

BOROUGH OF ROSELAND  
NEW JERSEY

MAY 17, 2016  
PUBLIC MEETING ROOM  
BOROUGH HALL  
7:00 PM

**COUNCIL MEETING AGENDA**

**CALL TO ORDER & SUNSHINE STATEMENT**

The May 17, 2016 Council 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  
Michelle Tolli, Councilwoman  
Thomas Tsilionis, Councilman  
Mark Vidovich, Councilman

ABSENT:

None

ALSO IN ATTENDANCE:

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

**SALUTE TO THE FLAG**

Mayor Duthie led the Salute to the Flag.

**PRESENTATIONS**

Mayor Duthie introduced Ms. Becca Cossin, Counsel – Real Estate, ADP Corporate Legal Department. Ms. Cossin stated that as a Roseland resident, she was pleased to be able to presenting donations to Chief Kent Yates of the Roseland Volunteer Fire Department, Coordinator Tim Allendorf of the Roseland First Aid Squad, Chief Richard McDonough of the Roseland Police Department, and OEM Coordinator John Matheis of the Roseland Office of Emergency Management. Mayor Duthie thanked ADP for being a great corporate citizen and for their continued generosity.

Mayor Duthie introduced Charlene Pace who nominated her mother for Mother of the Year. Mayor Duthie then read a Proclamation naming Nancy Pace as Mother of the Year.

Councilman Tsilionis congratulated the winners of Mother of the Year adding that they were chosen out of eighty-three nominations.

Mayor Duthie introduced Sophia Monyano who nominated her mother for Mother of the Year. Mayor Duthie then read a Proclamation naming Rita Monyano as Mother of the Year.

Mrs. Monyano thanked Council for holding this event every year and thanked Recreation Director Mike Colitti for his efforts coordinating the program.

Mayor Duthie then read and presented a Proclamation to Vienna Mooney, honoring Mrs. Mooney for many years of service to the Roseland Recreation Committee. Councilman Tsilionis added special thanks to Mrs. Mooney for her many years of dedicated service to the youth of Roseland and presented Mrs. Mooney with a plaque recognizing her service to the Borough from 1993 through 2015. Mr. Colitti commended Mrs. Mooney for the positive impact she has had on just about every department in town and thanked for her for her many years of service.

Mayor Duthie announced that a Proclamation was prepared for borough resident Kyle Kovats. Councilman Leonard reported the Mr. Kovats was unable to attend due to a teaching obligation. Mr. Leonard added that Council was presenting the Proclamation to Mr. Kovats for the honor of having been selected by the National Association of Realtors as one of Thirty under Thirty rising stars in entire country in the Real Estate business.

Mayor Duthie introduced Mr. Brian Davis, a local letter carrier with the United States Postal Service. Mayor Duthie read and presented a Proclamation to Mr. Davis for his actions on January 2, 2016. While working on his delivery route, Mr. Davis heard a faint cry for help from one of the homes. After investigating, Mr. Davis found that a resident had fallen down the stairs earlier in the day and was stuck. Mr. Davis found a way to enter the home and call 9-1-1 for assistance. As a result of Mr. Davis' action, the resident was hospitalized and recovered from her fall.

Mr. Davis thanked the Mayor and Council for their acknowledgement. Mr. Davis also wished the resident, who was present at the meeting, continued health with her recovery.

Mayor Duthie introduced Police Captain Kevin Kitchin who recently retired from the Roseland Police Department after twenty-eight years of service. Mayor Duthie read and presented a Proclamation to Captain Kitchin. Police Chief McDonough commended Captain Kitchin describing him as "the definition of a true professional police officer". Chief McDonough also thanked Captain Kitchin for the sacrifices that he made with his family, and thanked the Kitchin family for sharing Captain Kitchin with the Borough of Roseland. Council President Jacobs added his thanks on behalf of the residents of the Borough. Captain Kitchin then thanked the Mayor and Council for their Proclamation and stated that it was an honor to be recognized in this fashion. Captain Kitchin thanked the current and previous governing

bodies for their support during his career, and he thanked his wife and children, who he said took the brunt of his career.

### **PUBLIC COMMENT**

Councilwoman Tolli announced that the Roseland Country Fair and Craft Show will be held on Saturday, June 11<sup>th</sup> at the Harrison Avenue Fair Grounds from 11:30 AM to 5:30 PM. Girl Scouts will be selling refreshments.

Several Girl Scouts in attendance read a statement describing a community service project that they are working on. The Girl Scouts are working toward a Bronze Award focusing on early childhood literacy. The Girl Scouts will be selling refreshments at the Country Fair with proceeds going to children in need. The girls will also be collecting new picture books to donate to under privileged children.

Essex County Liaison Dan Salvante announced that the new Giraffe exhibit opened today at Turtle Back Zoo. Mr. Salvante reported that the Essex County Open House will be held on June 4<sup>th</sup> from 10:00 AM until 2:00 PM at the Turtle Back Zoo with free admission to the zoo. Mr. Salvante also reminded residents that the County's electronics recycling day will be held on Saturday, May 21<sup>st</sup> from 8:00 AM until 4:00 PM. Councilman Leonard asked Mr. Salvante if there has been any decision about the Borough's request to consider marking certain intersections in town with "Do Not Block the Box" design. Mr. Salvante advised that he would look into the status of the request. Councilman Tsilionis thanked the County for their response to all requests presented by the governing body.

### **PUBLIC HEARING OF ORDINANCES**

Clerk Watkins read Ordinance No. 5-2016 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 FOR CALENDAR YEAR 2016 by title only for the second time.

Councilman Jacobs made a motion to open the public hearing. The motion was seconded by Councilman Vidovich and approved by a 6-0 voice vote. Upon invitation from the Mayor, there were no comments on the ordinance. Councilman Tsilionis made a motion to close the public hearing. The motion was seconded by Councilwoman Tolli and approved by a 6-0 voice vote.

Clerk Watkins read the ordinance for the third and final time. Councilman Vidovich made a motion to adopt the ordinance. The motion was seconded by Councilman Jacobs and approved by a unanimous roll call vote with council members Jacobs, Leonard, Smith, Tsilionis, Tolli and Vidovich voting in the affirmative.

Clerk Watkins read Ordinance No. 6-2016 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" by title only for the second time.

Councilman Jacobs made a motion to open the public hearing. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote. Upon invitation from the Mayor, there were no comments on the ordinance. Councilman Smith made a motion to close the public hearing. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.

Clerk Watkins read the ordinance for the third and final time. Councilman Smith made a motion to adopt the ordinance. The motion was seconded by Councilman Jacobs and approved by a unanimous roll call vote with council members Jacobs, Leonard, Smith, Tsilionis, Tolli and Vidovich voting in the affirmative.

Clerk Watkins read Ordinance No. 07-2016 AN ORDINANCE AMENDING CHAPTER XXX ENTITLED "LAND DEVELOPMENT", SECTION 30-403.17 ENTITLED "SIGNS" by title only for the second time.

Councilman Tsilionis made a motion to open the public hearing. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

Clerk Watkins explained that in order for the changes intended by this ordinance to reflect the goals of the governing body, a couple of changes were necessary. The new section pertaining to temporary signs was moved from the "Signs in the B-1 and B-2 Business District" section to the "General Provisions" section, and limited the location of temporary signs to non-residential zones. This correction will allow temporary signs for grand openings, anniversaries, etc. to be erected in all commercial/business zones. As originally drafted, these temporary signs would have only been permitted in the B-1 and B-2 zones.

Clerk Watkins explained that the new section pertaining to sandwich board signs was also moved from the "Signs in the B-1 and B-2 Business District" section to the "General Provisions" section, limits sandwich board signs to the B-1, B-2, and RM zone districts, and changed the limit on the number of signs from one sign per property, or one sign per business in an approved shopping center. As originally drafted, temporary signs would have only been permitted in the B-1 and B-2 zones. This correction allows sandwich board signs in the retail business sections.

Councilman Tsilionis made a motion to amend the ordinance with the proposed corrections. The motion was seconded by Councilman Smith and approved by a unanimous roll call vote with council members Jacobs, Leonard, Smith, Tsilionis, Tolli and Vidovich voting in the affirmative. The amended ordinance will be advertised in the May 26<sup>th</sup> edition of the Progress and the public hearing on the ordinance will be continued at the June 21<sup>st</sup> Council meeting.

## **PRESENTATION OF 2016 BUDGET**

Councilman Vidovich presented a PowerPoint slide show explaining the details of the 2016 municipal budget.

## **PUBLIC HEARING OF 2016 MUNICIPAL BUDGET**

Clerk Watkins read Resolution No. 158-2016 to approve reading the budget by title only. Councilman Vidovich motioned to approve the resolution. The motion was seconded by Councilman Smith and approved by a unanimous roll call vote with council members Jacobs, Leonard, Smith, Tsilionis, Tolli and Vidovich voting in the affirmative.

Clerk Watkins announced that this is the time fixed for the public hearing on the 2016 Municipal Budget. Mr. Watkins stated that the budget was approved by the Governing Body on April 5, 2016 and was advertised as required by law on April 21, 2016, together with the notice of hearing for this time. Copies of the budget have been made available to the public. Councilman Tsilionis made a motion to open the public hearing on the adoption of the 2016 Municipal Budget. The motion was seconded by Councilman Vidovich and approved by a unanimous roll call vote with council members Jacobs, Leonard, Smith, Tsilionis, Tolli and Vidovich voting in the affirmative.

Upon invitation from the Mayor, there were no comments on the approved budget. Councilman Jacobs made a motion to close the public hearing. The motion was seconded by Councilwoman Tolli and approved by a unanimous roll call vote with council members Jacobs, Leonard, Smith, Tsilionis, Tolli and Vidovich voting in the affirmative.

Clerk Watkins read Resolution No. 159-2016 Adoption of the 2016 Municipal Budget. Councilman Vidovich made a motion to approve the resolution. The motion was seconded by Councilman Leonard and approved by a unanimous roll call vote with council members Jacobs, Leonard, Smith, Tsilionis, Tolli and Vidovich voting in the affirmative.

Clerk Watkins read Section 2 of the budget, the Budget Resolution, stating that the budget as set forth constitutes an appropriation of \$9,691,881.92 for municipal services; and \$603,249.55 for Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy; and \$598,609.24 for the Minimum Library Levy. Councilman Vidovich made a motion to adopt the 2016 Municipal Budget as presented. The motion as seconded by Councilman Jacobs and approved by a unanimous roll call vote with council members Jacobs, Leonard, Smith, Tsilionis, Tolli and Vidovich voting in the affirmative.

## **ADOPTION OF RESOLUTIONS**

Councilman Jacobs made a motion to approve the eleven resolutions and the three consent agenda items:

Resolution No. 148-2016 approval a water payment plan for 5 Mitchell Avenue

Resolution No. 149-2016 amending Resolution 70-2016 approving a 2016 non-union employee salary increase

Resolution No. 150-2016 authorizing refunds, overpayments or cancellations in the Tax Office

Resolution No. 151-2016 approving the return of unused escrow in the amount of \$289.29 to Garden State Property Management for a minor subdivision at 20 Glen Avenue

Resolution No. 152-2016 approving the return of unused escrow in the amount of \$952.95 to Anthony and Andrea Dente for a minor subdivision at 5 Harrison Avenue

Resolution No. 153-2016 approving the return of unused escrow in the amount of \$775.00 to Thomas J. O'Beirne for the Centerville Market conceptual site plan at 191 Eagle Rock Avenue

Resolution No. 154-2016 authorizing the Borough of Roseland to enter into an Interlocal Agreement with West Orange for Animal Control

Resolution No. 155-2016 amending Resolution 42-2016 approving a 2015 non-union employee salary increase

Resolution No. 156-2016 awarding Captain Kitchin a surplus firearm commemorating his retirement after twenty-eight years of service

Resolution No. 157-2016 approving the May 13, 2016 Bill List

Resolution No. 160-2015 authorizing the Planning Board to conduct an investigation to determine if 85 Livingston Avenue is an Area in Need of Rehabilitation

### **CONSENT AGENDA**

Approval to appoint Nicky Critelli as a volunteer to the Department of Public Works for Senior Service from May 18, 2016 through June 10, 2016

Approval to appoint Justin Trig as a volunteer to the Department of Public Works for Senior Service from May 18, 2016 through June 10, 2016

Approval of the May 2016 Treasurers Report

There being no comments or questions, the motion was seconded by Councilman Tsilionis and approved by a 6-0 voice vote.

### **MAYOR'S REPORT**

Mayor Duthie extended condolences to the family of Gary Jones, a former Public Works employee who worked for the town for more than twenty-five years.

Mayor Duthie thanked the Beautification Committee for planting flowers in the various planters around town. The Mayor also thanked business who removed the weeds in front of their stores.

## COMMITTEE REPORTS

### PUBLIC WORKS

Councilman Smith reminded residents to take advantage of the Borough's grass clipping service. The Department of Public Works will continue picking up grass clippings every Wednesday through the end of October.

### PUBLIC SAFETY

Councilman Jacobs reported that five to seven unlocked cars have been entered during the past couple of weeks and reminded residents to lock their cars and remove valuables.

Councilman Jacobs announced with regret the resignation of Robert Spero from the Shade Tree Commission for personal reasons. Mr. Jacobs described Mr. Spero as a dedicated, hardworking, professional who dedicated many volunteer hours serving the residents of Roseland.

### RECREATION

Councilman Tsilionis expressed his disappointment that the baseball parade was rained out this year.

Councilman Tsilionis announced that his committee met with an engineer to take a look at putting netting up at Fernwood Field. The reconfiguration of the field has resulted in foul balls entering the roadway.

Mr. Tsilionis reported that he and the Mayor met with an engineer for a preliminary discussion on the feasibility of various recreation facilities at the Fernwood property recently acquired by the Borough. Facilities discussed included a regulation size pool, a soccer or all-purpose field, jogging path, parking area, and passive features.

Councilman Tsilionis congratulated Kathy Kaczynski for being honored as Senior of the Year. A proclamation will be presented at the annual Senior Luncheon on Friday, May 20<sup>th</sup>.

Mayor Duthie added that the discussion on the potential uses of the Dockrell property were to discuss a survey and potential layout of fields. A citizen committee is planned once Council decides on a direction for improvements. Any improvements will include buffers between the facilities and adjacent residential properties. Anyone wishing to serve on the committee or any other committee can download the Citizen Leadership Form from the Borough website and submit a completed form to the Clerk.

## CAPITAL IMPROVEMENTS

Councilman Leonard expressed condolences to the family of John Clancy. Mr. Clancy was the founder of The Bridge, an organization dedicated to counseling service for young people.

Mr. Leonard reported that a neighbor showed him bills that were postmarked July 13, 2015 and received on May 3<sup>rd</sup>, another mailed on January 5, 2016 and received on May 3<sup>rd</sup>. Mr. Leonard wanted to bring this to the attention of Congressman Frelinghuysen who has been assisting with addressing concerns regarding delayed mail coming through the Livingston post office. Councilman Jacobs asked Councilman Leonard to provide the details and he will forward to the post office contact person who has been assigned as a liaison.

Councilman Leonard reiterated his concern about leaning trees in more remote locations within various municipal parks. Councilman Jacobs advised that the Shade Tree Commission has been working on this issue.

Councilman Leonard also acknowledged the past service of Kathy Kaczynski, in particular her efforts with organizing "Youth Weeks" events.

## PUBLIC AFFAIRS

Councilwoman Tolli reminded residents that the annual Run 4 the Roses 5K run/walk will be held on Saturday, June 6<sup>th</sup> beginning at 9:00 AM. Mrs. Tolli also reported that the annual Country Fair will be held later that same day from 11:30 AM through 5:30 PM

Mrs. Tolli also announced that the Roseland First Aid Squad is hosting an open house on Saturday, May 21<sup>st</sup> from 11:00 AM until 3:00 PM at their headquarters at 300 Eagle Rock Avenue.

Mrs. Tolli also reminded residents that Memorial Day is Monday, May 30<sup>th</sup>. A memorial service will be held at 8:30 AM in the Veteran's Memorial Garden at the corner of Harrison and Eagle Rock Avenues, followed by the West Essex Parade at 9:30 AM.

Mrs. Tolli cautioned residents that with onset of warmer weather, more people are walking, jogging, and cycling. Reflective or light colored clothing should be worn, especially at dusk.

Councilwoman Tolli also reminded residents that garage sales and yard sales require a \$5 permit from the Clerk's office. At the conclusion of the sale, all signs must be removed.

Mrs. Tolli announced that Municipal Youth Guidance Scholarship applications are available for public and private high school students. Applications are available at the municipal building and the deadline for submission is Friday, May 27<sup>th</sup>. Applications may be submitted to the Borough Administrator at Borough Hall.



Councilwoman Tolli presented photographs of the new Senior Citizens Transportation Bus recently placed in service, which was purchased with Community Development Block Grant funds.

**ADMINISTRATION & FINANCE**

Councilman Vidovich reported that as liaison to the Health Department, he asked for information regarding the Zika virus. The Health Officer reports that Zika virus is not major concern in our climate zone. However, the Health Officer did commend the Essex County Mosquito Control for outstanding efforts in mosquito control. The Health Officer has also posted preventative measures on the Borough's website that will assist residents.

**APPROVAL OF MINUTES**

Councilman Jacobs made a motion to approve the minutes of the May 3, 2016 meeting. The motion was seconded by Councilman Tsilionis and approved by a 6-0 voice vote.

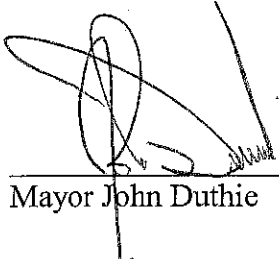
**PUBLIC COMMENT**

None

**EXECUTIVE SESSION**

There was no business for executive session.

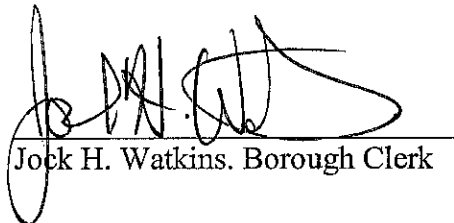
Councilman Smith made a motion to adjourn at 8:20 PM. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.



---

Mayor John Duthie

Approved:



---

Jock H. Watkins, Borough Clerk

**ROLL CALL**

Aye:

Nay: None

Abstain: None

Absent: