

BOROUGH OF ROSELAND
NEW JERSEY

MARCH 24, 2015
PUBLIC MEETING ROOM
BOROUGH HALL
7:00 PM

COUNCIL MEETING MINUTES

CALL TO ORDER & SUNSHINE STATEMENT

The March 24, 2015 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
Richard N. Leonard, Councilman
Peter M. Smith, Councilman
Thomas Tsilionis, Councilman
Michelle Tolli, Council President
Mark Vidovich, Councilman

ABSENT:

David Jacobs, Councilman

ALSO IN ATTENDANCE:

Maureen Chumacas, Borough Administrator
Ethan Jesse Sheffet, Borough Attorney
Jock H. Watkins, Borough Clerk
John Matheis, OEM Coordinator
Gary Schall, Superintendent of Public Works

SALUTE TO THE FLAG

Mayor Duthie led the Salute to the Flag.

PRESENTATIONS

Mayor Duthie read and presented a proclamation to Connor Thomas Osborne recognizing Mr. Osborne's achieving the rank of Eagle Scout.

Council President Michele Tolli read a proclamation declaring April 2015 as National Autism Awareness Month in the Borough of Roseland.

PUBLIC COMMENT

Robert Galione	17 Evelyn Road
Eric Smittle	16 Glenbrook Road, Ogdensburg, NJ
William Tedesco	20 Meeker Court
Dan Salvante	Essex County Liaison

PUBLIC HEARING AND ADOPTION OF ORDINANCES

Clerk Watkins read **Ordinance No. 01-2015**: “An ordinance amending Chapter II entitled “Administration”, Section 2-46 entitled “Affordable Housing Board”, increasing membership from seven (7) members to nine (9) members” for the second time by title only. Councilman Smith made a motion to open the public hearing. The motion was seconded by Councilwoman Tolli and approved by a 5-0 voice vote (Jacobs absent). With nobody wishing to be heard on the ordinance, Councilman Smith made a motion to close the hearing. The motion was seconded by Councilwoman Tolli and approved by a 5-0 voice vote (Jacobs absent).

Clerk Watkins read Ordinance No. 01-2015: “An ordinance amending Chapter II entitled “Administration”, Section 2-46 entitled “Affordable Housing Board”, increasing membership from seven (7) members to nine (9) members” for the third and final time. Councilman Tsilonis made a motion to adopt Ordinance No. 01-2015. The motion was seconded by Councilwoman Tolli and approved by a 5-0 roll call vote (Jacobs absent). Notice of adoption of the ordinance will be published in the April 2, 2015 edition of The Progress and will become official on April 22, 2015.

Clerk Watkins read **Ordinance No. 02-2015**: “An ordinance amending Chapter IV of the Revised General Ordinances of the Borough of Roseland entitled “Licensing and Business Regulations”, replacing Section 4-4 entitled “Solicitors and Canvassers” with new Section 4-4 entitled “Solicitation” for the second time by title only. Councilman Smith made a motion to open the public hearing. The motion was seconded by Councilwoman Tolli and approved by a 5-0 voice vote (Jacobs absent). With nobody wishing to be heard on the ordinance, Councilman Smith made a motion to close the hearing. The motion was seconded by Councilwoman Tolli and approved by a 5-0 voice vote (Jacobs absent).

Clerk Watkins read Ordinance No. 2-2015: “An ordinance amending Chapter IV of the Revised General Ordinances of the Borough of Roseland entitled “Licensing and Business Regulations”, replacing Section 4-4 entitled “Solicitors and Canvassers” with new Section 4-4 entitled “Solicitation” for the third and final time. Councilman Tsilonis made a motion to adopt Ordinance No. 02-2015. The motion was seconded by Councilwoman Tolli and approved by a 4-1 roll call vote with Councilman Leonard voting against and Councilman Jacobs absent. Notice of adoption of the ordinance will be published in the April 2, 2015 edition of The Progress and will become official on April 22, 2015.

Clerk Watkins read **Ordinance No. 03-2015**: “An ordinance amending Chapter VII entitled “Traffic” Section 7-20 entitled “Stop Intersections” (Intersection of Canoe Lane and

Oak Drive) for the second time by title only. Councilman Smith made a motion to open the public hearing. The motion was seconded by Councilwoman Tolli and approved by a 5-0 voice vote (Jacobs absent). With nobody wishing to be heard on the ordinance, Councilman Smith made a motion to close the hearing. The motion was seconded by Councilwoman Tolli and approved by a 5-0 voice vote (Jacobs absent).

Clerk Watkins read Ordinance No. 3-2015: "An ordinance amending Chapter VII entitled "Traffic" Section 7-20 entitled "Stop Intersections" (Intersection of Canoe Lane and Oak Drive) for the third and final time. Councilman Tsilionis made a motion to adopt Ordinance No. 03-2015. The motion was seconded by Councilwoman Tolli and approved by a 5-0 roll call vote (Jacobs absent). Notice of adoption of the ordinance will be published in the April 2, 2015 edition of The Progress and will become official on April 22, 2015.

INTRODUCTION OF ORDINANCE

Clerk Watkins read **Ordinance No. 04-2015** for the first time by title only: "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. Councilman Smith made a motion to introduce Ordinance No. 04-2015. The motion was seconded by Councilman Tsilionis and approved by a 5-0 roll call vote (Jacobs absent). The public hearing is scheduled for Tuesday, April 21, 2015 at 7:00 PM.

INTRODUCTION OF 2015 MUNICIPAL BUDGET

Councilman Vidovich made a motion to adopt Resolution No. 90-2015 Introduction of the 2015 Municipal Budget. The motion was seconded by Councilman Tsilionis and approved by a 5-0 roll call vote (Jacobs absent). The public hearing on the 2015 Municipal budget is scheduled for Tuesday April 21, 2015 at 7:00 PM

ADOPTION OF RESOLUTIONS

Councilman Tsilionis made a motion to adopt the other twenty resolutions and the twelve consent agenda items, with corrections to Resolution No. 96-2015 to reflect all rates to be hourly, and to correct the \$120/hour amount to \$12/hour:

Resolution No. 84-2015 accepting the quote from Cap Electric, Inc. for general electrical service/repairs throughout the Borough for the calendar year 2015 under P/O 15-00260 in the amount of \$1,500.00 and under P/O 15-00261 in the amount of \$4,500

Resolution No. 85-2015 approving the service agreement with Northeast Communications, Inc. in the amount of \$2,800.00 for maintenance of the Police Department Zetron System under New Jersey State Contract 83924 and under P/O No. 15-00116

Resolution No. 86-2015 (See Executive Session)

Resolution No. 87-2015 approving the contract with Allied Oil, LLC for an amount not

to exceed \$85,000.00 for the delivery of Unleaded Gasoline to the Borough of Roseland under State Contract No. A-80914 for the contract period from January 1, 2015 through February 29, 2016

Resolution No. 88-2015 approving the Water and Sewer Payment Plan for Account No. 235360-0

Resolution No. 89-2015 appointing Glenn Blackman and Patricia Riley from Gateway Advisors as Financial Advisors as Principal Plan Consultant

Resolution No. 90-2015 (See Introduction of Municipal Budget)

Resolution No. 91-2015 Withdrawn

Resolution No. 92-2015 approving the March 20, 2015 Bill List

Resolution No. 93-2015 authorizing additional architectural services from Settembrino Architects to prepare plans and specification for a smaller Salt Shed at a cost of \$9,500.00

Resolution No. 94-2015 approving the submittal of the 2014 Recycling Grant application to the New Jersey Department of Environmental Protection

Resolution No. 95-2015 awarding the Morris County Co-Op Contract No. 23 for Police Uniforms and Equipment to Atlantic Tactical Inc. for the contract year from January 1, 2015 through December 31, 2015

Resolution No. 96-2015 approving the hiring of SCRAM Administrative Staff

Resolution No. 97-2015 authorizing an increase in the maximum payment for services rendered by the firm Kaufman, Semeraro & Leibman LLP as Tax Appeal Attorney for an amount not to exceed \$60,000.00 for calendar year 2015

Resolution No. 98-2015 authorizing payment to Vincent Loughlin, Planning Board Attorney, in the amount of \$7,000.00 for 2015 Professional Services under PO 15-00397

Resolution No. 99-2015 approving cancellation of Water and Sewer billing in the amount of \$791.49 on Account 411050-0 at 14 DePaola Court

Resolution No. 100-2015 approving the Shade Tree Commission's Spring Planting of fifty (50) trees at a cost of \$11,870.00 under P/O 15-00371

Resolution No. 101-2015 approving the Emergency Temporary Budget

Resolution No. 102-2015 approving the hiring of Angela Genovesi-Rafferty as Accounts Receivable Clerk at a salary of \$26,500.00 beginning March 15, 2015

Resolution No. 103-2015 awarding a contract to Johnston Communication for

maintenance of IT infrastructure and telephone maintenance under State Contract No. 80802 for an amount not to exceed \$20,000 under P/O 15-00204, P/O 15-00203 and P/O 15-00350

Resolution No. 104-2015 authorizing the Mayor to sign the contract with Royal Flush to provide a portable toilet for seven (7) months for \$47.88/month at a total cost of \$355.16 under P/O 15-00399

Resolution No. 105-2015 authorizing Andy Matt Inc. to perform tree work at the Harrison House

Resolution No. 106-2015 ratifying February salaries

CONSENT AGENDA

Approval of firefighter application for Devon Hinchcliffe to the Roseland Fire Department

Approval to send five members of the fire department to attend the NJ Tactical Extrication Weekend held on May 9th & 10th at total cost of \$750.00 under P/O 15-00318

Approval to send Captain Richard Costello to the Internal Affairs Training Course at a total cost of \$595.00 under P/O 15-00220

Appointment of William Panitch to the Shade Tree Commission to fill the unexpired term of John J. Piserchia from March 24, 2015 through December 31, 2019

Approval of a Raffle License for a Tricky Tray to be conducted on Friday, May 8, 2015 by Cerebral Palsy of North Jersey

Approval of a Raffle License for a 50/50 to be conducted on Friday, May 8, 2015 by Cerebral Palsy of North Jersey

Approval for three fire department members (D. Hinchcliffe, J. Krasner and V. Radice) to attend Firefighter 1 Class at the Public Safety Academy from April 7, 2015 through July 1, 2015 at a cost of \$275.00 per firefighter under P/O 15-00359

Approval for Alla Nudel to attend the Professional Conference for Court Administrators of New Jersey continuing education with credits at a cost of \$225.00 under P/O 15-00379

Approval for Maureen Chumacas to attend an "Electronic Tax Sale" seminar approved for CEU's on March 30, 2015 at the Mountainside Inn, Clifton, NJ at no cost

Approval for Patrol Officers LaPosta and Nicholson to attend EMT Refresher Medical Sessions A, B, and C at a total cost of \$480.00 from April 16, 2015 through April 17, 2015 at the Atlantic Training Center in Summit, NJ

Approval of volunteer Sophia Colitti for the Easter Egg Hunt

Approval of the Treasurer's Report

The motion was seconded by Councilman Smith and approved by a 5-0 voice vote (Jacobs absent).

CORRESPONDENCE

Mayor Duthie made note of the receipt of a number of complaints throughout the winter regarding poor postal service. As discussed earlier in the meeting, the Mayor advised that the Postal Services complaint form will be added to the Borough's website within the next few days so that residents can forward complaints directly to the postal service. Mayor Duthie also made reference to a letter that he sent to the United States Postal Service regarding a specific example of the poor service.

Mayor Duthie also reported that he received an E-Mail from local scout master Jerry Groome requesting permission to hold a dedication ceremony in Monument Park on Sunday, May 24, 2015. Eagle Scout Daniel Sanchez was given permission to install a monument honoring residents who served in the Gulf Wars. Councilman Vidovich made a motion to grant permission for the dedication ceremony. The motion was seconded by Councilman Smith and approved by a 5-0 voice vote (Jacobs absent).

COMMITTEE REPORTS

PUBLIC WORKS

Councilman Smith thanked the County for promptly solving a number of recent problems. Mr. Smith also thanked the members of the Department of Public Works for their efforts and for working in unison with the County to address all storm related problems this winter. Councilman Smith closed his report by reminding residents that the County will host a household hazardous waste recycling day on May 2nd, and a computer and electronics recycling day on May 16th. Both events will be held at 125 Fairview Avenue in Cedar Grove.

PUBLIC SAFETY

No report

RECREATION

Councilman Tsilionis reported that the improvements to Fernwood Field will be displayed during the upcoming opening day ceremonies. Mr. Tsilionis noted that the new batting cages have been relocated to Bond Force Park for aesthetic reasons. Mr. Tsilionis also reported that the Borough has saved on electric bills during the past three years by participating in the County aggregation program. The Borough saved \$8,108 in 2014. Councilman Tsilionis

made a motion to approve Resolution No. 108-2015 to participate in the County Aggregation Program for another year. The motion was seconded by Councilman Vidovich and approved by a 5-0 voice vote (Jacobs absent).

CAPITAL IMPROVEMENTS

Councilman Leonard congratulated Borough resident Jack Sayers for being selected to serve as Grand Marshall in the recent St. Patrick's Day Parade in West Orange. Mr. Leonard thanked the library for their recent Downton Abbey event which was very well attended. Councilman Leonard commented on his observations during a recent catch basin repair performed in-house by department of public works employees. Mr. Leonard reminded residents to change their smoke and carbon monoxide alarm batteries when they change their clocks for daylight saving. Councilman Leonard closed his report by suggesting that residents with third floor bedrooms consider obtaining collapsible fire escaped ladders, and recommending that Council consider adopting an ordinance to require the installation of natural gas detectors at the same time that smoke and carbon monoxide alarms are required to be installed.

PUBLIC AFFAIRS

Councilwoman Tolli reported that opening day baseball will be celebrated on Saturday April 18th at Fernwood Field. The parade will go from Bond Force Park to the new field. Mrs. Tolli also announce that the annual Easter Egg Hunt will be held at 12:30 PM at 19 Harrison Avenue on Saturday March 28th. The event is open to borough residents age 8 and under. Councilwoman Tolli closed her report noting that as the snow finally melts, it leaves behind litter and debris that has been obscured. Mrs. Tolli asked resident to clean up any litter in front of their homes.

ADMINISTRATION & FINANCE

Councilman Vidovich noted that he covered his report earlier in the meeting with the introduction of the budget, noting that the public hearing on the budget will be next month.

PUBLIC COMMENT

None

EXECUTIVE SESSION

Borough Attorney Sheffet read Resolution No.86-2015 Approval to Close to Executive Session to discuss the following:

1. AJM
2. Fine Wall Construction
3. Proof of Claim Filing Galaxy Recycling
4. Caldwell Sewer

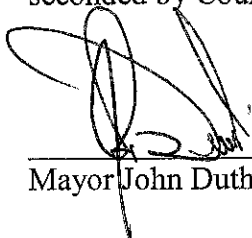
5. Resolution No. 91-2015 Authorizing Commercial Tax Appeal Attorney to Settle 2013 Tax Appeals Captioned: 440 Eagle Rock Avenue, LLC v. Borough of Roseland, Block 29, Lot 11 (440 Eagle Rock Ave., Roseland, NJ) Under Docket Number: 008633-2013

Councilman Smith made a motion to close to Executive Session at 8:18 PM. The motion was seconded by Councilwoman Tolli and approved by a 5-0 voice vote (Jacobs absent).

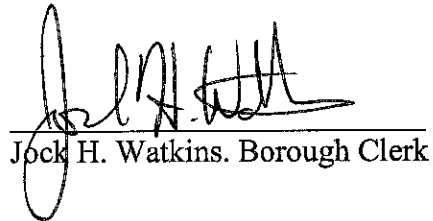
Councilwoman Tolli made a motion to reopen executive session at 9:29 PM to take action on a resolution. The motion was seconded by Councilman Smith and approved by a 5-0 voice vote (Jacobs absent).

Councilman Tsilionis made a motion to approve Resolution No. 107-2015 approving Payment No. 1 in the amount of \$8,820.00 to Pal-Pro Builders, LLC for construction of a barrier free ramp at 19 Harrison Avenue. The motion was seconded by Councilman Vidovich and approved by a 5-0 voice vote (Jacobs absent).

Councilman Smith made a motion to close the meeting at 9:31 PM. The motion was seconded by Councilman Tsilionis and approved by a 5-0 voice vote (Jacobs absent).



Mayor John Duthie



Jock H. Watkins. Borough Clerk

Approved: June 5, 2018

ROLL CALL

Aye: Jacobs, Smith, Tsilionis
Nay: Leonard
Abstain: Bardi
Absent: Tolli