

BOROUGH OF ROSELAND  
COUNTY OF ESSEX, STATE OF NEW JERSEY

JULY 24, 2018  
PUBLIC MEETING ROOM  
19 HARRISON AVENUE  
6:30PM EXECUTIVE SESSION  
7:30PM OPEN SESSION

COUNCIL MEETING MINUTES

The July 24, 2018 meeting of the Roseland Mayor and Council was called to order at 6:30 PM by Mayor Duthie. Adequate notice of the meeting was provided in accordance with the Open Public Meeting Act in that the date 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.

IN ATTENDANCE:

John Duthie, Mayor  
Christopher Bardi, Councilman  
David Jacobs, Councilman  
Richard N. Leonard, Councilman  
Peter M. Smith, Councilman  
Michelle Tolli, Council President (6:40 PM)  
Thomas Tsilionis, Councilman (6:44 PM)

ALSO IN ATTENDANCE:

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

EXECUTIVE SESSION

Borough Attorney Sheffet read Resolution No. 221-2018 Approval to Close to Executive Session to discuss the following:

1. Fair Share Housing v. Roseland
2. West v. Roseland
3. Fire Department
4. Verizon Contract
5. New Jersey Clean Air Act

Councilman Smith made a motion to close to Executive Session at 6:32 PM. The motion was seconded by Councilman Bardi and approved by a 4-0 voice vote (Tolli, Tsilionis absent).

Council adjourned executive session at 7:25 PM in order to begin the regularly scheduled public portion of the meeting. Mayor Duthie read the Sunshine Statement again at 7:30 PM and called the public meeting to order. Clerk Watkins called the roll noting that Councilwoman Tolli and Councilman Tsilionis were in now in attendance.

## SALUTE TO THE FLAG

Mayor Duthie led the Salute to the Flag.

## PRESENTATIONS

Mayor Duthie read and presented a proclamation to 6 year old Giovanni Vigilante, congratulating Giovanni for having read more than one thousand (1,000) books before entering kindergarten.

## INTRODUCTION OF ORDINANCES

Councilman Tsilionis made a motion to introduce **ORDINANCE NO. 10-2018** – An ordinance amending Chapter II of the Revised General Ordinances of the Borough of Roseland entitled “Administration”, Section 2-24 entitled “Department of Police or Police Department”. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote. The public hearing will be held at 7:30 PM on August 14, 2018 at 19 Harrison Avenue, Roseland, NJ.

Councilwoman Tolli made a motion to introduce **ORDINANCE NO. 11-2018** – An ordinance to replace Section 3-8 entitled RESERVED” in Chapter III entitled “Police Regulations” with new Section 3-8 entitled “Operation of Unmanned Aircraft Systems on Public Property”. The motion was seconded by Councilman Bardi and approved by a 6-0 voice vote. The public hearing will be held at 7:30 PM on August 14, 2018 at 19 Harrison Avenue, Roseland, NJ.

## PUBLIC HEARING & ADOPTION OF ORDINANCES

Clerk Watkins read **Ordinance No. 07-2018** for the second time: “An ordinance of the Borough of Roseland, in the County of Essex, New Jersey, providing for reconstruction and improvements to Roosevelt Street in and for the Borough and appropriating \$315,000 inclusive of NJDOT grant to fund the same”. Councilwoman Tolli made a motion to open the public hearing on Ordinance No. 07-2018. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

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 6-0 voice vote.

Clerk Watkins read **Ordinance No. 07-2018** for the third and final time: “An ordinance of the Borough of Roseland, in the County of Essex, New Jersey, providing for reconstruction and improvement to Roosevelt Street in and for the Borough and appropriating \$315,000 inclusive of NJDOT grant to fund the same”. Councilman Bardi made a motion to adopt Ordinance No. 07-2018. The motion was seconded by Councilwoman Tolli and approved by a 6-0 roll call vote.

Clerk Watkins read **Ordinance No. 08-2018** for the second time: “An ordinance of the Borough of Roseland, in the County of Essex, New Jersey, providing for the reconstruction of Borough roads and streets in and by the Borough, appropriating \$212,115 therefore, and authorizing the issuance of \$200,000 in general improvement bonds or notes of the Borough to finance the same”. Councilman Jacobs made a motion to open the public hearing on Ordinance No. 08-2018. Councilman Bardi seconded the motion and the motion was approved by a 6-0 voice vote.

Public Comment

Janet Treamont            38 Leonard Terrace

There being no one else wishing to be heard, 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 **Ordinance No. 08-2018** for the third and final time: "An ordinance of the Borough of Roseland, in the County of Essex, New Jersey, providing for the reconstruction of Borough roads and streets in and by the Borough, appropriating \$212,115 therefore, and authorizing the issuance of \$200,000 in general improvement bonds or notes of the Borough to finance the same". Councilman Jacobs made a motion to adopt Ordinance No. 08-2018. The motion was seconded by Councilman Bardi and approved by a 6-0 roll call vote.

Clerk Watkins read **Ordinance No. 09-2018** for the second time: "An ordinance of the Borough of Roseland, in the County of Essex, New Jersey, providing for acquisition of 4x4 vehicle for Water Sewer Department in and for the Borough and appropriating \$53,000 to fund the same". Councilman Jacobs made a motion to open the public hearing on Ordinance No. 09-2018. Councilman Bardi seconded the motion and the motion was approved by a 6-0 voice vote.

Public Comment

William Tedesco            20 Meeker Court

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

Clerk Watkins read **Ordinance No. 09-2018** for the third and final time: "An ordinance of the Borough of Roseland, in the County of Essex, New Jersey, providing for acquisition of 4x4 vehicle for Water Sewer Department in and for the Borough and appropriating \$53,000 to fund the same". Councilman Jacobs made a motion to adopt Ordinance No. 09-2018. The motion was seconded by Councilman Smith and approved by a 6-0 roll call vote.

**ADOPTION OF RESOLUTIONS**

Councilman Smith made a motion to approve the nine resolutions and the five items on the Consent Agenda:

Resolution No. 222-2018 approving Non-Union salary increases for 2018

Resolution No. 223-2018 amending Resolution No. 131-2018 establishing additional duties assigned to the Water and Wastewater Operator contract to include preparation of a Revised Lead and Cooper Sampling Plan, development of a NJDEP compliant Emergency Response Plan in compliance with N.J.A.C. 7:10A-1.12, and creation of an Operations and Maintenance Manual for the Division of Water for a total additional cost of \$10,760.00

Resolution No. 224-2018 accepting the quote from Jack Doheny Companies Inc. for repairs to the 1998 high pressure Sewer Jet for an amount not to exceed \$15,284.57

Resolution No. 226-2018 authorizing Payment No. 1 and Change Order No. 1 in the amount of \$117,721.10 to American Asphalt & Milling Services LLC. for Locust Avenue improvements

Resolution No. 227-2018 declaration of Emergency Water Main Break on June 29, 2018 and authorizing emergency contracts for the repairs to leaking valves on Cedar Lane

Resolution No. 228-2018 Ratification of Bills

Resolution No. 229-2018 approving the July 18, 2018 Bill List

Resolution No. 230-2018 approving the July 18, 2018 Open Space Bill List

Resolution No. 231-2018 approving the Email and Internet Usage Policy

### **CONSENT AGENDA**

Approval for Joe Salvanto to attend Firefighter 1 Training Course for a cost of \$350.00

Approval for Joshua Krasner, Kyle Jezewski, and Richard Sessa to attend Firefighter 2 Training Course for a cost of \$1,050.00

Approval of Treasurers Report

Approval of SS. Nicholas Constantine & Helen Church Off-Premise Merchandise Raffle Application No. RA-373 to be conducted March 24, 2019

Accept with regret resignation of Cami Konecky effective 07-27-2018

The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote, with Councilman Leonard abstaining from the vote on Resolution No. 222-2018, and Councilman Tsilionis abstaining from the vote on the SS Nicholas Constantine and Helen Church raffle application on the Consent Agenda.

### **CORRESPONDENCE**

Mayor Duthie summarized correspondence received from Mr. Ralph Veltre, Commander of VFW Post 2619 in Roseland. Mr. Veltre announced that Post 2619 was proud to have taken possession of a 155 mm Howitzer that saw action during World War II on D-Day in France and later in the Battle of the Bulge. Mr. Veltre asked that local business man Thomas O'Beirne and City Erectors be thanked publicly for donating equipment to transport and display the Howitzer at Post Headquarters on Eisenhower Parkway. Mr. Veltre also asked that the Roseland Department of Public Works, Police Department, and Office of Emergency Management, as well as the Fairfield Police Department and the State Police be thanked, too.

Mayor Duthie noted that the ARC of Essex County has requested Borough approval to replace damaged flooring and to patch and paint the halls adjacent to the multi-purpose room on the first floor of 19 Harrison Avenue. Councilman Jacobs made a motion to approve the request

subject to insurance and any other requirements determined necessary by the Borough Attorney. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

### MAYOR'S REPORT

Mayor Duthie reported that he has seen that several communities have setup an online procedure whereby owners of private security cameras can voluntarily register their systems with the local police department, making them available to the Police Department if needed during an investigation. Mayor Duthie asked that the Council discuss and consider whether or not this would be advantageous to the Roseland Police Department.

Mayor Duthie thanked the Beautification Committee for installing hanging flower baskets throughout the Borough, noting how they enhanced the appearance of the community.

### COMMITTEE REPORTS

#### PUBLIC WORKS

Councilman Smith made a motion to approve Resolution No. 231-2018 agreeing to accept the bid to purchase electric generation service as received and approved through the Essex County Aggregate Energy Procurement Cooperative Pricing System. The motion was seconded by Councilman Bardi and approved by a 5-1 voice vote with Councilman Leonard voting against the resolution.

Councilman Smith asked that residents be patient with all of the road resurfacing projects taking place in Roseland by both Essex County and the Borough.

#### PUBLIC SAFETY

Councilman Jacobs asked about the status of the phone system replacement. Administrator Chumacas replied that as soon as the necessary documentation is received, the matter will be placed on an agenda for action.

Mr. Jacobs asked residents to make sure that fire alarm systems are maintained and batteries kept fresh for the benefit of firefighters in order reduce the number of false alarms during the extremely hot weather.

Councilman Jacobs cautioned drivers to slow down while driving through the center of town and to obey laws restricting cell phone use while driving.

Mr. Jacobs wished OEM Coordinator John Matheis a happy birthday and thanked Mr. Matheis for his dedicated service to the Borough.

#### RECREATION

Councilwoman Tolli announced that there is still one opening on the Senior Transportation Committee for anyone wishing to volunteer. The next meeting is scheduled for September 9<sup>th</sup> at 6:15 PM at the Caldwell Community Center.

Mrs. Tolli reported that the Beautification Committee has been placing flower planters around down and has increased the number of planters on display.

Councilwoman Tolli invited residents to participate in the Run 4 Roses and Junior Olympics scheduled for September 8<sup>th</sup>. Registration forms are available on the Borough's website. Mrs. Tolli also invited residents to attend the Make Your Own Sundae event on July 25<sup>th</sup> from 6:30 PM until 8:00 PM at the Roseland First Aid Squad building. The event is sponsored by the Roseland Junior Women's Club.

### CAPITAL IMPROVEMENTS

Councilman Leonard invited residents to take advantage of the Farmer's market on Fridays between noon and 6:00 PM, adding that there are additional vendors this year.

Mr. Leonard announced that a new business, the Chicken Factory, has opened in the Roseland Plaza.

Councilman Leonard reported that tax bills will be going out soon and that residents will have twenty-five (25) days to pay their taxes after which payments will be subject to interest.

### PUBLIC AFFAIRS

Councilman Bardi announced that a form has been posted on the Borough's website where residents can request to be added to the "Do Not Solicit List".

Councilman Bardi made a motion to approve Resolution No. 232-2018 to request that the NJDEP postpone the Fresh Water Wetlands Application public hearing on the Williams Transco Gateway Expansion Project for 60 Days due to required documents being made available late and people's summer schedules. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.

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

Resolution No. 225-2018 Approval to Advertise Notice to Bidders for Revaluation Services was withdrawn and the matter was sent to Committee with the general consensus being that bids should be solicited through the competitive contracting process.

### APPROVAL OF MINUTES

Councilman Jacobs made a motion to approve the July 10, 2018 Caucus Meeting Minutes. The motion was seconded by Councilwoman Tolli and approved by a 4-0 voice vote, with Councilmen Leonard and Smith abstaining from the vote.

### PUBLIC COMMENT

Gerald Goldberg	23C Nob Hill
Robyn Cassidy	2 Cooper Avenue
Eileen Fishman	15 Schweinberg Drive
Elizabeth Philips	29 Lincoln Street

Roger Freda

14 Lyons Avenue

**ADDITIONAL EXECUTIVE SESSION IF NECESSARY**

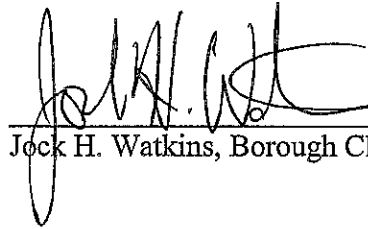
Councilman Jacobs made a motion to return to Executive Session at 9:20 PM to continue discussion of items on the agenda. The motion was seconded by Councilwoman Tolli and approved by a 6-0 voice vote.

**ADJOURNMENT**

Councilman Jacobs made a motion to close the meeting at 9:59 PM. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.



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Mayor John Duthie



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Jock H. Watkins, Borough Clerk

Approved: August 14, 2018

**ROLL CALL**

Aye: Bardi, Jacobs, Leonard, Smith, Tolli, Tsilionis

Nay: None

Abstain: None

Absent: None