

BOROUGH OF ROSELAND  
COUNTY OF ESSEX, STATE OF NEW JERSEY

OCTOBER 16, 2018  
PUBLIC MEETING ROOM  
19 HARRISON AVENUE  
6:30PM EXECUTIVE SESSION  
7:30PM OPEN SESSION

COUNCIL MEETING MINUTES

The October 16, 2018 meeting of the Roseland Mayor and Council was called to order at 6:45 PM by Council President Michele Tolli. 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:**

Michele Tolli, Council President  
Christopher Bardi, Councilman  
David Jacobs, Councilman  
Richard N. Leonard, Councilman  
Thomas Tsilionis, Councilman (6:55 PM)

**ABSENT:**

John Duthie, Mayor  
Peter M. Smith, 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 #276-2018 Approval to Close to Executive Session to discuss the following:

1. Fair Share Housing V Roseland
2. Verizon Contract
3. Ratio Challenge

Councilman Leonard made a motion to close to Executive Session at 6:47 PM. The motion was seconded by Councilman Bardi and approved by a 4-0 voice vote (Duthie and Smith absent, Tsilionis arrived at 6:55 PM).

Council adjourned executive session at 7:30 PM in order to begin the regularly scheduled public portion of the meeting. Council President Tolli read the Sunshine Statement

again at 7:32 PM and called the public meeting to order. Clerk Watkins called the roll noting that Councilman Tsilionis arrived during Executive Session.

**SALUTE TO THE FLAG**

Council President Tolli led the Salute to the Flag.

**PRESENTATIONS**

Police Chief McDonough was unable to attend tonight's meeting, so his proclamation will be presented at a future meeting.

**PUBLIC COMMENT**

Andrew Miller	New York, NY
Ken Mayers	17A Nob Hill
Michael Einhorn	3E Nob Hill
Joe Diamond	21G Nob Hill
Jean Perrotti	12 Second Avenue
Scott Gorman	4 Cooper Avenue
Dave Veneri	34 Bovensiepen Court
Gerald Goldberg	23C Nob Hill
Elaine Perna	68 Freeman Street
Steve Marks	25A Nob Hill
John Derites	72 Freeman Street

**INTRODUCTION OF ORDINANCES**

Councilman Bardi made a motion to introduce **Ordinance No. 13-2018** – An ordinance amending Chapter XIII of the Revised General Ordinances of the Borough of Roseland entitled “Fire Prevention and Protection”. The motion was seconded by Councilman Jacobs and approved by a 5-0 voice vote (Smith absent). The public hearing will be held at 7:30 PM on November 13, 2018 at 19 Harrison Avenue, Roseland, NJ.

Councilman Tsilionis made a motion to introduce **Ordinance No. 14-2018** – An ordinance amending Chapter X of the Revised General Ordinances of the Borough of Roseland entitled “Building and Housing” to add Rent Stabilization for Senior Citizens. The motion was seconded by Councilman Bardi and approved by a 4-0 voice vote (Smith absent, Leonard left room). The public hearing will be held at 7:30 PM on November 13, 2018 at 19 Harrison Avenue, Roseland, NJ.

Councilman Leonard made a motion to introduce **Ordinance No. 15-2018** – A Bond ordinance providing a supplemental appropriation of \$1,000,000.00 for various improvements to the Water/Sewer Utility, in and by the Borough of Roseland, in the County of Essex, New Jersey and authorizing the issuance of an additional \$1,000,000 bonds or notes for financing

part of the appropriation. The motion was seconded by Councilman Bardi and approved by a 5-0 voice vote (Smith absent). The public hearing will be held at 7:30 PM on November 13, 2018 at 19 Harrison Avenue, Roseland, NJ.

### **PUBLIC HEARING AND ADOPTION OF ORDINANCES**

Clerk Watkins read **Ordinance No. 12-2018** for the second time: "An ordinance of the Borough of Roseland to repeal Ordinance No. 03-2017 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 2018". Councilman Jacobs made a motion to open the public hearing on Ordinance No. 12-2018. The motion was seconded by Councilman Bardi and approved by a 4-0 voice vote (Smith absent, Leonard abstain).

#### **Public Comment**

William Tedesco      20 Meeker Court

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 Bardi and approved by a 4-0 voice vote (Smith absent, Leonard abstain).

Clerk Watkins read **Ordinance No. 12-2018** for the third and final time: "An ordinance of the Borough of Roseland to repeal Ordinance No. 03-2017 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 2018". Councilman Jacobs made a motion to adopt Ordinance No. 12-2018. The motion was seconded by Councilman Bardi and approved by a 4-0 roll call vote (Smith absent, Leonard abstain).

### **ADOPTION OF RESOLUTIONS**

Councilman Jacobs made a motion to approve the eighteen resolutions and the ten items on the Consent Agenda:

Resolution No. 277-2018 awarding the contract for 2018 Hauling and Disposal of Leaves to S. Rontondi & Sons Inc. for an amount not to exceed \$32,840.00

Resolution No. 278-2018 approving the return of two, five hundred dollar (\$500.00) performance bonds in the total amount of one thousand dollars (\$1,000.00) to Safer Roseland Park LLC for 9 Woodland Road

Resolution No. 279-2018 approving the proposal from Maser Consulting for design and oversight of the road resurfacing project for Roosevelt Street for an amount not to exceed \$32,000.00

Resolution No. 280-2018 approving the Morris County contract with Allied Oil Diesel Fuel through December 2019 with an estimated contract amount of \$44,000.00

Resolution No. 281-2018 amending Resolution No. 258-2018 “Authorizing Extension of Bottled Water Cooler Rental Contract with DS Services of America through State Contract A83767” exercising contract extension No. 4 from September 1, 2018 through October 31, 2018

Resolution No. 282-2018 authorizing funds for 2018 Zoning Board of Adjustment Professional Services

Resolution No. 283-2018 approving the September 28, 2018 Bill List

Resolution No. 284-2018 approving the of September 28, 2018 Open Space Bill List

Resolution No. 285-2018 approving advertisement of Notice to Bidders for CCTV inspection of the sanitary sewer system

Resolution No. 286-2018 approving advertisement of Notice to Bidders for the 2018-2019 emergency mechanical electrical contract

Resolution No. 287-2018 approving advertisement of Notice to Bidders for 2018-2019 emergency contract associated with pipeline work for the Water/Sewer Utility

Resolution No. 288-2018 -2018 authorizing submission of the 2019 NJDOT Municipal Aid Grant Application for improvements to Conover Avenue

Resolution No. 289-2018 approving proposal from Remington Vernick Engineers to provide engineering services for the sanitary sewer system CCTV inspection for various street for an estimated cost of \$17,700.00

Resolution No. 290-2018 cancelling Water and Sewer billing-balances

Resolution No. 291-2018 ratifying Pre-Drawn Bill List – July through September

Resolution No. 292-2018 approving Final Change Order No. 3 and Final Payment for Pierce Fire Truck Apparatus

Resolution No. 293-2018 ratifying salaries – September 2018

Resolution No. 294-2018 approving the October 12, 2018 Bill List

### **CONSENT AGENDA**

Accept with regret the resignation of Neal Goldstein from the Environmental Commission effective September 20, 2018

Council Meeting Minutes October 16, 2018

Appointment of Elise Geiger to the Shade Tree Commission to fill the unexpired term of Martin Greenwald through December 31, 2018

Approve application for Joseph Matarazzo to become a member of the Roseland Fire Department

Approve application for Joseph Salvanto to become a member of the Roseland Fire Department

Accept with regret the resignation of Auxiliary Officer Mario Ciccone effective September 1, 2018

Approval for Detective Boulard, Detective Hiter and Detective Williams to attend Police Training on May 7-8, 2019 in Cherry Hill, NJ for a Total Cost of \$1,290.00

Approval for Ashley Passafiume to attend the Morris County Clerk's Mini Conference on October 26, 2018 in Lincoln Park, NJ for a total cost of \$50.00

Approval of Treasurer's Report – September 2018

Approval for Gary Schall and Chris Critchett to attend seminars on October 24, October 31, and November 7, 2018 from 9:00 AM to 3:00 PM in Westwood, NJ to obtain a Clean Communities Coordinator Certification for a total cost of \$550.00

Approval for Maureen Chumacas to attend "Green Purchasing" seminar on October 19, 2018 in Budd Lake, NJ for a total cost of \$95.00

The motion was seconded by Councilman Bardi and approved by a 5-0 voice vote, with Councilman Smith absent and Leonard abstaining from the vote on Resolution No. 282-2018 and Resolution No. 293-2018.

Councilman Leonard explained that the Borough has received a reduction of the Borough's tax ratio from the NJ Division of Taxation as the result of a single, property sale, and that the reduction will have serious ramifications to all property owners. Mr. Leonard made a motion to approve Resolution No. 295-2018 authorizing the Borough' Tax Counsel to file a Tax Ratio Appeal with the NJ Division of Taxation. The motion was seconded by Councilman Bardi and approved by a 5-0 voice vote (Smith absent).

### CORRESPONDENCE

Council President Tolli explained that a request has been received from the Arc of Essex for permission to install an exterior mailbox at 19 Harrison Avenue for internal mail. Public Works Superintendent Gary Schall recommended a post mounted box rather than a building mounted box. Council agreed to the request but directed Administrator Chumacas to obtain more detailed information from the Arc of Essex regarding the type of box, size of box, and proposed location of the box.

Borough Attorney Sheffet explained that a letter was received from Mark Stevens, the New Jersey attorney representing Transcontinental Pipeline. The letter reiterated Transcontinental Pipeline's position that the compressor station expansion is a matter of federal jurisdiction and that the Borough has no jurisdiction in the matter.

### MAYOR'S REPORT

Council President Tolli reported that Mayor Duthie expressed his appreciation that the annual community bonfire and movie night on Friday night was a tremendous success.

### COMMITTEE REPORTS

#### PUBLIC WORKS

In Councilman Smith's absence, Councilman Tsilionis reported that the Public Works Committee recommends that the Borough hire three laborers to fill vacancies and in anticipation of additional openings. Councilman Tsilionis made a motion to authorize hiring three laborers for the Department of Public Works. The motion was seconded by Councilman Leonard and approved by a 5-0 voice vote (Smith absent).

Council President Tolli introduced Essex County Liaison Dan Salvante. Mr. Salvante announced a number of County sponsored activities scheduled to take place over the course of the next two weeks including: Three (3) "Strut Your Mutt" contests, Gardens Aglow, computer/electronics and tire recycling, and the County's annual Safe Halloween celebration. Details of all events can be found on the County's website.

#### PUBLIC SAFETY

Councilman Jacobs asked Public Works Superintendent Gary Schall if he and Borough Engineer Ralph Tango are working on proposed lighting ordinance changes to be presented to the Planning Board. Councilman Jacobs asked that the draft ordinance be presented to Council before the next Planning Board meeting in order to have time to review the proposed changes.

Mr. Jacobs congratulated the Fire Department on their receipt of a new ladder truck. This new ladder truck will provide a safer environment for the fire fighters.

Councilman Jacobs thanked the fire department for the job they did at the recent house fire at 75 Passaic Avenue. Mr. Jacobs also thanked the police department and members of the office of emergency management who assisted at the scene.

Councilman Jacobs expressed his concern for disabled residents as well as senior residents, and asked that Council members consider disabled residents along with senior residents in Council's rent control deliberations.

## RECREATION

Councilwoman Tolli made several announcements: the annual Trunk or Treat will be held this Saturday at the Harrison Fairground in conjunction with the Library's Fall Festival; the Junior Women's Club will host their 21<sup>st</sup> Halloween Dance for 5<sup>th</sup> graders on October 26<sup>th</sup> from 7:30 PM - 9:00 PM in the multipurpose room at 19 Harrison Avenue; Roseland VFW Post No. 2619 will be celebrating Veterans Day on November 10<sup>th</sup> at 3:30 PM at their building on Eisenhower Parkway with the unveiling of a restored WWII 155mm Howitzer that served on D-Day; the Borough of Roseland will celebrate Veteran's Day at 11:00 AM on November 11<sup>th</sup> at 140 Eagle Rock Avenue; and interested residents can now register online for the 2018 9<sup>th</sup> grade to 12<sup>th</sup> grade intramural basketball program and the 3<sup>rd</sup> - 4<sup>th</sup> grade, 5<sup>th</sup> - 6<sup>th</sup> grade, and 7<sup>th</sup> - 8<sup>th</sup> grade winter youth basketball program.

## CAPITAL IMPROVEMENTS

Councilman Leonard recommended that the Borough resurface 5% of Borough's 12.15 miles of roads annually in order address all roads every 20 years.

Mr. Leonard suggested, that due to the relatively significant turnover in the governing body with a new mayor and two new council members being elected in the upcoming election, that the newly elected officials should meet with the Borough Administrator and other key department heads immediately following the November election for orientation.

Councilman Leonard suggested that the Borough erect a sign at water utility project sites that identifies the contractor and provides emergency contact information.

Mr. Leonard stated that he was initially skeptical when the community bonfire was first proposed, but he has since become an enthusiastic supporter. Mr. Leonard asked that the incoming governing body continue this community activity.

Councilman Leonard thanked Councilman Jacobs for his personal leadership regarding handicapped families in the West Essex Area.

## PUBLIC AFFAIRS

Councilman Bardi thanked Councilman Tsilionis and his committee for their work on drafting a rent stabilization ordinance, noting that it is a step in right direction. Mr. Bardi recommended continued due diligence in order to protect all residents from unfair rent increases, not just seniors

Councilman Bardi reported that his committee is doing their due diligence, considering possible amendments to the Borough's noise ordinance, following numerous complaints made in response to the Sunday morning events held on Labor Day weekend.

ADMINISTRATION & FINANCE

Councilman Tsilionis reported that his committee met with representatives from Roseland Green. Mr. Tsilionis invited two representatives of Roseland Green to comment:

Steve Hoffman	42 Bovensiepen Court
Dave Veneri	34 Bovensiepen Court

Mr. Tsilionis suggested that a meeting be scheduled before the end of the year to begin preparation of the 2019 Municipal Budget. After discussion, Council agreed to schedule a meeting on Saturday, December 1<sup>st</sup> at 10:00 AM.

Councilman Tsilionis reported that he attended the Planning Board meeting last night and that he is pleased that the Board has begun the site plan hearing process for the redevelopment of 6 Becker Farm Road.

Councilman Jacobs invited OEM Coordinator John Matheis to the microphone and asked if the Borough's existing phone numbers will be included in the new Verizon contract. Mr. Matheis responded that the Borough has a list of the current phone numbers, but does not know if Verizon includes the numbers in their contract. Mr. Tsilionis expressed concern that current key numbers get carried over into the new system. Mr. Sheffet suggested that a list of the required telephone numbers be attached to the new Verizon contract. Mr. Matheis agreed that the list can be attached to the contract.

Councilwoman Tolli announced that Department of Public Works (DPW) is scheduled to begin leaf collection next week. Residents who live on borough streets can place their leaves in the street for collection by the DPW. Residents who live on county roads are required to place their leaves in paper bags at the curb, and then call the DPW to schedule pickup. The DPW will collect bags once per week. Residents may pick up twenty (20) free leaf bags at the DPW building at 300 Eagle Rock Avenue.

Councilman Jacobs cautioned residents to drive cautiously and slowly during the upcoming Halloween celebration, further cautioning residents to avoid driving through leaf piles in the street as children are inclined to play in the leaf piles.

APPROVAL OF MINUTES

Councilman Leonard made a motion to approve the September 11, 2018 Council meeting minutes and the October 2, 2018 Caucus meeting minutes. The motion was seconded by Councilman Bardi and approved by a 4-0 voice vote on the September 11<sup>th</sup> minutes with Councilman Smith absent and Councilman Tsilionis abstaining, and by a 3-0 vote on the October 2<sup>nd</sup> minutes with Councilman Smith absent and Councilmen Tsilionis and Jacobs abstaining.



**PUBLIC COMMENT**

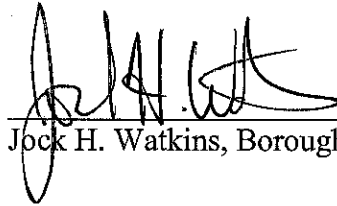
Janet Treamont	38 Leonard Terrace
Angelo Carrozza	117 Eagle Rock Avenue
Eileen Fishman	15 Schweinberg Drive
Robyn Cassidy	2 Cooper Avenue
Scott Gorman	4 Cooper Avenue

**ADJOURNMENT**

Councilman Bardi made a motion to close the meeting at 10:38 PM. The motion was seconded by Councilman Jacobs and approved by a 5-0 voice vote (Smith Absent).



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Mayor John Duthie



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Jock H. Watkins, Borough Clerk

Approved: December 4, 2018

**VOICE VOTE**

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