

BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY

AUGUST 14, 2018
PUBLIC MEETING ROOM
19 HARRISON AVENUE
6:30 PM EXECUTIVE SESSION
7:30 PM OPEN SESSION

COUNCIL MEETING MINUTES

The August 14, 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
Thomas Tsilionis, Councilman

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. 235-2018 Approval to Close to Executive Session to discuss the following:

1. Personnel
2. West v. Roseland
3. Fair Share Housing v. Roseland

Councilman Jacobs made a motion to close to Executive Session at 6:32 PM. The motion was seconded by Councilwoman Tolli and approved by a 6-0 voice vote.

Council adjourned executive session at 7:25 PM in order to begin the regularly scheduled public portion of the meeting. Mayor Duthie introduced Mayor of the Year Aaron Klaff. Mayor of the Year Klaff read the Sunshine Statement at 7:30 PM and called the public meeting to order. Clerk Watkins called the roll with there being no changes.

SALUTE TO THE FLAG

Mayor of the Year Aaron Klaff led the Salute to the Flag.

PUBLIC COMMENT

Steve Hoffman	42 Bovensiepen Court
Dave Ramsey	Attorney representing Roseland Green Association
William Tedesco	20 Meeker Court
Janet Treamont	38 Leonard Terrace
Dave Vanieri	President Roseland Green Association

PRESENTATIONS

Joseph LaRiccia was not present to receive his proclamation.

PUBLIC HEARING & ADOPTION OF ORDINANCES

Clerk Watkins read Ordinance No. 10-2018 for the second time: “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”. Councilman Smith made a motion to open the public hearing on Ordinance No. 10-2018. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.

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

Clerk Watkins read Ordinance No. 10-2018 for the third and final time: “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”. Councilman Smith made a motion to adopt Ordinance No. 10-2018. The motion was seconded by Councilman Bardi and approved by a 6-0 roll call vote.

Clerk Watkins read Ordinance No. 11-2018 for the second time: “An ordinance to replace Section 3-8 entitled “RESERVED” in Chapter III “Police Regulations” with new Section 3-8 entitled “Operation of Unmanned Aircraft Systems on Public Property”. Councilwoman Tolli made a motion to open the public hearing on Ordinance No. 11-2018. Councilman Smith 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 Councilwoman Tolli and approved by a 6-0 voice vote.

Clerk Watkins read Ordinance No. 11-2018 for the third and final time: “An ordinance to replace Section 3-8 entitled “RESERVED” in Chapter III “Police Regulations” with new Section 3-8 entitled “Operation of Unmanned Aircraft Systems on Public Property”.

Councilwoman Tolli made a motion to adopt Ordinance No. 11-2018. The motion was seconded by Councilman Bardi and approved by a 6-0 roll call vote.

ADOPTION OF RESOLUTIONS

Resolution No. 248-2018 was withdrawn from the agenda prior to the meeting. Mayor Duthie reported that during executive session, Council interviewed a candidate for the part-time position of Zoning Officer. Councilman Jacobs made a motion to approve Resolution No. 252-3018 to appoint James Campbell as the part-time zoning officer for an hourly rate of \$45.00 an hour, effective August 15, 2018. The motion was seconded by Councilman Smith and approved by a 5-1 voice vote with Councilman Leonard voting against the motion.

Councilman Bardi made a motion to approve the remaining fifteen resolutions and the eight items on the Consent Agenda:

Resolution No. 236-2018 approval to advertise Notice to Bidders for the 2018 Water Utility Improvements

Resolution No. 237-2018 approval for Johnston Communication to complete a telephone system and equipment upgrade through State Contract No. 80802 at a cost of \$65,227.92

Resolution No. 238-2018 authorizing Refunds, Overpayments or Cancellations in the Tax Office

Resolution No. 239-2018 authorizing the purchase of certain goods and services from various vendors through the Morris County Co-Op for the contract year beginning July 1, 2018 through June 30, 3019

Resolution No. 240-2018 declaration of Emergency for winter storm on March 7, 2018 and authorizing emergency contract to Greenwood Tree Experts and Asplundh Tree Company

Resolution No. 241-2018 approval to advertise Notice to Bidders for Leaf Hauling & Disposal Services

Resolution No. 242-2018 Ratification of July 2018 Salaries - \$412,094.35

Resolution No. 243-2018 approval of August 10, 2018 Bill List - \$1,021,504.26

Resolution No. 244-2018 approval to hire Soccer Officials and Assignors for Youth Recreation Program

Resolution No. 245-2018 approval of proposal from Maser Consulting to complete a Traffic Impact Study for Rebuilding Green Development and JMF Development for an amount not to exceed \$12,700.00

Resolution No. 246-2018 authorizing the purchase of certain goods and services through the Morris County Co-Op for the 2018 road paving project

Resolution No. 247-2018 amending Resolution No. 63-2018 “Appoint Jeffrey Surenian as COAH Attorney for 2018” reducing the contract limit by \$15,000.00 from an amount not to exceed \$100,000.00 to a new amount not to exceed \$85,000.00

Resolution No. 249-2018 declaration of Emergency for August 2, 2018 water damage in municipal building at 19 Harrison Avenue

Resolution No. 250-2018 establishing a Grace Period for 3rd Quarter 2018 Tax Payments

Resolution No. 251-2018 approval to hire William Traverso as a probationary laborer for the Department of Public Works

CONSENT AGENDA

Approval of purchase over the Quote Threshold for a Bullard Eclipse LDX thermal imaging camera for the Roseland Fire Department through State Contract No. A80952 at a cost of \$7,488.29 under purchase order number 18-00868 and charged to budget account number C-04-55-917-008

Approval of West Essex FC as a Sanctioned Status Group

Approval for Ashley Passafiume to attend “ABC’s of Licensing” seminar in Hanover, NJ on October 3, 2018 from 2:00 PM – 4:00 PM

Accept with regret the resignation of Azizi Posligua as part-time Administrative Secretary effective July 25, 2018

Approval for Jock Watkins to attend “Navigating the Slippery Slope of Ethics in Today's Challenging Environment” seminar in Hasbrouck Heights on October 17, 2018 from 10:00 AM – 1:30 PM at a cost of \$70.00

Accept with regret the resignation of Nancy Lecyn-Kirby from the Library Board of Trustees effective August 3, 2018

Appoint Steph Spero to Shade Tree Commission to fill the unexpired term of John Piserchia through December 31, 2019

Approval of Treasurer’s Report

The motion was seconded by Councilwoman Tolli and approved by a 6-0 voice vote, with Councilman Leonard abstaining from the vote on Resolution No. 242-2018.

MAYOR'S REPORT

Mayor Duthie read a letter from Joseph Sorbino of Veteran's Help Line detailing free services offered to military veterans and active duty soldiers.

Mayor Duthie read two letters from Citizens Improving Affordable Housing detailing their efforts to obtain a practical legislative approach to stem continual increases in property taxes resulting from communities being forced to build an overabundance of high density residential units in order to satisfy the need of a small number of affordable housing units mandated to each municipality.

COMMITTEE REPORTS

PUBLIC WORKS

Councilman Smith reported that following the Committee Meeting, the Borough is reaching out to the condominium associations to schedule meetings to finalize details of proposed agreements with the associations detailing the scope of maintenance and repairs to private roads and Borough utilities within the condominium developments.

PUBLIC SAFETY

Councilman Jacobs commented on the severity and intensity of the rain storm that occurred this past weekend. Mr. Jacobs specifically thanked Chief Yates and the Fire Department, Deputy OEM Coordinator Mike Boettinger and the OEM volunteers, and Sergeant West and the Roseland Police Department for their standby and response to residents in need during the storm.

RECREATION

Councilwoman Tolli announced that the 5K Run 4 Roses and the Junior Olympics will be held on September 8th with the run beginning at 9:00 AM and the Junior Olympics beginning at 10:30 AM.

Mrs. Tolli asked that a moment of silence be observed for two Livingston High School students who recently drowned in Ramapo Lake. One of the students was a cadet volunteer member of the Roseland First Aid Squad.

CAPITAL IMPROVEMENTS

Councilman Leonard lauded the Roseland First Aid Squad cadet program, thanked members for their service, and mourns the loss of one of the cadet members.

Mr. Leonard thanked Mayor Duthie and Councilman Bardi for their comments at the August 7th NJDEP Freshwater Wetlands hearing on the proposed expansion of the Williams Transco Compressor Station on Eagle Rock Avenue.

Councilman Leonard asked that Borough Engineer Ralph Tango be asked to prepare an inventory of bridges and culverts in Roseland.

Mr. Leonard reported that the Legislative Economic and Fiscal Policy Workgroup created by Senate President Sweeney issued their report on Thursday. Mr. Leonard expressed concern with some of the recommendations proposed, specifically those affecting PILOT agreements. Mayor Duthie added that he read that one of the report's recommendations would result in merging the sending elementary school districts into the West Essex Regional School District.

PUBLIC AFFAIRS

Councilman Bardi thanked Mayor Duthie and Councilman Leonard for their testimony at last week's Freshwater Wetlands Permit Application hearing for the Williams Transco Compressor Station expansion. Mr. Bardi also thanked Essex County Executive DiVincenzo for his testimony in opposition to the project. Councilman Bardi reported that the New Jersey Department of Environmental Protection (NJDEP) has set a deadline of September 6th for written responses to the wetlands permit application. In addition, public comments regarding the environmental assessment may be submitted to the Federal Energy Regulatory Commission (FERC) by August 16th.

Per recommendation of the Compressor Station Ad Hoc Committee, Councilman Bardi made a motion to authorize submission of a response to the environmental assessment as prepared by the environmental expert along with additional testimony provided by Mayor Duthie to FERC, and that a request be sent to the NJDEP to extend the public comment period until September 20th. The motion was seconded by Councilman Leonard and approved by a 6-0 voice vote.

ADMINISTRATION & FINANCE

Councilman Tsilionis thanked Councilman Bardi for doing a great job representing Roseland at the Compressor Station hearing. Mr. Tsilionis thanked Borough Mechanic Frank Martorelli for volunteering his time and skills to paint lettering on DPW vehicles and overhead doors at the DPW building.

Councilman Tsilionis reported that his committee has been working on the issues related to maintenance of private roads in the condominium complexes as discussed earlier in the meeting, and has also been discussing the possibility of adopting a rent control ordinance in response to numerous complaints of excessive rent increases at a complex where rents have historically been very stable.

Mayor Duthie recommended that the September 18th televised meeting be rescheduled for September 11th due to a conflict with a religious holiday. Councilman Jacobs made a motion to reschedule the televised Council meeting from September 18th to September 11th. Councilman Tsilionis seconded the motion and the motion was approved by a 6-0 voice vote.

APPROVAL OF MINUTES

Councilman Jacobs made a motion to approve the July 24, 2018 Council Meeting Minutes. The motion was seconded by Councilman Bardi and approved by a 6-0 voice vote.

PUBLIC COMMENT

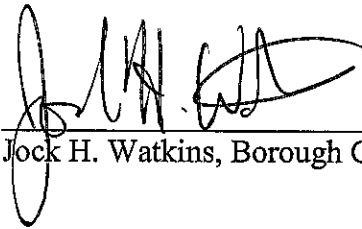
Christine Marinaro 8 Passaic Avenue
Dan Salvante Essex County Liaison

ADJOURNMENT

Councilman Smith made a motion to close the meeting at 8:43 PM. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.



Mayor John Duthie



Jock H. Watkins, Borough Clerk

Approved: September 4, 2018

VOICE VOTE

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