

BOROUGH OF ROSELAND  
NEW JERSEY

APRIL 5, 2016  
CONFERENCE ROOM  
140 EAGLE ROCK AVENUE  
7:00 PM

**CALL TO ORDER & SUNSHINE STATEMENT**

The April 5, 2016 Caucus 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

**ABSENT:**

Michelle Tolli, Councilwoman  
Mark Vidovich, Councilman

**ALSO IN ATTENDANCE:**

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

**SALUTE TO THE FLAG**

Mayor Duthie led the Salute to the Flag.

**PUBLIC COMMENT**

John Matheis, OEM Coordinator, reported that during and following the severe storm that occurred this past Saturday, the Borough service came together, particularly Police, Fire, DPW and EMS, to insure a safe and speedy recovery. PSE&G commended the Public Works department for their assistance in two critical areas.

Mr. Edward Burke representing The Progress, asked about the tax rate associated with the 2016 budget. Mrs. Chumacas reported that the municipal rate is increasing from 0.564 in 2015 to 0.570 in 2016, representing a 1.06% increase in the municipal portion. This will result in an increase of \$27.85 for the average home. The Open Space rate will remain the same at .02 and the Library rate will decrease from .036 in 2015 to .035 in 2016.

Borough Resident William Tedesco stated his routine objection to holding public hearings on ordinances at Caucus meetings. Mayor Duthie responded indicating that it is the Governing

Body's practice to conduct all public hearings during the televised meetings whenever possible. The Mayor added that because the March televised meeting had to be cancelled, there were timely issues requiring that the public hearing for two ordinances be held tonight. The other ordinances have been deferred to the next televised meeting.

### **INTRODUCTION OF ORDINANCES**

A motion was made by Councilman Leonard with a second by Councilman Jacobs to introduce Ordinance No. 05-2016:

**ORDINANCE NO. 05-2016 – CALENDAR YEAR 2016 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN ACCORDANCE WITH N.J.S.A. 40A:4- 45.14 IN THE BOROUGH OF ROSELAND, NEW JERSEY**

There being no comments or questions on the ordinance, Mayor Duthie called for a vote on the motion, with the motion being approved by a 4-0 voice vote (Tolli, Vidovich absent). The public hearing on the ordinance will be held on May 17, 2016.

A motion was made by Councilman Jacobs with a second by Councilman Smith to introduce Ordinance No. 06-2016:

**ORDINANCE NO. 06-2016 – AN ORDINANCE AMENDING CHAPTER IV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ROSELAND ENTITLED “LICENSING AND BUSINESS REGULATIONS”; AND CHAPTER BH:VIII OF THE REVISED GENERAL ORDINANCES OF THE BOARD OF HEALTH OF THE BOROUGH OF ROSELAND ENTITLED “RETAIL FOOD ESTABLISHMENTS AND FOOD AND BEVERAGE VENDING MACHINES”**

There being no comments or questions on the ordinance, Mayor Duthie called for a vote on the motion, with the motion being approved by a 4-0 voice vote (Tolli, Vidovich absent). The public hearing on the ordinance will be held on May 17, 2016.

### **INTRODUCTION OF 2016 MUNICIPAL BUDGET**

A motion was made by Councilman Jacobs with a second by Councilman Smith to approve Resolution No. 99-2016: INTRODUCTION OF 2016 MUNICIPAL BUDGET

There being no comments or questions on the resolution, Mayor Duthie called for a vote on the motion, with the motion being approved by a 4-0 voice vote (Tolli, Vidovich absent). The public hearing on the 2016 Municipal Budget will be held on May 17, 2016.

### **PUBLIC HEARING OF ORDINANCES**

Borough Clerk Watkins read Ordinance No. 03-2016 for the second time by Title only:

**ORDINANCE NO. 03-2016 – AN ORDINANCE AMENDING CHAPTER I ENTITLED “GENERAL PROVISIONS”; CHAPTER II, ENTITLED “ADMINISTRATION”; CHAPTER VIII ENTITLED “PERSONNEL”; CHAPTER X ENTITLED “BUILDING AND HOUSING;**

CHAPTER XI ENTITLED "PROPERTY MAINTENANCE"; CHAPTER XIII ENTITLED "NEW JERSEY UNIFORM FIRE CODE"; AND CHAPTER XVII ENTITLED "WATER AND SEWER

A motion to open the public hearing was made by Councilman Smith with a second by Councilman Jacobs. The motion was approved by a 4-0 voice vote (Tolli, Vidovich absent).

There being no comment from Council or the public, Councilman Tsilionis made a motion to close the hearing. The motion was seconded by Councilman Smith and approved by a 4-0 voice vote (Tolli, Vidovich absent).

Borough Clerk Watkins read Ordinance No. 03-2016 for the third and final time by Title Only. Councilman Smith made a motion to adopt Ordinance No. 03-2016. The motion was seconded by Councilman Jacobs. The motion was approved and the ordinance adopted by a 4-0 roll call vote (Tolli, Vidovich absent).

Borough Clerk Watkins read Ordinance No. 04-2016 for the second time by Title only:

**ORDINANCE NO. 04-2016 – AN ORDINANCE OF THE BOROUGH OF ROSELAND TO REPEAL ORDINANCE NO. 17-2015 AS AMENDED WHICH PROVIDED FOR SALARIES AND COMPENSATION TO BE PAID TO NON-UNION EMPLOYEES OF THE BOROUGH OF ROSELAND AND SUBSTITUTE THEREFORE SALARIES AND COMPENSTATION FOR THE YEAR 2016**

A motion to open the public hearing was made by Councilman Smith with a second by Councilman Jacobs. The motion was approved by a 4-0 voice vote (Tolli, Vidovich absent)

There being no comment from Council or the public, Councilman Tsilionis made a motion to close the hearing. The motion was seconded by Councilman Smith and approved by a 4-0 voice vote (Tolli, Vidovich absent).

Borough Clerk Watkins read Ordinance No. 04-2016 for the third and final time by Title Only. Councilman Jacobs made a motion to adopt Ordinance No. 04-2016. The motion was seconded by Councilman Smith. The motion was approved and the ordinance adopted by a 4-0 roll call vote (Tolli, Vidovich absent).

### **PUBLIC HEARING OF GRANT APPLICATION**

A motion to open the public hearing on the 2016 CDBG Grant Application was made by Councilman Jacobs with a second by Councilman Smith. The motion was approved by a 4-0 voice vote (Tolli, Vidovich absent).

Superintendent of Public Works Gary Schall described the proposed 2016 Community Development Block Grant Project with the intent of and application for the rehabilitation of the elevator located at 140 Eagle Rock Avenue. The scope of the project is to rehabilitate and upgrade the elevator to meet accessibility code requirements. The estimated cost of the project is \$28,500.

Councilman Smith made a motion to close the hearing. The motion was seconded by Councilman Jacobs and approved by a 4-0 voice vote (Tolli, Vidovich absent). The second public hearing on the grant application will be held on April 19, 2016.

### **ADOPTION OF RESOLUTIONS**

Councilman Tsilionis made a motion to approve the following twenty-four resolutions and the fourteen items on the Consent Agenda:

Resolution No. 97-2016 authorizing the appointment of Shirley Bishop, PP LLC as Professional Planner on COAH Matters, certifying funds in the amount not to exceed \$20,000

Resolution No. 98-2016 authorizing the appointment of Campbell Petrie, Inc. as the Borough of Roseland's Employee Broker of Record and Consulting Service Effective 4/6/16 to 4/5/17

Resolution No. 100-2016 authorizing the appointment of John H. Voight, CFP CLU from Bleakley Financial Group as the Borough of Roseland's Broker of Record and Financial Advisor to the 457B Deferred Compensation Plan effective 4/6/16 to 4/5/17

Resolution No. 101-2016 approving the hiring of Basketball Assignors and Basketball Officials for the WEYSA Youth Recreation League

Resolution No. 102-2016 amending Resolution No. 30-2016 appointing Vincent Loughlin as Special Council on COAH Matters and certifying funds in the amount of \$50,000.00 to be charged to the Affordable Housing Trust Fund

Resolution No. 103-2016 approving the 2016 Water Analysis Contract Services for an amount not to exceed \$6,910.00

Resolution No. 104-2016 awarding the contract to Patwood Roofing Co. for the Roof Replacement Project at the Public Works building, Fire House for \$91,000.00

Resolution No. 105-2016 approving advertising a RFP for Borough Conflict Engineer

Resolution No. 106-2016 approving the hiring of 2016 Umpires for the Recreation Department

Resolution No. 107-2016 approving cancellation of certain water and sewer bill balances

Resolution No. 108-2016 approving a salary increase from \$63,319.00 per year to \$68,319.00 for Assistant Superintendent of Public Works Chris Critchett effective March 1, 2016

Resolution No. 109-2016 approving the Emergency Temporary Budget

Resolution No. 110-2016 approving the April 1, 2016 Bill List

Resolution No. 111-2016 approving the April 1, 2016 Open Space Bill List

Resolution No. 112-2016 authorization the Mayor to Sign the Hold Harmless Agreement with Essex County for the installation of traffic signal backup generators

Resolution No. 114-2016 authorizing the use of Open Space Funds to rebuild the brook bank in Bond-Force Park and remove large fallen trees for an amount not to exceed \$5,175.00

Resolution No. 115-2016 awarding a purchase order to Airmet Metalworks to refurbish and repair as needed the handicap railings at 19 Harrison Avenue for a total cost of \$7,528.00

Resolution No. 116-2016 approving Payment No. 7 to Howard C. Storer for the new salt/storage shed in the amount of \$11,662.00

Resolution No. 117-2016 releasing the cash Maintenance Bond to Lysar JKH Roseland, LLC for 123 Harrison Avenue in the amount of \$66,374.73

Resolution No. 118-2016 increasing the Bid Threshold to \$40,000.00 and appointing a Qualified Purchasing Agent

Resolution No. 119-2016 approving the promotion of Ashley Passafiume to the position of Deputy Clerk with a salary increase from \$29,075.00 to \$32,000.00 effective immediately

Resolution No. 120-2016 amend Resolution No. 60-2016 "Approval of 2016 Recreation Fee Schedule"

Resolution No. 121-2016 waiving the park permit fee and the fee for the 200' list of property owners for the 2016 "Running 4 Answers" annual 5K race

Resolution No. 122-2016 approving Change Order No. 1 in the amount of \$1,590.44 and Change Order No. 2 in the amount of \$3,824.68 to Goksu Construction for the Bathroom Renovation at 19 Harrison Avenue

### **CONSENT AGENDA**

Accept with regret the resignation of Kathy Still from the Beautification Committee effective 5-1-16

Approval for Alla Nudel to attend the 33<sup>rd</sup> Annual MCAA Spring Conference in Long Beach, NJ on 5/12/16 and 5/13/16 for a total cost of \$225.00

Approval for Maureen Chumacas to attend the following seminars: "How to Evaluate your 457 Plan" on 5/6/16 in Totowa, NJ at a cost of \$99.00, "Property Tax Sales and Tax Liens" on 6/10/16 in New Brunswick, NJ at a cost of \$99.00, and "Delinquency Enforcement" on 7/15/16 in New Brunswick, NJ at a cost of \$89.00

Approval of a Blue Light Permit Application for Daisi Puli of the Roseland First Aid Squad

Approval of a Red Light/Siren Permit Application for Timothy Allendorf of the Roseland First Aid Squad

Approval to appoint Ryan Aschoff, Cooper Salmon, and Jake Smith as volunteers for the Recreation Department for their senior service from 5/16/16 to 6/14/16

Accept with regret the resignation of Vienna Mooney from the Recreation Committee

Approval of the appointment of William Styskal to the Recreation Committee to fill the unexpired term of Vienna Mooney

Approval for John Matheis to attend training by the Pipeline and Hazardous Materials Safety Administration on Tuesday, March 29<sup>th</sup> from 4PM-6PM at Teterboro Campus of the Bergen County Technical School

Approval for Angela Russomano to attend the workshop "Facts the Payroll Supervisor Must be Aware of" on 4/22/16 from 9AM-12:50PM at Jumping Brook Country Club, Neptune NJ for a total cost of \$99.00

Approval for Maureen Chumacas to attend workshop "Problem and Decision Making" on 4/5/16 from 9AM -12:50PM in Totowa, NJ for a total cost of \$99.00

Approval to appoint Timothy Kitchin and Michael Morelli as volunteers for the Roseland Police Department for their senior service from 5/16/16 to 6/14/16

Approval for Jock Watkins to attend seminar "Purchasing Update" on 4/15/16 from 9AM -12:50PM in Totowa, NJ for a total cost of \$99.00

Approval for William Styskal Sr. and William Styskal Jr. to attend Firefighter 1 Class at the Essex County Public Safety Academy, 4/5/16 through 6/30/16 (Every Tuesday, Wednesday, and Thursday) from 7PM to 11PM for a total cost of \$550.00

There being no comments from Council or members of the public, Councilman Smith seconded the motion. The motion was approved by a 4-0 voice vote (Tolli, Vidovich absent) with Councilman Leonard abstaining from the vote on Resolution No. 97-2016 and Resolution No. 102-2016.

### **MAYOR'S REPORT**

No report

### **COMMITTEE REPORTS**

#### **PUBLIC WORKS**

Public Works Superintendent Schall requested permission to order 340 new remote read water meters at a cost of \$78,750.00. After lengthy discussion, council deferred their decision to a later date.

Mr. Schall reported that the public stairs connecting the Harrison Access Road to Harrison Avenue are in need of significant repair or replacement. The public works department has

recommended that the stairs and railing should be removed. After discussion, Mr. Schall was advised to survey the affected residents to get their input before making a final decision.

#### PUBLIC SAFETY

Councilman Jacobs reported that he is waiting for a response from the County regarding the inquiry regarding the feasibility of marking certain intersections "Don't Block the Box"

#### RECREATION

Councilman Tsilionis reported that the Public Works Department would like to treat an area adjacent to Harrison Field with herbicide to kill any poison ivy with the intent of possibly erecting some bleachers. Recreation Director Colitti advised Council that he is awaiting a response from Essex Fells regarding their adjacent property. Council approved Phase I of the project to clear out the poison ivy.

#### CAPITAL IMPROVEMENTS

Councilman Leonard reported that he was advised that while making deliveries, a postal worker heard calls for help from inside a home on Condit Court. The postal workers willingness to get involved and intervene may have saved the resident's life. Councilman Leonard would like to acknowledge the postal worker at the May 17<sup>th</sup> meeting.

Councilman Leonard also reported that local resident Kyle Kovats has recently been honored by the National Association of Realtors as one of the 30 realtors under the age of 30 who are rising stars in the real estate industry. Mr. Leonard suggested that Mr. Kovats be recognized at an upcoming Council meeting.

Councilman Leonard thanked Public Service Electric and Gas and the County for their maintenance of trees in the property between Locust Avenue and Route 280. Councilman Leonard added his praise of the borough departments for their coordinated response to the recent storm.

#### PUBLIC AFFAIRS

Clerk Watkins explained the request from the Essex County Board of Elections seeking guidance on a proposal to relocate the polling place for Districts 3 & 6 from Noecker School to the First Aid Squad Building and Roseland Green Community Club House at 41 Hyer Farm Road respectively. After discussion, Council directed Clerk Watkins to advise the Board of Elections that Council will not endorse locating polling places on private property.

#### ADMINISTRATION & FINANCE

No report.

#### APPROVAL OF MINUTES

Councilman Smith made a motion to approve the minutes from the January 2, 2014 Reorganization Meeting, the January 19, 2016 Budget Meeting, and the February 2, 2016 Budget

Meeting. The motion was seconded by Councilman Tsilionis and approved by a 4-0 voice vote (Tolli, Vidovich absent).

**PUBLIC COMMENT**


None.

**EXECUTIVE SESSION**

Mr. Sheffet read Resolution No. 96-2016 Approval to Close to Executive Session to discuss the following:

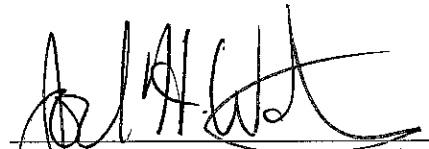
1. COAH
2. Sale of Municipal Water System.
3. Garbage Company Issues
4. Avalon Bay
5. Personnel Policy
6. Personnel

Councilman Smith made a motion at 8:26 to close to Executive Session. The motion was seconded by Councilman Tsilionis and approved by a 4-0 voice vote (Tolli, Vidovich absent).



---

Mayor John Duthie



---

Jock H. Watkins. Borough Clerk

Approved: April 19, 2015

**ROLL CALL**

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