for calendar year 2015. The motion was seconded by Councilman Tsilionis and approved by a 5-0 voice vote (Tolli absent).

APPROVAL OF MINUTES

Councilman Jacobs made a motion to approve the December 15, 2015 Council Meeting minutes. The motion was seconded by Councilman Vidovich and approved by a 5-0 voice vote (Tolli absent).

PUBLIC COMMENT

None

EXECUTIVE SESSION

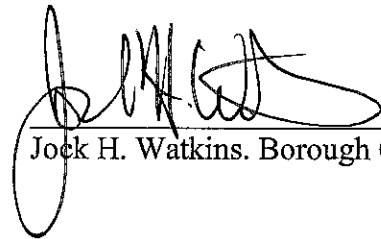
Borough Attorney Sheffet read Resolution No. 41-2016 approval to close to Executive Session to discuss the following:

- Sale of the Municipal Water System (Professionals to Attend)
- COAH

Councilman Smith made a motion to adjourn at 8:09 PM. The motion was seconded by Councilman Jacobs and approved by a 5-0 voice vote (Tolli absent).



Mayor John Duthie



Joek H. Watkins, Borough Clerk

Approved: September 6, 2016

ROLL CALL

Aye: Jacobs, Leonard, Smith, Tsilionis, Tolli, Vidovich
Nay: None
Abstain: None
Absent: None