

BOROUGH OF ROSELAND  
NEW JERSEY

SEPTEMBER 19, 2017  
PUBLIC MEETING ROOM  
19 HARRISON AVENUE  
6:30 PM EXECUTIVE  
SESSION  
7:30PM OPEN SESSION

COUNCIL MEETING MINUTES

**CALL TO ORDER & SUNSHINE STATEMENT**

The September 19, 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 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  
David Jacobs, Councilman  
Richard N. Leonard, Councilman  
Peter M. Smith, Councilman  
Michelle Tolli, Councilwoman  
Thomas Tsilionis, Councilman  
Mark Vidovich, Council President

**ALSO IN ATTENDANCE:**

Maureen Chumacas, Borough Administrator  
Jock H. Watkins, Borough Clerk (7:15 pm)  
Ethan Jesse Sheffet, Borough Attorney

Councilman Jacobs made a motion at 6:30 PM to approve Resolution No. 248-2017 Approval to Close to Executive Session to discuss the following:

1. Tax Appeal Litigation
2. Personnel
3. COAH Litigation - K&K Development
4. Scott Gorman v. Borough of Roseland
5. Vendor Insurance Requirements

Councilman Smith seconded the motion and the motion was approved by a 6-0 voice vote.

Councilman Jacobs made a motion to close Executive Session and to return open session at 7:20 PM. The motion was seconded by Councilman Smith and approved by a 6-0

voice vote. 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.

### **COMMITTEE REPORT**

#### **ADMINISTRATION & FINANCE**

Councilman Vidovich introduced Daniel C. Mariniello, Principal, and Sophia Randazzo from NW Financial Group, LLC. Mr. Mariniello presented a PowerPoint presentation explaining what a Payment in Lieu of Taxes (PILOT) agreement is, and what services their firm will perform for the Borough, including the modeling of financial impact; the negotiation of redevelopment, loan agreements and PILOT agreements (PowerPoint presentation attached hereto.)

### **PUBLIC COMMENT**

Candy Blau, 80 Schweinberg Drive  
Claudia Reis, 4 Cooper Avenue  
Elaine Perna, 68 Freeman Street  
Scott Gorman, 4 Cooper Avenue  
Tony Cappiello, 3 Monroe Avenue

Mayor Duthie closed the comment period on the presentation, and thanked Mr. Mariniello and Ms. Randazzo from NW Financial Group for their presentation.

### **INTRODUCTION OF ORDINANCES**

Councilwoman Tolli made a motion to introduce Ordinance No. 13-2017 – An Ordinance of the Borough of Roseland, in the County of Essex, New Jersey, providing for replacement of overhead doors at the Borough’s Public Works Building in and for the Borough and appropriating \$28,000 to fund the same. The motion was seconded by Councilman Leonard and approved by a 6-0 voice vote. A public hearing on the ordinance has been scheduled for Tuesday, October 17, 2017.

Councilman Jacobs made a motion to introduce Ordinance No. 14-2017 – An Ordinance amending Chapter II entitled “Administration” Section 65 entitled “Payment of Claims” of the Revised General Ordinances of the Borough of Roseland. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote. A public hearing on the ordinance has been scheduled for Tuesday, October 17, 2017.

## **ADOPTION OF RESOLUTIONS**

Mayor Duthie announced that Resolution No. 255-2017 has been withdrawn. Councilman Leonard made a motion to approve the remaining seven resolutions and the five items on the Consent Agenda:

Resolution No. 249-2017 approving Payment No. 2 and Change Order No. 1 to Patwood Roofing Co. in the amount of \$12,337.00 for the roof replacement at the fire house

Resolution No. 250-2017 authorizing cancellation of water and sewer billing balances

Resolution No. 251-2017 amending Resolution No. 235-2017 to release payment No. 1 to Top Line Construction Corp. for the Becker Farm Road Project, to reflect the correct payment in the amount of \$282,092.80

Resolution No. 252-2017 approving the hiring of assignors and soccer officials for the youth recreation program

Resolution No. 253-2017 approving an extension of the contract with Allied Oil LLC for the purchase of fuel and delivery for a fifth extension from 08-31-17 to 11-30-17

Resolution No. 254-2017 approving the July 15, 2017 Bill List

Resolution No. 256-2017 approving the ratification of salaries for the month of August 2017

## **CONSENT AGENDA**

- - - Approval for Deputy OEM-Coordinator, Michael Piltzecker, to attend the annual OEM Coordinators meeting on 9/27/17 at 10 am in West Orange, NJ at no cost

Approval for Cub Scout Pack 801 to have a campout at Bond Force Park on 10/14/17 from 4:30 PM to 8:00 AM

Approval for Jock Watkins and Ashley Passafiume to attend the Municipal Clerks' Association of Essex County Mini-Conference from 8:30 AM to 3:10 PM on October 12, 2017 at Verona Community Center at a total cost of \$70 – Recertification C.E.U.'s available

Approval of Cadet Application for Joseph Salvanto to the Roseland Fire Department

Approval of the August 2017 Treasurer's Report

Councilman Vidovich seconded the motion and the motion was approved by a 6-0 voice vote, with Councilman Leonard abstaining from the vote on Resolution No. 256-2017.

## MAYOR'S REPORT

Mayor Duthie invited all residents to attend the Borough's annual bonfire and family movie night to be held on October 6<sup>th</sup> beginning at 5:00 PM.

Mr. Duthie reported that he recently received several letters of thanks from Borough residents, and therefore felt that it would be an appropriate time to thank all department heads and Borough employees for their hard work and a job well done.

Mayor Duthie concluded his report wishing all of his Jewish friends a Happy, Sweet New Year.

## COMMITTEE REPORTS

### PUBLIC WORKS

Councilman Smith reported that the Department of Public works has asked residents to hold off on placing leaves in the street for pickup until mid-October, when the Borough's leaf collection program begins.

Mr. Smith announced that the Borough will be hosting a paper shredding day on October 14<sup>th</sup> from 9:00 AM until 1:00 PM at the Harrison Tennis Court. Mr. Smith added that the annual tire recycling collection will also be conducted on the same day at the same location.

### PUBLIC SAFETY

Councilman Jacobs reported that he recently met with the Fire Department truck committee and representatives of the fire truck manufacturer. Mr. Jacobs added that the Fire Department is close to ordering new ladder truck, presented a rendering of the new truck. Mr. Jacobs noted that it will take approximately nine months from order to build the new truck.

Councilman Jacobs invited residents to take advantage of Operation Medicine Drop, noting that there is a collection box in the lobby of Police headquarters where residents can safely dispose of unused or unwanted medications, thereby preventing them from being improperly used by others.

Mr. Jacobs closed his report noting that the Police Department has designated an area in the parking lot by their main entrance where residents can safely make exchanges of items bought and sold over the internet. The area is identified by a sign and is under video surveillance. Residents may notify the police when they plan to make an exchange.

### CAPITAL IMPROVEMENTS

Councilman Leonard announced that the Borough has begun the Master Plan review process. Mr. Leonard also noted that he received a letter from Congressman Frelinghuysen

indicating that the lease for the Roseland Post Office will expire in 2023 and that the Postal Service will begin looking for new location in 2020.

Councilman Leonard reported that he attended his high school class reunion over the past weekend. Mr. Leonard thanked West Essex Superintendent of Schools Barbara Longo and West Essex High School Principal Caesar Diliberto for hosting a great tour of the school facilities. Mr. Leonard also thanked the County of Essex for the Turtle Back Zoo and the County's 9-11 Memorial, noting that the visit to both locations was especially meaningful to out of state attendees of the reunion.

### RECREATION

Councilman Tsilionis announced that the Greek Festival at SS. Nicholas, Constantine, and Helen church is scheduled for this coming Friday, Saturday, and Sunday. Mr. Tsilionis added that the Roseland Farmer's market is open from noon until 6:00 PM on Friday afternoons.

Councilman Tsilionis reported that the Roseland Board of Education has contacted the Borough expressing an interest in establishing a joint committee with members of the Governing Body to discuss affordable housing and the potential impact of COAH mandates. Mr. Tsilionis will reach out to the Board of Education to schedule an initial meeting.

### PUBLIC AFFAIRS

Councilwoman Tolli announced that seasonal Flu shots will be available to residents on Tuesday, October 10<sup>th</sup> from 11:00 AM until 1:00 PM in the public meeting room at 19 Harrison Avenue. Cost of the shots is free for those with Medicare and twenty dollars for all others. Recipients must pre-register with the Health Department.

Mrs. Tolli reported that the Roseland VFW Post #2619 is hosting a fundraiser with music and refreshments at 6:00 PM on Saturday September 30<sup>th</sup> at their hall on Eisenhower Parkway to raise funds to repair damage from recent flooding in their basement. Cost to attend is \$25/person for food, music and comedy.

Councilwoman Tolli also announced the following upcoming events: Annual Bonfire and movie night on October 6<sup>th</sup> at O'Beirne Field; Municipal Youth Guidance Committee meeting on September 25<sup>th</sup> at 7:30 PM at the Roseland First Aid Squad; Recreation Trunk or Treat for pre-school through 4<sup>th</sup> grade on October 28<sup>th</sup> from 11:00 AM until 12:30 PM at Noecker School; Seventh annual Francis Brian Steets Soccer Shoot Competition beginning at 6:00 PM on October 13<sup>th</sup> at the Harrison multi-purpose court; and the Fire Department will be honoring Fire Prevention Week by hosting Lunch with Sparky on October 14<sup>th</sup> from 11:30 AM until 1:00 PM at the firehouse.

Mrs. Tolli noted that the Roseland First Aid Squad looking for new members. Anyone wishing to serve should call 973-403-6062.

Councilwoman Tolli encouraged residents to keep storm drains in their neighborhoods clear of leaves and other debris in light of the expected rainfall from pending hurricanes.

Councilman Leonard added that the 6<sup>th</sup> grade car wash will be held this Saturday at 10:00 AM at the first aid squad parking lot.

Councilman Tsilionis added that any resident who wished to receive the Borough announcements that are transmitted via the Swift 9-1-1 system, should log into the system through the Borough website and update their contact information accordingly.

Mayor Duthie announced that he would like to appointment Thomas Haversang to the Environmental Commission to fill the one year unexpired term as Alternate No. 2 through December 31, 2017 and asked Council for their endorsement. Councilman Tsilionis made a motion to accept the appointment of Mr. Haversang. The motion was seconded by Councilman Vidovich and approved by a 6-0 voice vote.

Mayor Duthie reported that Essex County Liaison Dan Salvante had to leave the meeting earlier but asked that the following announcements be made:

- Essex County Household Hazardous Waste Collection will be held on October 7<sup>th</sup> from 8:30 am until 4:00 PM at 125 Fairview Avenue, Cedar Grove
- Essex County Computer/Electronics Recycling will be held on October 21<sup>st</sup> from 9:00 am until 3:00 PM at 125 Fairview Avenue, Cedar Grove
- Essex County Paper Shredding will be held on October 28<sup>th</sup> from 9:00 am until 1:00 PM at Essex County Public Works, 99 West Bradford Avenue, Cedar Grove

#### ADMINISTRATION & FINANCE (Vidovich, Smith, Jacobs)

Councilman Vidovich noted that his committee has been busy dealing with the issues related to ongoing tax appeals and affordable housing. Mr. Vidovich added that we was glad to have the experts at the televised meeting to help educate Council and residents.

Mr. Vidovich reported that his committee will commence contract negotiations with the FOP Patrol Officers later this month and he will keep Council apprised of progress.

#### APPROVAL OF MINUTES

Councilman Jacobs made a motion to approve the minutes of the July 18, 2017 Council Meeting and the minutes of the September 5, 2017 Caucus Meeting. The motion was seconded by Councilman Vidovich and approved by a 6-0 voice vote.

#### PUBLIC COMMENT

Tony Cappiello, 3 Monroe Avenue

Roger Freda, Deputy OEM Coordinator  
John Matheis, OEM Coordinator  
Councilman Leonard  
Roger Freda, Deputy OEM Coordinator  
David Schwartz, 16 Schweinberg Drive

At 10:50 PM, Councilman Leonard made a motion to take a brief break. The motion was seconded by Councilman Tsilionis and approved by a 6-0 voice vote.

At 10:59 PM, Councilman Jacobs made a motion to reconvene the meeting. The motion was seconded by Councilwoman Tolli and approved by a 6-0 voice vote.

Additional Public Comment:

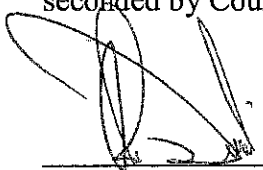
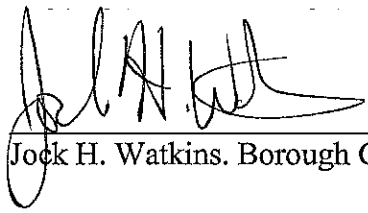
Scott Gorman, 4 Cooper Avenue  
Claudia Reis, 4 Cooper Avenue

**ADDITIONAL EXECUTIVE SESSION IF NECESSARY**

Borough Attorney Sheffet read the Executive Session statement indicating that Council had to reconvene to Executive Session to conclude the discussion of a matter involving vendor insurance requirements.

Councilman Jacobs made a motion to reconvene to Executive Session at 11:20 PM. The motion was seconded by Councilwoman Tolli and approved by a 6-0 voice vote.

Councilman Jacobs made a motion to close the meeting at 11:40 PM. The motion was seconded by Councilman Vidovich and approved by a 6-0 voice vote.

  
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Mayor John Duthie  
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Joek H. Watkins, Borough Clerk

Approved: November 28, 2017

**ROLL CALL**

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