

BOROUGH OF ROSELAND  
NEW JERSEY

SEPTEMBER 23, 2014  
BOROUGH HALL  
7:00 PM

COUNCIL MEETING MINUTES

**CALL TO ORDER & SUNSHINE STATEMENT**

The September 23, 2014 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, Councilman  
Richard N. Leonard, Councilman  
Peter M. Smith, Councilman  
Thomas Tsilionis, Councilman  
Michelle Tolli, Councilwoman  
Mark Vidovich, Council President

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 read a proclamation declaring the week of October 5<sup>th</sup> through October 11<sup>th</sup> as Mental Illness Awareness Week.

Councilwoman Tolli read a proclamation honoring the Roseland Rays recreation basketball team for claiming the 2014 WEYSA Championship in the "A" League (7<sup>th</sup> – 8<sup>th</sup> grade).

**PROMOTION OF POLICE OFFICERS**

Mayor Duthie administered the oath of office to Police Captain Richard Costello.

Mayor Duthie administered the oath of office to Detective Lieutenant Livio Cioffi.

Mayor Duthie administered the oath of office to Uniform Lieutenant William Mildon.

## PUBLIC COMMENT

Jerry Ciëremans      14 Fernwood Avenue  
William Tedesco      20 Meeker Court

## ORDINANCE INTRODUCTION

Councilman Jacobs made a motion to introduce **Ordinance No. 11-2014** – An ordinance amending Chapter XV of the Revised General Ordinances of the Borough of Roseland entitled “Solid Waste Management”, Amending Section 15-2.3 entitled “Mandatory Separation” and amending Section 15.28 entitled “Administration and Enforcement”. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote. The Public Hearing will be held on October 21, 2014.

## PUBLIC HEARING ON ORDINANCES

Clerk Watkins read **Ordinance No. 09-2014** for the second time: An ordinance amending Chapter XIV of the Revised General Ordinances of the Borough of Roseland to Prohibit Smoking in Parks and Recreation Areas. Councilman Tsilionis made a motion to open the public hearing on Ordinance No. 09-2014. Councilwoman Tolli seconded the motion and the motion was approved by a 5-0 voice vote (Smith absent).

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.

Clerk Watkins read **Ordinance No. 09-2014** for the third and final time: An ordinance amending Chapter XIV of the Revised General Ordinances of the Borough of Roseland to Prohibit Smoking in Parks and Recreation Areas. Councilman Tsilionis made a motion to adopt Ordinance No. 09-2014. The motion was seconded by Councilwoman Tolli and approved by a 6-0 roll call vote.

Clerk Watkins read **Ordinance No. 10-2014** for the second time: An ordinance repealing Ordinance No. 01-2013 as amended which provides 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 2014. Councilman Smith made a motion to open the public hearing on Ordinance No. 10-2014. Councilman Jacobs seconded the motion and the motion was approved by a 5-0 voice vote (Smith absent).

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

Clerk Watkins read **Ordinance No. 10-2014** for the third and final time: An ordinance repealing Ordinance No. 01-2013 as amended which provides 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 2014. Councilman Smith made a motion to adopt Ordinance No. 10-2014. The motion was seconded by Councilman Jacobs and approved by a 5-0 roll call vote, with Councilman Leonard abstaining from the vote.

## **RESOLUTIONS FOR APPROVAL**

Mayor Duthie announced that Resolution No. 301-2014 and Resolution No. 302-2014 would be voted on separately. Councilman Smith made a motion to approve the remaining fourteen resolutions on the agenda and the six Approval Items on the agenda, with the condition that the Approval for the ARC of Essex to conduct their Fall Festival was contingent upon the Borough's prior receipt of a satisfactory certificate of insurance:

Resolution No. 291-2014 – Award of County of Essex Contract R-2014-000509 Automotive Parts and Accessories

Resolution No. 292-2014 – Return of Escrow – Parker Laboratories - \$9,771.57 – P/O 14-01194

Resolution No. 293 -2014 – Return of Escrow – Shellbourne Healthcare Development Group - \$1,194.99 – P/O No. 14-01158

Resolution No. 294-2014 – Return of Escrow – ADP, Inc. - \$86.44 – P/O No. 14-01072

Resolution No. 295-2014 – Cancellation of 349.99 Water/Sewer Billing – Account 233962-0 – 23 Belaire Court

Resolution No. 296 -2014 – Cancel Water and Sewer Billing – 20 Schweinberg Drive – Account 442000-0

Resolution No. 297-2014 – Cancel Water/Sewer Billing – 27 Artho Lane –

Resolution No. 298-2014 – Refund of tax payments to Wells Fargo Real Estate Tax Service due to overpayment – 2014 3<sup>rd</sup> quarter for 12 DePaolo Court, Block 12, Lot 20 C0107 in the amount of \$2,290.26 – P/O 14-01096

Resolution No. 299-2014 – Refund of tax payment to Wells Fargo Real Estate Tax Service due to overpayment – 2014 – third quarter for 2 Pacio Court, Block 12, Lot 24 C6002 in the amount of \$3,226.68 – P/O 14-01096

Resolution No. 300-2014 - Permission to Advertise Notice to Bidders – Leaf Removal from Transfer Site Behind the First Aid Squad Building during November and December 2014

Resolution No. 303-2014 – Approval to accept the Priority Group Classification Changes to the Facility Use Application Form

Resolution No. 304-2014 – Approval 2014 Recreation Fee Schedule

Resolution No. 305-2014 – Bill List

Resolution No. 307-2014 – Approve Increase in Amount Not to Exceed for Apruzzese McDermott, Inc. for Counsel for Special Labor issues to \$50,000.00.

## APPROVALS

Maureen Chumacas to attend Mini-MPA certificate program Course No. CELG-6200-FA14-1 on October 6, 16, 23, 30 and November 6, 2014 in New Brunswick for a cost of \$2,500.00

Maureen Chumacas to attend "Social Media Mayhem" seminar to be held at the Holiday Inn in Totowa on September 26, 2014 for a cost of \$89.00

Approval for the ARC of Essex to conduct their "Fall Festival at the Harrison Avenue Complex on Friday, October 3, 2014 contingent upon the Borough's receipt of a satisfactory certificate of insurance

Approval for Angela Russomanno to attend the seminar "Updates and Hot Topics Affecting I.R.S. Issues" to be held at the N.J. Law Center in New Brunswick on October 24, 2014 for a cost of \$99.00

Approval for Human Resources Clerk Ashley Passafiume and Payroll Clerk Angela Russomanno to attend seminar the "Update and Review of Latest Pension Rules to be held at the N.J. Law Center, New Brunswick, NJ on October 3, 2014 for a total cost of \$198.00

Approval for 6 firefighters to attend the Firefighter Training Weekend presented by Safe-T to be held at Montclair State University and the Passaic County Fire Academy on October 18 and 19, 2014 for a total cost of \$1,590.00

The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.

After discussion, Councilman Tsilionis made a motion to approve Resolution No. 301-2014 and Resolution No. 302-2014:

Resolution No. 301-2014 – Approval to Reject all bids for the Improvements to Fernwood Avenue Baseball Field – Phase II

Resolution No. 302-2014 – Approval to Re-bid the Improvements to Fernwood Avenue Baseball Field – Phase II

Councilwoman Tolli seconded the motion and the motion was approved by a 5-1 voice vote, with Councilman Leonard voting against the motion.

## CONSENT AGENDA

Councilman Smith made a motion to approve the two items on the Consent Agenda:  
Resolution No. 306-2014- Ratification of Salaries

Treasurer's Report

The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.

## MAYOR'S REPORT

Mayor Duthie thanked his wife for coordinating the very successful Remember 9-1-1-blood drive.

## COMMITTEE REPORTS

### PUBLIC SAFETY

Councilman Jacobs reported that the fire department held a wet down celebrating the delivery of a new fire engine. Mr. Jacobs thanked the police department, first aid squad, public works department, auxiliary police, and all others who help make the wet down a success. Councilman Jacobs stated that the Shade Tree Commission has completed the Thackeray Drive tree planting project and that any unsuccessful trees will be removed and replaced. Mr. Jacobs thanked the Senior Advisory Board for their efforts.

### PUBLIC WORKS

Councilman Smith reported that the fall branch and leaf pickup is behind scheduled to an equipment breakdown. Mr. Smith asked residents for their patience and noted that public works expects to resume branch pickup on October 6<sup>th</sup> and leaf pickup on October 14<sup>th</sup>.

### ADMINISTRATION AND FINANCE

Councilman Vidovich thanked Mrs. Duthie for her efforts coordinating the recent blood drive, and thanked the fire department for their wet down celebration. Mr. Vidovich announced that tax bills are scheduled to be mailed out this week. Mr. Vidovich discussed the merits of Council reviewing the OPRA Log on a regular basis.

### RECREATION

Councilman Tsilionis requested that residents sign up for programs as soon as possible in order to avoid programs from being cancelled due to lack of participation.

### CAPITAL IMPROVEMENTS

Councilman Leonard reported that his committee has developed recommendations for Councils consideration regarding Do Not Block the Box markings at certain key intersections. Mr. Leonard explained why he voted against the Fernwood Field resolutions asking that Council consider investigating other options.

### PUBLIC AFFAIRS

Councilwoman Tolli suggested that landscaping be added to screen the buildings and suggested that a policy be developed regarding when the restrooms would be open and who would have keys. Mrs. Tolli encouraged motorists to be attentive to pedestrians reminding that pedestrians have the right of way. Councilwoman Tolli announced that there is still one opening on the Senior Transportation Committee and one opening on the Municipal Youth Guidance Council.

**PUBLIC COMMENT**

None

**EXECUTIVE SESSION**

Borough Attorney Sheffet read Resolution No. 290-2014 to close to Executive Session to discuss the following:

1. Cooper Avenue Demolition
2. Avalon Bay

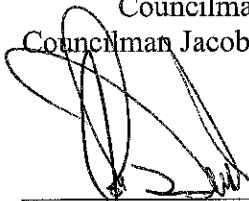
Councilman Smith made a motion to close to Executive Session at 8:37 pm. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.

**RETURN TO OPEN SESSION**

At the close of Executive Session, Councilman Jacobs made a motion to return to open session at 9:02 PM. The motion was seconded by Councilman Tsilionis and approved by a 6-0 voice vote.

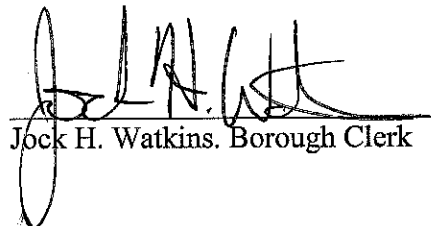
Councilman Tsilionis discussed complaints that have arisen that Recreation Programs have been unable to schedule the use of fields due to outside users. Council discussed the current fees for field use and the policy regarding outside users getting permits to use the fields.

Councilman Smith made a motion to adjourn at 9:17 PM. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.



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Mayor John Duthie

Approved: June 5, 2018



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Jock H. Watkins, Borough Clerk

**ROLL CALL**

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