

BOROUGH OF ROSELAND  
NEW JERSEY

JULY 18, 2017  
PUBLIC MEETING ROOM  
19 HARRISON AVENUE  
7:30PM

COUNCIL MEETING MINUTES

**CALL TO ORDER & SUNSHINE STATEMENT**

The July 18, 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 (7:00 pm)  
Ethan Jesse Sheffet, Borough Attorney

**SALUTE TO THE FLAG**

Mayor Duthie led the Salute to the Flag.

**PRESENTATIONS**

Mayor Duthie, accompanied by OEM Coordinator John Matheis, administered the oath of office to Eric Wilson as an Auxiliary Police Officer.

Mayor Duthie, accompanied by OEM Coordinator John Matheis, administered the oath of office to Joseph Galioto as an Auxiliary Police Officer.

**PUBLIC COMMENT**

None

## **PUBLIC HEARING OF ORDINANCES**

Clerk Watkins read **Ordinance No. 03-2017** for the second time: An Ordinance of the Borough of Roseland to Repeal Ordinance No. 16-2016 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 compensation for the year 2017. Councilman Vidovich made a motion to open the public hearing on Ordinance No. 03-2017. Councilwoman Tolli seconded the motion and the motion was approved by a 6-0 voice vote.

Mr. William Tedesco, 20 Meeker Court, asked if the salaries in the ordinance are salary ranges or the actual salaries. Administrator Chumacas responded that the salaries listed are ranges.

There being no one else wishing to be heard, Councilman Jacobs made a motion to close the public hearing. The motion was seconded by Councilman Vidovich and approved by a 6-0 voice vote.

Clerk Watkins read **Ordinance No. 03-2017** for the third and final time: An Ordinance of the Borough of Roseland to Repeal Ordinance No. 16-2016 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 compensation for the year 2017. Councilman Smith made a motion to adopt Ordinance No. 03-2017. The motion was seconded by Councilman Jacobs and approved by a 5-0 roll call vote, with Councilman Leonard abstaining from the vote.

Clerk Watkins read **Ordinance No. 04-2017** for the second time: An Ordinance to amend Section 2-17.3 "Other Positions" in Chapter 2-17 "Administration" to add the position of Land Use Administrator. Councilwoman Tolli made a motion to open the public hearing on Ordinance No. 04-2017. Councilman Jacobs seconded the motion and the motion was approved by a 6-0 voice vote.

There being no one wishing to be heard, Councilman Tsilionis made a motion to close the public hearing. The motion was seconded by Councilman Vidovich and approved by a 6-0 voice vote.

Clerk Watkins read **Ordinance No. 04-2017** for the third and final time: An Ordinance to amend Section 2-17.3 "Other Positions" in Chapter 2-17 "Administration" to add the position of Land Use Administrator. Councilman Smith made a motion to adopt Ordinance No. 04-2017. The motion was seconded by Councilman Jacobs and approved by a 6-0 roll call vote.

Clerk Watkins read **Ordinance No. 05-2017** for the second time: An Ordinance of the Borough of Roseland, in the County of Essex, State of New Jersey, providing for improvements to Locust Avenue in and for the Borough and appropriating \$173,000.00 to fund the same. Councilman Jacobs made a motion to open the public hearing on Ordinance No. 05-2017. Councilman Vidovich seconded the motion and the motion was approved by a 6-0 voice vote.

Mayor Duthie commented that this project is being funded by a New Jersey Department of Transportation Municipal Aid Grant.

There being no one else wishing to be heard, Councilman Jacobs 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 **Ordinance No. 05-2017** for the third and final time: An Ordinance of the Borough of Roseland, in the County of Essex, State of New Jersey, providing for improvements to Locust Avenue in and for the Borough and appropriating \$173,000.00 to fund the same. Councilman Leonard made a motion to adopt Ordinance No. 05-2017. The motion was seconded by Councilman Jacobs and approved by a 6-0 roll call vote.

Clerk Watkins read **Ordinance No. 06-2017** for the second time: An Ordinance of the Borough of Roseland, in the County of Essex, State of New Jersey, providing for the reconstruction of Borough roads and streets in and by the Borough, appropriating \$240,000.00 therefore, and authorizing the issuance of \$228,000.00 in General Improvement Bonds or Notes of the Borough to finance the same. Councilman Vidovich made a motion to open the public hearing on Ordinance No. 06-2017. Councilman Jacobs seconded the motion and the motion was approved by a 6-0 voice vote.

There being no one wishing to be heard, Councilman Jacobs made a motion to close the public hearing. The motion was seconded by Councilman Vidovich and approved by a 6-0 voice vote.

Clerk Watkins read **Ordinance No. 06-2017** for the third and final time: An Ordinance of the Borough of Roseland, in the County of Essex, State of New Jersey, providing for the reconstruction of Borough roads and streets in and by the Borough, appropriating \$240,000.00 therefore, and authorizing the issuance of \$228,000.00 in General Improvement Bonds or Notes of the Borough to finance the same. Councilman Leonard made a motion to adopt Ordinance No. 06-2017. The motion was seconded by Councilman Smith and approved by a 6-0 roll call vote.

## **INTRODUCTION OF ORDINANCES**

Councilman Jacobs made a motion to introduce Ordinance No. 08-2017 – An Ordinance of the Borough of Roseland, in the County of Essex, State of New Jersey, providing for the acquisition of a fire truck and related equipment in and by the Borough, appropriating \$935,000.00 therefore, and authorizing the issuance of \$883,200.00 in General Improvement Bonds or Notes of the Borough to finance 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, August 15, 2017.

Councilman Jacobs made a motion to introduce Ordinance No. 09-2017 – An Ordinance of the Borough of Roseland, in the County of Essex, State of New Jersey, providing for acquisition of a vehicle for the Office of Emergency Management in and for the Borough and appropriating \$31,500.00 to fund the same. The motion was seconded by Councilman Vidovich and approved by a 6-0 voice vote. A public hearing on the ordinance has been scheduled for Tuesday, August 15, 2017.

Councilman Jacobs made a motion to introduce Ordinance No. 10-2017 – Bond Ordinance of the Borough of Roseland, County of Essex, State of New Jersey, amending Bond Ordinance No.11-2011, finally adopted on September 20, 2011, to add additional purposes. The motion was seconded by Councilman Vidovich and approved by a 6-0 voice vote. A public hearing on the ordinance has been scheduled for Tuesday, August 15, 2017.

Councilwoman Tolli made a motion to introduce Ordinance No. 11-2017 – An Ordinance of the Mayor and Council of the Borough of Roseland, County of Essex, State of New Jersey,

adopting the Redevelopment Plan for 6 Becker Farm Road, otherwise known as Block 30, Lot 2. The motion was seconded by Councilman Smith and approved by a 5-1 voice vote, with Councilman Leonard voting against the motion. A public hearing on the ordinance has been scheduled for Tuesday, August 15, 2017.

Councilwoman Tolli made a motion to introduce Ordinance No. 12-2017 – An Ordinance of the Mayor and Council of the Borough of Roseland, County of Essex, State of New Jersey, adopting the Redevelopment Plan for 85 Livingston Avenue, otherwise known as Block 30.1, Lot 14. The motion was seconded by Councilman Smith and approved by a 5-1 voice vote, with Councilman Leonard voting against the motion. A public hearing on the ordinance has been scheduled for Tuesday, August 15, 2017.

### **ADOPTION OF RESOLUTIONS**

Councilman Vidovich made a motion to approve the sixteen resolutions and the two Consent Agenda items:

Resolution No. 211-2017 certification of 2016 Municipal Audit

Resolution No. 212-2017 approval of the Corrective Action Plan 2016 Audit

Resolution No. 213-2017 approving non-union salary increases for 2017

Resolution No. 214-2017 authorizing cancellation of water sewer billing balances and authorizing refunds

Resolution No. 215-2017 approving the hiring of Melissa Barnes as Land Use Administrator effective August 8, 2017

Resolution No. 216-2017 approving the July 14, 2017 Bill List

Resolution No. 217-2017 approving the July 14, 2017 Open Space Bill List

Resolution No. 218-2017 ratification of salaries – June 2017

Resolution No. 219-2017 reappointing Jock H. Watkins as the Borough Clerk for a three year term effective July 1, 2017

Resolution No. 220-2017 authorizing the purchase of new water meters and e-coders from RIO Supply for a total of \$29,950.00

Resolution No. 221-2017 approving a contract extension with WW Grainger to June 30, 2018 under State Contract A79875

Resolution No. 222-2017 declaring an emergency water main break on July 13, 2017 and authorizing award of an emergency contract to Thomas J. O'Beirne & Co., Inc.

Resolution No. 223-2017 approval to purchase Community Pass On-Line Registration and Payment Management Software for the Recreation Department

Resolution No. 224-2017 amending Resolution No. 181-2017 authorizing the award of a non-fair and open contract for IT Services to Quikteks, LLC to include off-site back up at \$125.00 per month

Resolution No. 225-2017 authorizing the Tax Collector to send out estimated tax bills and setting the due date for Third Quarter tax bills

Resolution No. 226-2017 authorizing the Clerk to advertise routine legal advertisements in the Star Ledger

### CONSENT AGENDA

Appointment of Steven Hoffman to the Affordable Housing Board to fill the unexpired term of Douglas Denman with the term expiring on December 31, 2017

Approval to waive the permit fee for the Livingston Elks non-profit "Batter's Up" event

Councilman Smith seconded the motion and the motion was approved by a 6-0 vote, with Councilman Tsilionis abstaining from the vote on Resolution Nos. 214-2017 and 221-2017, and Councilman Leonard abstaining from the vote on Resolution Nos. 213-2017 and 218-2017, and voting against Resolution No. 226-2017.

### MAYOR'S REPORT

Mayor Duthie thanked Fire Chief Yates for his presentation of the Fire Department's proposal to replace the thirty-two year old tower ladder.

Mayor Duthie thanked the Library Board of Trustees for their cooperation in sharing the cost of replacing the exterior entry doors to the Library.

### COMMITTEE REPORTS

#### PUBLIC WORKS

Councilman Smith reported that the Department of Public Works continues to do a great job, and thanked the Library Board of Trustees for their cooperation in splitting the cost to replace the Library entry doors.

#### PUBLIC SAFETY

Councilman Jacobs commented on the recent approval of the Borough's Emergency Operations Plan, and read the purpose and scope of the Auxiliary Police force.

In response to questions raised at last week's meeting, Mr. Jacobs reported that the two rifles being purchased by the police department are in addition to two existing, bringing the department's compliment to four. Mr. Jacobs explained that the rifles are customized for the individual officer who has been qualified to use the weapon and noted that the Attorney General guidelines recommend that the police department maintain a compliment of eight rifles.

Councilman Jacob's thanked the fire department for their work on preparing specifications for a new ladder truck, and thanked the members of Council for introducing the funding ordinance.

### RECREATION

Councilman Tsilionis announced that Linda Insabella has been elected as Chairwoman of the Environmental Commission and that Elise Geiger has been elected as Vice Chair. Mr. Tsilionis also announced that Environmental Commission membership has been supplemented by the recent appointments of Priscilla Navarez, Chris Duthie, and Stella Maninno.

Mr. Tsilionis reported that he has met with and will continue to meet with residents of Lincoln Street in an effort to develop a solution for the increased traffic on the street. The police department has already increased patrols and additional signs have been erected which advise of the prohibition of vehicles in excess of 5,000 pounds.

### CAPITAL IMPROVEMENTS

Councilman Leonard noted that Council approved a resolution this evening authorizing payment for an emergency water main repair on Crestview Court. Mr. Leonard noted that this is the fourth break in a relatively new section of pipe and suggested that the Borough inquire with the Borough Engineer and water system analysis engineer regarding the feasibility of looping this section of pipe.

Mr. Leonard noted that a pedestrian was struck in town today and recommended that a local, resident traffic engineer be contacted to perform a pedestrian safety analysis. Council authorized Administrator Chumacas to contact the engineer.

### PUBLIC AFFAIRS

Councilwoman Tolli reported that the Municipal Youth Guidance Council is taking a break over the summer while school is out.

Mrs. Tolli announced that there is still one opening on the Senior Transportation Committee. Anyone interested in serving should contact Councilwoman Tolli or Mayor Duthie. Mrs. Tolli stated that more Roseland seniors have been taking advantage of the bus service.

Councilwoman Tolli also announced that the third annual Make Your Own Sundae event, sponsored by the Junior Women's Club, will be held on Sunday, July 26<sup>th</sup>.

### ADMINISTRATION & FINANCE

Councilman Vidovich made a PowerPoint presentation announcing the mailing of the 2017 tax bills. Borough is waiting for county certification in hopes that sending estimated tax bills can be avoided, as the final tax bills will probably only a few days later.

Mr. Vidovich reported that the State notified 357 school districts last week that there was going to be a change in state funding which require changes to their already approved budgets. Subsequently, Borough Administrator Chumacas was able to ascertain that there would be an increase in state funding for both the local school district and the regional school district.

Mr. Vidovich noted that as a result of commercial tax appeals, the Borough has been required to refund more than \$12 million dollars over the past six years. As a result of a reassessment, the Borough has also reduced commercial property assessments by more than \$106 million dollars. In addition, the Borough is still facing pending tax appeals on more than twenty eight properties, sixteen of which include more than five years. A recent Rutgers study indicates that twenty-five percent of office space in New Jersey is vacant, and Roseland is experiencing a similar decline.

Councilman Vidovich also reported on the potential impact of the recent New Jersey Supreme Court decision on COAH. The Borough currently has eighty-two (82) low cost dwellings, four hundred apartments (400), and two thousand (2,000) dwellings. As a result of the Supreme Court ruling, the Fair Share Housing Center has suggested that Roseland has an obligation to add four hundred and sixty-six (466) additional low cost dwellings over the next eight years. Developers will not build strictly low cost units. The developers want projects that include no more than twenty percent (20%) low cost units. This would result in the addition of approximately two thousand three hundred (2,300) new units, doubling the population of Roseland in just eight years without concern for the Borough's infrastructure or schools.

### **APPROVAL OF MINUTES**

Councilman Leonard made a motion to approve the amended minutes of the July 11, 2017 Caucus Meeting. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

### **PUBLIC COMMENT**

Claudia Reis, 4 Cooper Avenue, asked several questions and made comments about the Borough's COAH obligations, potential PILOT agreements, and the ordinances introduced tonight regarding redevelopment plans.

Scott Gorman, 4 Cooper Avenue, suggested that the Borough was in violation of the Open Public Meetings Act by adding agenda items after the forty-eight hour notice to the newspapers had been sent. Mr. Gorman also made comments about PILOT programs, the Borough's COAH obligations, and the ordinances introduced tonight regarding redevelopment plans.

Mike Sooknanan, 23 Godfrey Avenue, suggested that all water main breaks should be broadcast on the Swift 9-1-1 system. Mr. Sooknanan asked questions about the selection process for emergency construction vendors. Mr. Sooknanan requested additional detail regarding Bond Ordinance No. 05-2017 for repaving of various borough streets.


Councilman Jacobs excused himself at 10:15 PM.

Angelo Carrozza, 117 Eagle Rock Avenue, suggested that Council place Automated External Defibrillators (AED's) at Borough parks.

### **EXECUTIVE SESSION**

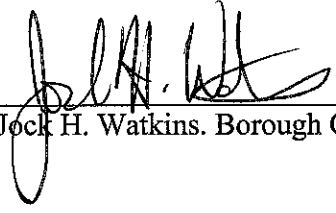
None

Councilman Smith made a motion to adjourn the meeting at 10:27 PM. The motion was seconded by Councilman Vidovich and approved by a 5-0 voice vote (Councilman Jacobs excused himself from the meeting at 10:15 PM).



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Mayor John Duthie



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Jock H. Watkins, Borough Clerk

Approved: September 19, 2017

**ROLL CALL**

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