

**BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY**

NOVEMBER 21, 2023
19 HARRISON AVENUE
6:30 PM EXECUTIVE SESSION
7:00 PM OPEN SESSION

COUNCIL MEETING MINUTES

The November 21, 2023 meeting of the Roseland Mayor and Council was called to order at 6:30 PM by Mayor Spango. 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, sent to the official newspapers, posted on the public bulletin board in the Municipal Building and filed in the office of the Borough Clerk. This meeting was also available via Zoom conference call.

IN ATTENDANCE:

James R. Spango, Mayor
Christopher Bardi, Councilman
Jean Perrotti, Councilwoman
Michele Tolli, Councilwoman

ABSENT:

Eileen Fishman, Councilwoman
Roger Freda, Councilman
Marcelino Trillo, Council President*

ALSO IN ATTENDANCE:

Maureen Chumacas, Borough Administrator
Jock H. Watkins, Borough Clerk
Joni McDonnell, Borough Attorney

EXECUTIVE SESSION

Councilwoman Perotti made a motion to approve Resolution No. 338-2023 Approval to Close to Executive Session to discuss the following:

1. Sale of Borough Property
2. Personnel
3. COAH Litigation

The motion was seconded by Councilman Bardi and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent). Council adjourned executive session at 6:58 PM.

Mayor Spango read the Sunshine Statement again and called the meeting to order. Clerk Watkins called the roll noting that Councilwoman Fishman, Councilman Freda, and Councilman Trillo were absent. *Councilman Trillo called into the meeting at approximately

8:35 PM via Zoom Conference Call to vote on the resolutions on the agenda under the "Adoption of Resolutions" heading.

SALUTE TO THE FLAG

Mayor Spango led the salute to the flag.

PUBLIC COMMENT

None

SWEARING IN CEREMONY – POLICE OFFICER

Mayor Spango administered the Oath of Office to new police patrol officer Gregory Matesic.

Councilwoman Perrotti made a motion to adopt Resolution No. 345-2023 appointing Gregory Matesic as a Patrol Officer to the Roseland Police Department. The motion was seconded by Councilman Bardi and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).

PRESENTATIONS

Mayor Spango acknowledged the members of the Orange Crush, the 5th – 8th grade spring wiffle ball league champions, and the members present were presented with trophies by Mayor Spango and Recreation Director Colitti.

Mayor Spango acknowledged the members of the Roseland Nationals, the 2023 West Essex Junior League 7th – 8th grade softball champions. Mayor Spango presented the coaches with proclamations and the mayor and Recreation Director Colitti presented the team with championship sweat shirts.

Essex County Liaison Dan Salvante announced the schedule of Essex County Holiday events.

INTRODUCTION OF ORDINANCES

Councilwoman Perrotti made a motion to introduce Ordinance No. 34-2023: "An ordinance amending Chapter 2 of the Revised General Ordinances of the Borough of Roseland entitled "Administration", Section 2-35 entitled "Recreation Committee"". The motion was seconded by Councilwoman Tolli and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent). The public hearing will be held on December 19, 2023.

Councilman Bardi made a motion to introduce Ordinance No. 35-2023: "An ordinance amending various chapters of the Revised General Ordinances of the Borough of Roseland amending fees charged by the tax assessor, tax collection and finance, fees for police services,

fees charged by the Department of Public Works, towing and storage fees, water rates, and land development and zoning fees". The motion was seconded by Councilwoman Perrotti and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent). The ordinance will be forwarded to the Planning Board to ensure that the amendments proposed are not inconsistent with the Master Plan. The public hearing will be held on December 19, 2023.

Councilman Bardi made a motion to introduce Ordinance No. 36-2023: "An ordinance to amend Chapter 30 "Land Development", Article IV "Zoning", regarding the rezoning of Block 32, Lot 9.01 from R-6 to B-2, the rezoning of Block 30.01, Lot 3 from R-2 to OB-2, and the repeal of the R-2A Single Family Overlay District". The motion was seconded by Councilwoman Perrotti and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent). The ordinance will be forwarded to the Planning Board to ensure that the amendments proposed are not inconsistent with the Master Plan. The public hearing will be held on December 19, 2023.

Councilwoman Tolli made a motion to introduce Ordinance No. 37-2023: "An ordinance approving and adopting an amended Redevelopment Plan for 85 Livingston Avenue". The motion was seconded by Councilman Bardi and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent). The public hearing will be held on December 19, 2023.

Councilman Bardi made a motion to introduce Ordinance No. 38-2023: "An ordinance of the Borough of Roseland amending and supplementing Chapter 11 of the Revised General Ordinances of the Borough of Roseland entitled "Property Maintenance Code", including amendments to Section 11-2 entitled "Abandoned, Vacant, or Foreclosed Property" and adding new Section 11-4 entitled "Landlord Registration"". The motion was seconded by Councilwoman Perrotti and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent). The public hearing will be held on December 19, 2023.

Councilwoman Tolli made a motion to introduce Ordinance No. 39-2023: "An ordinance amending Chapter 10 of the Revised General Ordinances of the Borough of Roseland entitled "Building and Housing", Section 10-2 entitled "Certificate of Occupancy"". The motion was seconded by Councilman Bardi and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent). The public hearing will be held on December 19, 2023.

PUBLIC HEARING/ADOPTION OF ORDINANCES

Clerk Watkins read Ordinance No. 31-2023 by title only for the second time: "An ordinance amending and supplementing Chapter 2, Article VIII entitled "Public Records and Services; Fees; Charges and Assessments", Section 2-75.7 entitled "Fee Charged by the Department of Recreation – Recreation Fee Refund Policy"". Councilwoman Tolli made a motion to open the public hearing on Ordinance No. 31-2023. The motion was seconded by Councilman Bardi and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).

PUBLIC COMMENT

None

There being no one wishing to be heard, Councilman Bardi made a motion to close the public hearing. The motion was seconded by Councilwoman Tolli and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).

Clerk Watkins read Ordinance No. 31-2023 for the third and final time: "An ordinance amending and supplementing Chapter 2, Article VIII entitled "Public Records and Services; Fees; Charges and Assessments", Section 2-75.7 entitled "Fee Charged by the Department of Recreation – Recreation Fee Refund Policy"". Councilman Bardi made a motion to adopt Ordinance No. 31-2023. The motion was seconded by Councilwoman Perrotti and approved by a 3-0 roll call vote (Fishman, Freda, Trillo absent).

Clerk Watkins read Ordinance No. 32-2023 by title only for the second time: "An ordinance amending Chapter 2 of the Revised General Ordinances of the Borough of Roseland entitled "Administration", Section 2-24.10 entitled "Outside Employment of Police Officers"". Councilwoman Perrotti made a motion to open the public hearing on Ordinance No. 32-2023. The motion was seconded by Councilman Bardi and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).

PUBLIC COMMENT

None

There being no one wishing to be heard, Councilman Bardi made a motion to close the public hearing. The motion was seconded by Councilwoman Perrotti and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).

Clerk Watkins read Ordinance No. 32-2023 for the third and final time: "An ordinance amending Chapter 2 of the Revised General Ordinances of the Borough of Roseland entitled "Administration", Section 2-24.10 entitled "Outside Employment of Police Officers"". Councilwoman Tolli made a motion to adopt Ordinance No. 32-2023. The motion was seconded by Councilman Bardi and approved by a 3-0 roll call vote (Fishman, Freda, Trillo absent).

Clerk Watkins read Ordinance No. 33-2023 by title only for the second time: "An ordinance amending the Code of the Borough of Roseland to provide for the administration of the requirement imposed by the State of New Jersey for lead-based paint inspections of certain residential rental dwellings and to establish fees for inspections". Councilwoman Tolli made a motion to open the public hearing on Ordinance No. 33-2023. The motion was seconded by Councilwoman Perrotti and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).

PUBLIC COMMENT

None

There being no one wishing to be heard, Councilwoman Tolli made a motion to close the public hearing. The motion was seconded by Councilwoman Perrotti and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).

Clerk Watkins read Ordinance No. 33-2023 for the third and final time: "An ordinance amending the Code of the Borough of Roseland to provide for the administration of the requirement imposed by the State of New Jersey for lead-based paint inspections of certain residential rental dwellings and to establish fees for inspections". Councilman Bardi made a motion to adopt Ordinance No. 33-2023. The motion was seconded by Councilwoman Tolli and approved by a 3-0 roll call vote (Fishman, Freda, Trillo absent).

ADOPTION OF RESOLUTIONS

Councilwoman Perrotti made a motion to approve the remaining thirteen resolutions on the agenda:

Resolution No. 340-2023 budget transfers

Resolution No. 341-2023 memorializing refunds and cancellation of water sewer billings and balances

Resolution No. 342-2023 ratification of salaries – October 2023

Resolution No. 343-2023 authorizing the mayor to sign a contract with the Valley Physician Services for 2024 alcohol and drug testing services

Resolution No. 344-2023 approving the appointment of aids for the 2023-2024 winter recreation programs

Resolution No. 346-2023 authorizing the mayor to sign the Treatment Works Approval (TWA) application and the Bureau of Water Systems Engineering (BWSE) permit application review for municipal endorsement for Block 30, Lot 1, 65 Livingston Avenue

Resolution No. 347-2023 authorizing the use of competitive contracting for IT consulting services

Resolution No. 348-2023 conditionally designating AvalonBay Communities, Inc. as the redeveloper of the 85 Livingston Avenue project

Resolution No. 349-2023 authorizing renewal of the Delta Dental plan for one year through December 31, 2024

Resolution No. 350-2023 awarding a required disclosure contract to Jesco Inc. for unforeseen repairs to the John Deere loader at a cost of \$15,167.90 (aggregate purchases now exceed \$17,500.00)

Resolution No. 351-2023 accepting the low quote from Rekor Recognition Systems Inc. for the purchase of license plate reader intersection of Passaic and Eagle Rock Avenues

Resolution No. 352-2023 amending Resolution No. 33-2023 "Appointment of O'Toole Scrivo as Special Litigation Attorney for Caldwell Sewer Litigation to increase the not to exceed amount by \$5,000.00 for a new, adjusted amount of \$45,000.00

Resolution No. 353-2023 awarding a required disclosure contract to King Print NJ for recreation sports uniforms at a cost of \$8,495.00 (aggregate purchases now exceed \$17,500.00)

The motion was seconded by Councilwoman Tolli and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).

APPROVAL OF BILLS

Councilman Bardi made a motion to approve Resolution No. 339-2023 approving the November 17, 2023 bill list in the amount of \$1,133,170.42. The motion was seconded by Councilwoman Tolli and approved by a 4-0 voice vote (Fishman, Freda absent).

CONSENT AGENDA

Councilwoman Tolli made a motion to approve the four items on the Consent Agenda:

Accept with regret resignation of Nicole Bakirtzis effective November 22, 2023

Approval of on-premise 50/50 raffle application RA-401 from HSA Roseland for January 27, 2024

Approval of pocketbook bingo application BA-402 from HSA Roseland for January 27, 2024

Authorize payment for Detective Carnevale's attendance at Forensic Investigation Training from October 23rd through October 27th at a cost of \$650.00

The motion was seconded by Councilwoman Perrotti and approved by a 4-0 voice vote (Fishman, Freda absent).

MAYOR'S REPORT

Mayor Spango welcomed new police patrol officer Gregory Matesic to the Roseland police department. Mayor Spango announced that the annual holiday celebration and Santa's arrival are scheduled for December 9th. Mayor Spango wished everyone a happy, healthy Thanksgiving.

COMMITTEE REPORTS

FINANCE AND ADMINISTRATION

Councilman Bardi wished everyone a happy Thanksgiving and safe holidays.

PUBLIC WORKS

No report

PUBLIC SAFETY

Councilwoman Perrotti announced that the Roseland Fire Department would be participating in the Totowa/West Paterson fire department holiday parade on Saturday, November 25th, and wished the department good luck. Mrs. Perrotti welcomed police officer Gregory Matesic to the Roseland police department. Mrs. Perrotti congratulated Councilman Barid on his reelection, and councilman elect John Biront on his election.

RECREATION

Councilman Trillo reported that the recreation department completed the basketball draft, and the basketball program is ready to begin.

REDEVELOPMENT AND LEGAL

No report

COMMUNITY OUTREACH AND SHARED SERVICES

Councilwoman Tolli announced that members of the Beautification Committee and Municipal Youth Guidance subcommittee will be wearing yellow volunteer shirts to increase their visibility. There are expected to be three or four openings on the Environmental Commission by the end of the year. Anyone interested in volunteering should download a Citizen Leadership Form from the Borough's website. Arbor Terrace has partnered with Toys for Tots. They will be collecting toys on December 5th from 1:00 to 3:00 PM, and donations will be accepted through December 15th. The last 2023 meeting of the senior society is scheduled for December 1st at 12:30 PM at the Roseland library. The annual Menorah lighting will take place on Thursday, December 7th at 6:15 PM in front of the Borough Hall. Roseland's hometown Christmas celebration is scheduled for December 9th from 3:00 PM until 7:00 PM. Santa is expected to arrive at approximately 5:00 PM. The annual senior holiday luncheon is scheduled for Friday, December 15th at 12:00 noon. Mrs. Tolli wished everyone a happy Thanksgiving.

APPROVAL OF MINUTES

Councilwoman Tolli made a motion to approve the November 6, 2023 caucus meeting minutes. The motion was seconded by Councilman Bardi and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).

PUBLIC COMMENT

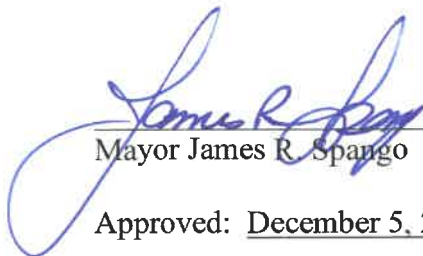
None

ADDITIONAL EXECUTIVE SESSION

Mayor Spango announced that Council would be returning to executive session to continue discussion of the items on the agenda. No action would be taken at the conclusion of executive session. Councilwoman Tolli made a motion to return to executive session at 7:40 PM. The motion was seconded by Councilman Bardi and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).

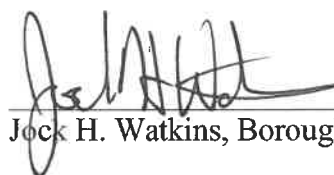
ADJOURNMENT

Council returned from executive session at 7:57 PM. Councilwoman Tolli made a motion to adjourn the meeting at 7:58 PM. The motion was seconded by Councilman Bardi and approved by a 3-0 voice vote (Fishman, Freda, Trillo absent).



Mayor James R. Spango

Approved: December 5, 2023



Jock H. Watkins, Borough Clerk

VOICE VOTE

Aye: Bardi, Perrotti, Tolli
Nay: None
Recuse: Fishman, Trillo
Absent: Freda