

BOROUGH OF ROSELAND
NEW JERSEY

MARCH 27, 2018
PUBLIC MEETING ROOM
19 HARRISON AVENUE
6:30PM EXECUTIVE SESSION
7:30PM OPEN SESSION

COUNCIL MEETING MINUTES

CALL TO ORDER & SUNSHINE STATEMENT

The March 27, 2018 Meeting of the Roseland Mayor and Council was called to order at 6:30 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 sent to the official newspapers, posted on the public bulletin board in the Municipal Building and filed in the office of the Borough Clerk.

IN ATTENDANCE:

John Duthie, Mayor
Christopher Bardi, Councilman
David Jacobs, Councilman
Richard N. Leonard, Councilman
Peter M. Smith, Councilman
Thomas Tsilionis, Councilman

ABSENT:

Michelle Tolli, Council President

ALSO IN ATTENDANCE:

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

EXECUTIVE SESSION

Borough Attorney Sheffet read Resolution No. 105-2018 Approval to Close to Executive Session to discuss the following:

1. COAH Litigation - Bobst/K&K
2. West v. Roseland and McDonough
3. Tax Appeal Litigation
4. Personnel

Councilman Jacobs made a motion to approve the Resolution at 6:31 PM. The motion was seconded by Councilman Bardi and approved by a 5-0 voice vote (Council President Tolli absent).

Councilman Smith made a motion to close Executive Session and to return open session at 7:26 PM. The motion was seconded by Councilman Tsilionis and approved by a 5-0 voice vote (Council President Tolli absent). Mayor Duthie read the Sunshine Statement again at 7:30 PM and called the public meeting to order. Clerk Watkins called the roll with there being no changes.

SALUTE TO THE FLAG

Mayor Duthie led the Salute to the Flag.

PUBLIC COMMENT

Philip Carratello 70 Stonegate Drive

PROMOTION AND SWEARING IN OF POLICE OFFICER

Councilman Jacobs made a motion to approve Resolution No. 106-2018 Appointment of Detective Lieutenant William Mildon to the Position of Captain. The motion was seconded by Councilman Smith and approved by a 5-0 voice vote (Council President Tolli absent). Mayor Duthie administered the Oath of Office to Captain Mildon. Chief McDonough and Public Safety Chairman Jacobs congratulated Captain Mildon. Captain Mildon thanked his family, friends, and fellow police officers for their support, and thanked the Mayor and Council for providing him with this opportunity.

INTRODUCTION OF ORDINANCES

Clerk Watkins read Ordinance No. 04-2018 by title only for the first time: "Calendar Year 2018 Model Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)". Councilman Smith made a motion to introduce Ordinance No. 04-2018. The motion was seconded by Councilman Jacobs and approved by a 5-0 voice vote (Council President Tolli absent). The public hearing will be held on May 1, 2018.

Clerk Watkins read Ordinance No. 05-2018 by title only for the first time: "Ordinance of the Borough of Roseland, County of Essex, New Jersey Approving the Application for a Long Term Tax Exemption and Authorizing the Execution of a Financial Agreement with 6 Becker Urban renewal, L.L.C." Councilman Tsilionis made a motion to introduce Ordinance No. 05-2018. The motion was seconded by Councilman Smith and approved by a 3-2 voice vote with Council Members Jacobs, Smith and Tsilionis voting in the affirmative and Council Members Leonard and Bardi voting against (Council President Tolli absent). The public hearing will be held on April 17, 2018.

Clerk Watkins read Ordinance No. 06-2018 by title only for the first time: "Ordinance of the Borough of Roseland, County of Essex, New Jersey Approving the Application for a Long Term Tax Exemption and Authorizing the Execution of a Financial Agreement with 85 Livingston Urban Renewal, L.L.C." Councilman Smith made a motion to introduce

Ordinance No. 06-2018. The motion was seconded by Councilman Jacobs and approved by a 3-2 voice vote with Council Members Jacobs, Smith and Tsilionis voting in the affirmative and Council Members Leonard and Bardi voting against (Council President Tolli absent). The public hearing will be held on April 17, 2018.

INTRODUCTION OF 2018 MUNICIPAL BUDGET

Councilman Tsilionis made a motion to adopt Resolution No. 112-2018 – Introduction of 2018 Municipal Budget. The motion was seconded by Councilman Smith and approved by a 5-0 voice vote (Council President Tolli absent). The public hearing on the 2018 Municipal Budget will be held on May 1, 2018.

PUBLIC HEARING & ADOPTION OF ORDINANCES

Clerk Watkins read **Ordinance No. 02-2018** for the second time: “An Ordinance amending Chapter XIX of the Revised General Ordinances of the Borough of Roseland entitled “Streets and Sidewalks”. Councilman Jacobs made a motion to open the public hearing on Ordinance No. 02-2018. Councilman Bardi seconded the motion and the motion was approved by a 6-0 voice vote.

PUBLIC COMMENT

Amy and Michael Lipson 23 Fourth Avenue
Jennifer Neuenhoff 21 Fourth Avenue

Councilman Jacobs made a motion to close the public hearing. The motion was seconded by Councilman Bardi and approved by a 5-0 voice vote (Council President Tolli absent).

Clerk Watkins read **Ordinance No. 02-2018** for the third and final time: “An Ordinance amending Chapter XIX of the Revised General Ordinances of the Borough of Roseland entitled “Streets and Sidewalks”. Councilman Smith made a motion to adopt Ordinance No. 02-2018. The motion was seconded by Councilman Jacobs and approved by a 5-0 roll call vote (Council President Tolli absent).

Clerk Watkins read **Ordinance No. 03-2018** for the second time: “An Ordinance amending Chapter XVII of the Revised General Ordinances of the Borough of Roseland entitled “Water and Sewer”. Councilman Jacobs made a motion to open the public hearing on Ordinance No. 03-2018. Councilman Smith seconded the motion and the motion was approved by a 5-0 voice vote (Council President Tolli absent).

There being no one wishing to be heard, Councilman Smith made a motion to close the public hearing. The motion was seconded by Councilman Bardi and approved by a 5-0 voice vote (Council President Tolli absent).

Clerk Watkins read **Ordinance No. 03-2018** for the third and final time: “An Ordinance amending Chapter XVII of the Revised General Ordinances of the Borough of Roseland

entitled "Water and Sewer. Councilman Bardi made a motion to adopt Ordinance No. 03-2018. The motion was seconded by Councilman Jacobs and approved by a 5-0 roll call vote (Council President Tolli absent).

ADOPTION OF RESOLUTIONS

Mayor Duthie announced that Resolution No. 126-2018 was being withdrawn from consideration. After discussion, Resolution No. 115-2018 was amended to shorten the reappointment of Dan Bloch as Zoning Officer from April 30th to March 30, 2018 and to reduce the amount of the contract extension accordingly. Councilman Smith made a motion to approve the amended resolution and the remaining eighteen resolutions and the eight items on the Consent Agenda:

Resolution No. 107-2018 Declaration of Emergency Water Main Break 1 Kincaid Court, 17 Pitcairn Drive and 79 Laurel Ave on January 22, 2018

Resolution No. 108-2018 Authorizing Payment of Court Hours to Deputy Court Administrator

Resolution No. 109-2018 Authorizing Refunds, Overpayments or Cancellations in the Tax Office

Resolution No. 110-2018 Cancellation Water Sewer Billing-Balances and Refunds

Resolution No. 111-2018 Approval to Release Escrow for Thin Blue Line Foods

Resolution No. 112-2018 Introduction of Municipal Budget (above)

Resolution No. 113-2018 Ratification of Bills

Resolution No. 114-2018 Ratification of Salaries – February 2018

Resolution No. 115-2018 Appointing Dan Bloch from Maser Consulting as Acting Zoning Officer through 4/31/18 for an amount not to exceed \$11,934.00

Resolution No. 116-2018 Approval to Extend State Contract No. 82770 with Allied Oil LLC for the Purchase of Diesel Fuel and Delivery for a Sixth Extension from March 1, 2018 through August 31, 2018

Resolution No. 117-2018 Approval of March 23rd Bill List in the amount of \$464,259.01

Resolution No. 118-2018 Cancellation Water Sewer Billing-Balances and Refunds

Resolution No. 119-2018 Direct Planning Board to Perform Area in Need of Rehabilitation Determination for 146 Harrison Avenue

Resolution No. 120-2018 Direct Planning Board to Perform Area in Need of Rehabilitation Determination for 170 Harrison Avenue

Resolution No. 121-2018 Support New Legislation A-1648 "Establishing Additional Factors for Municipal Adjustment Used in Calculating Fair Share Affordable Housing Obligations; Provides Population Based Cap for these Obligations"

Resolution No. 122-2018 Tax Lien Redemption Certificate 16-00003, Block 34 Lot 39, 49 Ridge Road

Resolution No. 123-2018 Appointing McManimon, Scotland, Bauman LLC as Special Redevelopment Attorney for 2018

Resolution No. 124-2018 appointment of Charles Blau, Esq., of the law firm Blau & Blau as Tax Appeal Attorney for the Essex Fells Country Club appeal only

Resolution No. 125-2018 Emergency Temporary Budget

Resolution No. 126-2018 **WITHDRAWN**

CONSENT AGENDA

Approval for Ashley Passafiume to Attend "OPRA 201" Seminar on 4/6/18 in Totowa, NJ for a total cost of \$95.00

Approval for Maureen Chumacas to Attend "Public Management" Seminar on 4/18/18 in New Brunswick, NJ for a total cost of \$218.00

Approval for Jock Watkins to Attend "OPRA for Practitioners" Seminar on 5/10/18 in Butler, NJ for a total cost of \$119.00

Approval for Melissa Barnes to Attend "Zoning Administration & Enforcement Code II" on 5/4, 5/10, 5/18/18 for a total cost of \$544.00

Acceptance of Cub Scout Pack 801's Certificate of Insurance to use Harrison Field on 4/14/18 from 3PM to 6PM for a Scout Meeting

Approval for S.S. Nicholas Constantine & Helen Greek Orthodox Church to Hold an on Premise 50/50 Raffle on 4/27/18 at 80 Laurel Ave, Roseland, NJ 07068

Approval for S.S. Nicholas Constantine & Helen Greek Orthodox to Hold an on Premise Merchandise Raffle on 4/27/18 at 80 Laurel Ave, Roseland, NJ 07068

Appointment of Areti Khitiri to the Library Board of Trustees to Fill the Unexpired Term of Jackie Oliveira Through 12/31/2019

The motion was seconded by Councilman Jacobs and approved by a 5-0 voice vote (Council President Tolli absent), with Councilman Bardi abstaining from the vote on Resolution No. 110-2018, Councilman Leonard abstaining from the vote on Resolution No. 114-2018, and Councilman Tsilionis abstaining from the vote on the two raffle licenses on the Consent Agenda.

MAYOR'S REPORT

Mayor Duthie thanked all Borough employees for their work during the recent nor'easters. Mayor Duthie specifically the DPW for their storm related efforts, and congratulated the police department and first aid squad for their rescue of a family from a vehicle that plunged into a pond. Mayor Duthie also commend Roseland residents for their humanity in reaching out to friends and neighbors during the storms.

COMMITTEE REPORTS

RECREATION

In Councilwoman Tolli's absence, Mayor Duthie reported that the annual Easter Bunny Breakfast and Egg Hunt was been postponed until March 31st. Mayor Duthie encouraged Roseland Seniors to attend the Intergenerational Prom at West Essex High School scheduled for April 12th. Opening day baseball and the annual baseball parade are scheduled for April 21st.

PUBLIC WORKS

Councilman Smith thanked the Department of Public Works for their great job responding to the recent nor'easters. Mr. Smith also thanked Essex County Liaison Dan Salvante for the County's response to the storms.

PUBLIC SAFETY

Councilman Jacobs thanked the Police Department, Office of Emergency Management, Fire Department, and Public Works Department for their efforts in response to the recent snow storms. Mr. Jacobs announced that there are opening on the Shade Tree Commission and asked anyone interested in serving on the Commission contact the Borough. Councilman Jacobs reported that the Fire Department responded to a couple of house fires recently and thanked the volunteers for their service. Mr. Jacobs added that the Fire Department has instituted a cadet program and encouraged any interested residents to join the fire department. Councilman Jacobs also congratulated Captain William Mildon on his promotion to Captain.

CAPITAL IMPROVEMENTS

Councilman Leonard asked Essex County Liaison Dan Salvante if the County has a pothole hotline, noting that there is a substantial pothole at 279 Eagle Rock Avenue. Later in the meeting, Mr. Salvante reported that the pothole hotline is 973-239-3366. Mr. Salvante advised that callers should provide a cross street when calling in a pothole. Mr. Leonard congratulated Roseland resident Don Shauger on his selection as Grand Marshall for the West Orange St. Patrick's Day Parade. Councilman Leonard reported that searchers located the wreckage of the Light Cruiser USS Juneau on St. Patrick's Day, March 17, 2018. The ship is famous as the ship on which five Sullivan brothers were killed during WWII. Mr. Leonard challenged the community to encourage young people to serve on volunteer boards, adding that the Roseland Fire Department and the Roseland First Aid Squad have youth cadet programs. The First Aid Squad will be hosting an open house on May 26th.

PUBLIC AFFAIRS

Councilman Bardi also encouraged young residents to serve on volunteer boards, citing the excellent work being done by Chris Duthie on the Environmental Commission. Mr. Duthie was elected Chair of the Commission by the Commission members. Mr. Bardi announced that the Environmental Commission will be holding a public question and answer session at 9:00 AM on April 7th at the Roseland Library. Councilman Bardi reported that a Borough Newsletter is scheduled for mailing to residents within the next month. Mr. Bardi reported that the Borough is working with Williams Transco to schedule a public meeting to discuss the proposed expansion of the compressor station on Eagle Rock Avenue, and that the group Roseland Against the Compressor Station is working to schedule a meeting with the NJ DEP.

After discussion, Councilman Bardi made a motion to create an ad-hoc Redevelopment Committee to be comprised of Councilman Bardi, Councilman Tsilionis, Councilman Jacobs, the Borough Attorney and the Borough Administrator. The motion was seconded by Councilman Tsilionis and approved by 5-0 voice vote (Council President Tolli absent).

ADMINISTRATION & FINANCE

Councilman Tsilionis explained that the 2018 Municipal Budget was introduced tonight and that the public hearing will be held at the May 1st Caucus meeting. The proposed budget will result in a 1.89% increase in the municipal portion of the budget which relates to an increase of fifty-one dollars and five cents (\$51.05) to the average assessed home in Roseland. Mr. Tsilionis noted that the Caucus meeting will be relocated to 19 Harrison Avenue so that meeting can be televised. Councilman Tsilionis thanked Administrator Chumacas and the employees in the finance department for their work in preparing the budget. Mr. Tsilionis echoed the sentiments expressed by other Council members regarding encouraging young people to serve on volunteer Boards.

Mayor Duthie explained that Council adopted Resolution No. 121-2018 supporting Assembly Bill A-1648 which proposes "Establishing Additional Factors for Municipal Adjustment Used in Calculating Fair Share Affordable Housing Obligations; Provides

Population Based Cap for these Obligations". Mr. Duthie stated that passage of this legislation will benefit Roseland by taking into account the municipality's population, infrastructure considerations including, but not limited to, water supply and sewerage capacities, school class size and school service considerations, public safety service considerations, public transportation and traffic considerations, and environmental or historic preservation factors.

APPROVAL OF MINUTES

Councilman Tsilionis made a motion to approve the February 20, 2018 Council Meeting Minutes. The motion was seconded by Councilman Jacobs and approved by a 5-0 voice vote (Council President Tolli absent).

PUBLIC COMMENT

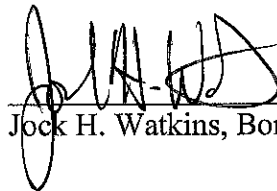
Dan Salvante	Essex County Liaison
Carol Corcoran	20 Thackeray Drive

ADJOURNMENT

Councilman Jacobs made a motion to close the meeting at 9:02 PM. The motion was seconded by Councilman Smith and approved by a 5-0 voice vote (Council President Tolli absent).



Mayor John Duthie



Jock H. Watkins, Borough Clerk

Approved: April 17, 2018

ROLL CALL

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