

BOROUGH OF ROSELAND
NEW JERSEY

FEBRUARY 28, 2017
PUBLIC MEETING ROOM
BOROUGH HALL
7:30 PM

COUNCIL MEETING MINUTES

The February 28, 2017 Meeting of the Roseland Mayor and Council was called to order at 7:30 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, Councilman
Richard N. Leonard, Councilman
Peter M. Smith, Councilman
Thomas Tsilionis, Councilman
Michelle Tolli, Councilwoman
Mark Vidovich, Council President

ALSO IN ATTENDANCE:

Maureen Chumacas, Borough Administrator
Ethan Jesse Sheffet, Borough Attorney
Jock H. Watkins, Borough Clerk

SALUTE TO THE FLAG

Mayor Duthie led the Salute to the Flag.

MAYOR'S STATEMENT

Mayor Duthie made a statement condemning the inappropriate text message between Councilman Tsilionis and Councilman Jacobs that was recently brought to light. The Mayor then indicated that Councilmen Tsilionis and Jacobs would like to make a statement and turned the floor over to Councilman Tsilionis.

Councilman Tsilionis made a statement thanking everyone in attendance, regardless of how they feel about either Councilman. Mr. Tsilionis apologized for the inappropriate text message that was referenced in Progress and Star Ledger newspapers. Councilman Tsilionis played a brief audio clip from the January 3, 2017 reorganization meeting. Mr. Tsilionis announced that he would not be bullied into resigning from Council, however he also

announced that he was changing his party affiliation, resigning from the Republican County Committee.

Councilman Jacobs made a statement indicating that he originally planned on not attending this meeting, but that overwhelming support made him reconsider. Mr. Jacobs thanked everyone in attendance and wanted to express his sincere regret and apology in person. Councilman Jacobs acknowledged that the subject text message was inappropriate, offensive, and insensitive. Mr. Jacobs stated that he had been asked by the Roseland County Committee to resign. Councilman Jacobs stressed that is not anti-Semitic or racist and therefore has decided not to resign from Council, but will voluntarily resigning from the Roseland Republican Party.

PUBLIC COMMENT

Former Mayor Lou DeBell, 4 Clarendon Court, expressed concern that events recently published in local newspapers have tarnished the Borough's reputation, and asked that the Governing Body act in the best interest of the Borough.

Michael Sessa, 16 Lyons Avenue, stated that he is a junior at West Essex high School and that he is interested in going into politics. Mr. Sessa expressed concern about the tenor of this Council and stated that "with the greater good of Roseland in mind", he hoped that the governing body could "join the community in pursuit of conscientious and principled leadership that will defend and promote inclusivity and mutual respect".

Mary Comito, 26 Conklin Court, Chairwoman of the Roseland Republican County Committee, read a prepared statement co-authored by herself and Al Barlas, Chairman of the Essex Republican Party Organization, Inc.

Joanne Yates, 5 Second Avenue, expressed her loss of confidence in and support of Councilmen Tsilionis and Jacobs.

Sal Polidoro, 50 Cooper Avenue, spoke in defense of Councilmen Tsilionis and Jacobs and asked why Councilman Leonard waited so long to make his concerns known.

Nicholas Cannarizzi, 20 Harkey Court, vouched for Councilman Jacobs and expressed concern about why a private conversation was made public.

Carolyn Aschoff, 33 Ridge Road, stated her concern about the tone of comments expressed by Council members against each other. Ms. Aschoff questioned whether members of the governing body would be able to work together moving forward. Councilmen Leonard, Tsilionis, and Jacobs answered that the governing body will not have any difficulty working together in the future, and that although members of the governing body don't always agree, they are all committed to making decisions that are in the best interest of Roseland.

Mayor Duthie made an announcement that there will be a break from public comments at 9:00 PM in order to allow Council to take care of the action items on the agenda, and will then reopen the public comment period if necessary.

Scott Gorman, 4 Cooper Avenue, expressed his disappointment in the actions of his representatives and hoped that there would be some accountability for their actions.

Stacy McCormack, 14 Lyons Avenue, asked Mayor Duthie if he now supports both Councilmen remaining on Council in light of their resignation from the Republican Party. Mayor Duthie responded that he maintains his position that both Councilmen should resign.

Emily Levine, 2 Mitchell Avenue, expressed hope that if both Councilmen remain on Council that this incident will allow both to reflect that these jokes are hateful and perpetuate terrible stereotypes. Ms. Levine also asked that everyone who is joking among friends about other races or ethnicities "shut it down". Ms. Levine also expressed concern with the motive of sharing these texts so many months later.

Robert Galione, 17 Evelyn Road, expressed his anger to the Mayor for the strength of police presence. Mr. Galione also expressed his dissatisfaction with the language that was used in the texts, but accepted the apologies of the two Councilmen. Mayor Duthie responded that the level of police presence is determined by the Police Chief. Mr. Sheffet explained that the Police Chief is governed by the New Jersey Attorney General's guidelines, and that the Attorney General guidelines are clear that the Mayor does not have the authority to direct the Chief of Police.

Kotnik Dermenjian, 58 Roosevelt Street, stated that he is troubled by all that is going on and that members of the governing body should be held to a higher standard than the general public.

Nanci Schenkein, 28 Meeker Court, acknowledged that both Councilmen said something that they were sorry about, embarrassed by, and that will stay with them forever. Ms. Schenkein also expressed dissatisfaction that Councilman Leonard waited eight months to bring this matter out and does not appear to be taking any responsibility for his part in this situation.

Roger Freda, 14 Lyons Avenue, stated that the example set by members of the governing body is disgraceful and that Council members need to do what is best for the town.

Chuck Lombardi, 26 Davenport Avenue, questioned whether the text messages in question took place on borough telephones. Mr. Tsilionis responded that none of the Council members has a telephone provided by the Borough. Mr. Tsilionis added that the initial text message was a private conversation that did not include any Borough business and that another member of the governing body later added a business related text to the thread. Mayor Duthie and Councilwoman Tolli stated that they had not seen the text until it was brought to light in January.

Nick Bellomo, 7 Plymouth Place, asked Councilman Leonard why he held the texts for eight months before taking action. Mr. Leonard answered that he first saw the text messages on January 3rd.

Claudia Reis, 4 Cooper Avenue, thanked members of the governing body for their commitment to the Borough. Ms. Reis added that she and other volunteers were embarrassed by the negative publicity that the Borough has received and that she was discouraged by the subsequent and conduct of some officials.

Barbara Bochese, 11 Belaire Drive, stated that she has only been a resident of Roseland for one year, and was offended and insulted by the text messages. Ms. Bochese stated that she forgave members of the governing body, hoped that they would all learn and grow from this incident and do what is best for the Borough.

Brian Diebold, 64 Batta Lane, suggested that if the Republicans are to maintain a majority on the Council, then the involved Council members should resign for the betterment of the Borough.

Dean Weiss, 11 Tannery Lane, stated that the text comments were offensive to him and his family and that when the councilmen announced their resignation, they reduced the stress of the situation for a lot of people.

Angelo Carrozza, 117 Eagle Rock Avenue, objected to the comments in the text messages and suggested that all members of the governing body except Councilwoman Tolli should be removed.

ADOPTION OF RESOLUTIONS

Resolution No. 102-2017 was pulled from consideration prior to the meeting in order to invite Verizon to come to a Caucus meeting and explain the reason for their request.

Mayor Duthie asked if there were any questions or comments on the resolutions or consent agenda items. Councilman Vidovich asked that Resolution Nos. 105-2017 and 106-2017, on the agenda under the Administration and Finance Committee report, be added to the list of resolutions for adoption. Councilman Leonard remarked that Resolution Nos. 91-2017, 95-2017, 98-2017, and No. 100-2017 address critical issues dealing with high vacancies in office buildings. Mayor Duthie noted that Resolution No. 84-2017 is on the agenda thanks to OEM Coordinator John Matheis who has obtained grants that will allow emergency generators to be installed on all traffic signals at County road intersections. Mr. Matheis reported that four intersections have been upgraded to date, and one more is scheduled for the near future. The balance will be completed by the end of this year or the beginning of next year. Mayor Duthie thanked Norm Raymond for donating office furniture to the Borough.

Councilwoman Tolli made a motion to approve all of the resolutions and consent agenda items:

Resolution No. 82-2017 approving the Emergency Temporary Budget

Resolution No. 83-2017 approving a Tax Lien Redemption Certificate 16-00002 for 209 Eagle Rock Avenue

Resolution No. 84-2017 authorizing execution of a Hold Harmless Agreement with Essex County for the installation of traffic signal generators at all intersections of county roads in the Borough of Roseland

Resolution No. 85-2017 approval to use Open Space Trust Funds in the amount of \$1,919.00 for the purchase of "Wood Carpet" for parks and playgrounds from The Fibar Group

Resolution No. 86-2017 awarding a Communication Equipment Service Contract to Northeast Communication under State Contract 83898 for a total amount of \$3,414.00

Resolution No. 87-2017 approving cancellation of Water and Sewer Billing balances

Resolution No. 88-2017 approval for the Roseland Free Public Library to make improvements to the Library building by replacing the existing interior manual doors with automatic doors

Resolution No. 89-2017 authorizing the Mayor to execute a renewal of the Shared Service Agreement with the Township of Verona to provide Construction Official, Sub-Code Official and Inspector Services for a total of \$127,293.00

Resolution No. 90-2017 approval of a Water and Sewer Payment Plan for 7 Second Avenue

Resolution No. 91-2017 designating the property known as Block 30, Lot 2, 6 Becker Farm Road as an Area in Need of Redevelopment

Resolution No. 92-2017 accepting a donation of office furniture from Stifel Nicolaus

Resolution No. 93-2017 awarding the quote for General Electric Services/Repairs to A1 Electric City for an amount not to exceed \$9,000.00 for 2017 with Not to Exceed of \$9,000.00

Resolution No. 94-2017 authorizing Refunds, Overpayments or Cancellations in the Tax Office

Resolution No. 95-2017 designating the property known as Block 30.1, Lot 4, 85 Livingston Avenue as an Area in Need of Redevelopment

Resolution No. 96-2017 approval proposal submitted by Settembrino Architects for the Design and Construction Services for the Elevator Rehabilitation Project for a lump sum price of \$7,500.00 plus reimbursable expenses, for a total amount not to exceed \$8,000.00

Resolution No. 97-2017 approval of a Water and Sewer Payment Plan for 24 Mulford Court

Resolution No. 98-2017 approval of proposal from Maser Consulting to prepare a redevelopment plan for 6 Becker Farm Road for a total of \$14,500.00

Resolution No. 99-2017 approving the purchase of a 2017 Ford F-250 Pick Up Truck under State Contract 88727 for \$40,135.50, a 2017 Ford 450 Mason Dump Truck under State Contract 88214 for \$41,059.50 from Beyer Ford, and related equipment under State Contract 88273 from A&K Equipment Company for \$25,005.00

Resolution No. 100-2017 approval of proposal from Maser Consulting to prepare a redevelopment plan for 85 Livingston Avenue

Resolution No. 101-2017 approval of a Water and Sewer Payment Plan for 556 Eagle Rock Avenue

Resolution No. 103-2017 approval of the 2017 Fee Schedule for Borough Fields and Parks

Resolution No. 104-2017 approval of the Bill List

Resolution No. 105-2017 appointing Maser Consulting, PA as Acting Zoning Officer for three months for an amount not to exceed ten thousand eighty (\$10,080.00) pursuant to the proposal submitted in response to an RFP

Resolution No. 106-2017 adding the title of Building, Grounds, and Roads Foreman to Mike Piltzecker in addition to Water Sewer Foreman at no additional salary

CONSENT AGENDA

Approval of Blue Light Permit applications for Jaaffar Seddiki, Patrick Dingwell and Jessica Kelly for the Roseland First Aid Squad

Approval for Jock Watkins and Ashley Passafiume to attend the quarterly luncheon meeting of the Municipal Clerk's Association of Essex County in West Caldwell on March 9, 2017 at a total cost of \$70.00 – Recertification C.E.U.'s available

Approval for Maureen Chumacas to attend "Strengthening your Ethical Compass-Dramatic Encounters in Government Ethics" on May 5, 2017 for a total cost of \$89.00

Approval for K. Jezewski, M. Popola, R. Sessa and P. Bilancia of the Roseland Fire Department to attend "Bread and Butter Fire Tactics" on April 1, 2017 for a total cost of \$160.00

Approve Sophia Colitti as a Volunteer Easter Bunny for the Roseland Recreation Department on Saturday, April 8 from 10:15AM to 12PM (April 15 –Rain Date)

Approval of Raffle License for Our Lady of Blessed Sacrament Church for off-premise 50/50 raffle to be conducted monthly from March 2017 through December 2017

Councilman Jacobs seconded the motion and the motion was approved by a 6-0 voice vote, with Councilman Smith, Councilwoman Tolli, and Councilman Vidovich abstaining on the approval of the raffle license for Our Lady of the Blessed Sacrament.

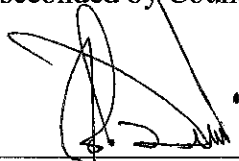
PUBLIC COMMENT

None

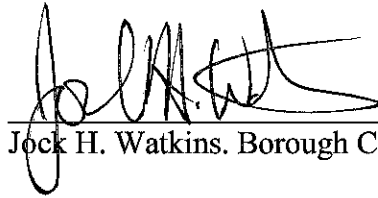
EXECUTIVE SESSION

None

Councilman Jacobs made a motion to close the meeting at 9:23 PM. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.



Mayor John Duthie



Jock H. Watkins, Borough Clerk

Approved: June 20, 2017

ROLL CALL

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