

BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY

NOVEMBER 8, 2018
PUBLIC MEETING ROOM
140 EAGLE ROCK AVENUE
6:30PM EXECUTIVE SESSION
7:30PM OPEN SESSION

COUNCIL MEETING MINUTES

The November 8, 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
Richard N. Leonard, Councilman
Michele Tolli, Council President
Thomas Tsilionis, Councilman (7:02 PM)

ABSENT:

David Jacobs, Councilman
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 No. 296-2018 Approval to Close to Executive Session to discuss the following:

1. Fire Company/Department
2. Intervenor Court Order
3. Smentkowski Garbage Carting
4. 446 and 448 Eagle Rock Avenue

Councilwoman Tolli made a motion to close to Executive Session at 6:32 PM. The motion was seconded by Councilman Bardi and approved by a 3-0 voice vote. (Jacobs and Smith absent, Tsilionis arrived at 7:02 PM) Council adjourned executive session at 7:20 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 Councilman Tsilionis arrived during Executive Session.

SALUTE TO THE FLAG

Mayor Duthie led the Salute to the Flag. Following the flag salute, Mayor Duthie congratulated and introduced Mayor Elect James Spango, Councilwoman Elect Eileen Fishman, and Councilman Elect Roger Freda.

Mayor Duthie asked that everyone observe a moment of silence in honor of the victims of the bar shooting last night in Thousand Oaks, California.

PRESENTATIONS

Mayor Duthie introduced Frank Piazza, the Borough's Affordable Housing Administrator. Mr. Piazza explained that he is an Affordable Housing Administrative Agent and that his firm has worked for Roseland for many years. Mr. Piazza's firm works for approximately forty towns in New Jersey, and works in about twice that number. As Administrative Agent, Mr. Piazza's firm monitors the sale and resale and compliance of the eighty-two affordable for sale units in Roseland, noting that there are approximately nine hundred applicants on the waiting list in Roseland. Mr. Piazza meets with the Roseland Affordable Housing Board on a monthly basis.

Piazza & Associates, Inc. provides services to residents in the affordable units including providing the maximum resale value of their unit at any given time, helping to market the units, providing the necessary paperwork to assist purchasers to certify that their purchase is in compliance with regulations, and guiding the resale process to maintain compliance and insure that the units remain affordable. Mr. Piazza then answered questions from the governing body and members of the public.

PUBLIC COMMENT

Katy Boettinger	23 Artho Lane
Claudia Reis	4 Cooper Avenue
Scott Gorman	4 Cooper Avenue
David Veneri	34 Bovensiepen Court
John Matheis	OEM Coordinator
William Tedesco	20 Meeker Court
Eileen Fishman	15 Schweinberg Drive

INTRODUCTION OF ORDINANCES

Clerk Watkins read Ordinance No. 16-2018 by title only for the first time: "An ordinance rescinding Ordinance No. 21-1980 entitled "An ordinance authorizing the Borough Council to provide for the snowplowing and salting of roads and streets which have not been taken over by the Governing Body or dedicated and accepted as public highways" [Stonegate], rescinding Ordinance No. 2000-16 entitled "Maintenance and repairs of the roadways in the condominium development known as The Eagle Rock", rescinding Ordinance No. 2000-19 entitled "Maintenance and repairs of the roadways in the condominium development known as Roeland Glen", rescinding Ordinance No. 2000-35 entitled "Maintenance and repairs of the roadways in the condominium development known at Roseland Glen Complex", rescinding Ordinance No. 2000-36 entitled "Maintenance and repairs of the roadway in the condominium development

known as Paradise Place, rescinding Ordinance No. 02-2018 entitled "Amending Chapter XIX of the Revised General Ordinances of the Borough of Roseland entitled "Streets and Sidewalks", and amending Chapter XIX of the Revised General Ordinances of the Borough of Roseland entitled "Streets and Sidewalks". Councilman Tsilionis made a motion to introduce Ordinance No. 16-2018. Councilman Leonard suggested that the introduction be postponed until the meeting next week. After discussion, Councilman Tsilionis amended his motion to delete paragraph 19-16.3.4., which requires the Condominium and Homeowner Associations to make all repairs to their pump stations prior to conveyance to the Borough. Councilman Bardi seconded the amended motion and the ordinance was introduced by a 4-0 voice vote with Councilmen Jacobs and Smith absent. The public hearing will be held at 7:30 PM on December 11, 2018 at 19 Harrison Avenue, Roseland, NJ.

ADOPTION OF RESOLUTIONS

Councilman Bardi made a motion to approve the sixteen resolutions and the ten items on the Consent Agenda:

Resolution No. 297-2018 approving the extension of State Contract A79875 with WW Grainger Inc. for Industrial MRO Supplies through September 30, 2019

Resolution No. 298-2018 approving a Water and Sewer Installment Plan for 205 Eagle Rock Avenue - Account 310069-0

Resolution No. 299-2018 approving a Water and Sewer Installment Plan for 17 Lenape Drive - Account 403203-0

Resolution No. 300-2018 approving a Water and Sewer Installment Plan for 34 Glen Avenue - Account 3000006-0

Resolution No. 301-2018 authorizing cancellation of certain Accounts Payable Items for the Borough of Roseland

Resolution No. 302-2018 accepting the q from Greenwood Tree Experts for tree trimming, removal and stump grinding throughout the Borough for an amount not to exceed \$24,300.00

Resolution No. 303-2018 awarding the 911 Scholarship award for 2018 to Alexandra Apito

Resolution No. 304-2018 approving budget transfers

Resolution No. 305-2018 approving release of the Final Payment in the amount of \$49,513.20 to Stanziale Construction, LLC for Monroe Avenue Road Improvement Project

Resolution No. 306-2018 approving the purchase of police equipment in the amount of \$7,550.40 under State Contract A82102

Resolution No. 307-2018 approving the November 2, 2018 Bill List in the amount of \$95,411.29

Resolution No. 308-2018 approving the November 5, 2018 Open Space Bill List in the amount of \$2,864.44

Resolution No. 309-2018 approving the hiring of Andrew Getz as a full-time probationary Teamster for the Department of Public Works

Resolution No. 310-2018 approving the hiring of Andrew Potts Sr. as a full-time probationary Teamster for the Department of Public Works

Resolution No. 311-2018 approving the hiring of William Zois as a full-time probationary Teamster for the Department of Public Works

Resolution No. 312-2018 approving the hiring of Patrick Nichols as full-time Recreation Coordinator

CONSENT AGENDA

Approval of Our Lady of the Blessed Sacrament Church raffle application no. RA-374 for a Calendar Raffle to be conducted monthly from January 2019 through December 2019

Accept with regret the resignation of Saumita Lepre from the Municipal Youth Guidance Council effective October 25, 2018

Accept with regret the resignation of Suzanne Donohue from the Municipal Youth Guidance Council effective October 31, 2018

Authorize expenditure for members of the Roseland Volunteer Fire Company, K. Jezewski, M. Boettinger, R. Sessa and D. Yates to attend training on December 1, 2018 at the Morris County Public Safety Academy at a cost of \$225.00

Appoint Jill Frangione to the Municipal Youth Guidance Council to fill the unexpired term of Saumita Lepre through December 31, 2018

Appoint Phedra Tsilionis to the Municipal Youth Guidance Council to fill the unexpired term of Suzanne Donohue through December 31, 2018

Approval for Maureen Chumacas to attend "Equal Pay Act & Paid Sick Leave Act" seminar to be held on December 6, 2018 in Neptune, NJ for a total cost of \$125.00

Approval for Gary Schall and Chris Critchett to attend a seminar for Clean Coordinator Certification to be held on November 13, 2018 in Atlantic City, NJ for a total cost of \$130.00

Appoint Eileen Masone to the Municipal Youth Guidance Council to fill a vacant term through December 31, 2018

Authorize expenditure for members of the Roseland Volunteer Fire Company, Dan Madden and Douglas Yates to attend training on November 16, 2018 through November 18, 2018 at the Netcong Fire Department at a total cost of \$350.00

The motion was seconded by Councilwoman Tolli and approved by a 4-0 voice vote, with Councilmen Jacobs and Smith absent; with Councilman Leonard abstaining from the vote on Resolution No. 309-2018, Resolution No. 310-2018, Resolution No. 311-2018, the appointment of Jill Frangione to the Municipal Youth Guidance Council, and the appointment of Eileen Masone to the Municipal Youth Guidance Council; and Councilman Tsilionis abstaining from the vote on Resolution No. 297-2018, Resolution No. 307-2018, Resolution No. 311-2018, and the appointment of Phedra Tsilionis to the Municipal Youth Guidance Council. Resolution No. 311-2018 did not receive the minimum required number of affirmative votes for approval.

CORRESPONDENCE

Councilman Bardi explained a request received from Mr. Ted Glick, a member of the Ad-Hoc Compressor Station Committee, asking the Borough to contribute two hundred and fifty dollars to cover a portion of the one thousand dollars spent on a climate analysis for the Compressor Station hearing before the NJ Department of Environmental Protection. Councilman Bardi explained that the study was authorized by the Roseland Against the Compressor Station (RACS) group. Borough Attorney Sheffet explained that the Governing Body can vote to authorize and fund the study. However, because the study was not performed with the Borough's prior authorization, Mr. Sheffet's legal opinion is that paying for a quarter of the study would essentially be a donation and is therefore not permissible. No further action was taken on this matter at this time.

MAYOR'S REPORT

Mayor Duthie wished everyone a Happy Veteran's Day. Mr. Duthie announced that VFW Post 2619 is hosting a celebration on Saturday at 3:00 PM at their building on Eisenhower Parkway. The festivities will include a celebration unveiling a restored WWI 155mm Howitzer that served on D-Day and throughout World War II. The Borough's Veteran's Day celebration will be held at 11:00 on Sunday at the Veteran's Memorial Park at 140 Eagle Rock Avenue.

COMMITTEE REPORTS

PUBLIC WORKS

Borough Administrator Chumacas informed Council that notices have been sent to selected residents requesting permission to access their homes to install new, remote read water meters. Out of the first batch of replacements, ten properties who have not provided access. Final Notices have been sent via regular mail, confirmed mail, and certified mail. Mrs. Chumacas advised Council that the ordinance allow for water shutoff in order to gain compliance. After discussion, Council requested that the Department of Public Works make one more in-person attempt to gain access to the remaining properties. Councilman Leonard asked that a list be provided to mayor and council in order to allow input from Council Members of any know extenuating circumstances.

Mayor Duthie explained to the newly elected members of the Governing Body, that the Borough has a shared service agreement with the Township of Verona for Building Services. The current contract expires on December 31st, so Mayor Duthie offered to meet with the newly elected members if so desired to discuss the contract renewal. Mrs. Chumacas advised that the state requires a three year contract for shared services. The only change to the new contract is a per unit

fee for new apartments, in anticipation of construction associated with redevelopment projects that were authorized by the Governing Body earlier this year.

Mrs. Chumacas advised Council that the low bid for performing the 2018 Utility Sewer Televising Services was \$59,700.00. Council agreed to have a resolution awarding the contract to the low bidder placed on the agenda for the next meeting.

Mrs. Chumacas reported that as requested by the Borough, the ARC of Essex submitted details on their request to install a mailbox at 19 Harrison Avenue. Councilwoman Tolli made a motion to authorize the ARC of Essex to install a mailbox as per their detail. The motion was seconded by Councilman Bardi and approved by a 4-0 voice vote (Jacobs and Smith absent).

ADMINISTRATION & FINANCE

Councilman Tsilionis recommended that an ordinance prohibiting smoking at 15-19 Harrison Avenue be introduced at the next meeting. After discussion, no further action was taken.

Councilman Tsilionis asked Administrator Chumacas to outline possible actions that will improve the score on the Borough's 2018 Best Practices Inventory:

- A draft policy for monitoring PILOT programs was previously distributed to members of the governing body. If the policy is adopted at the next meeting, we can answer "Yes" on the Inventory. Council approved adding a resolution to the next agenda to adopt the policy.
- Proposed changes to the Section 2-65 of the Borough Ordinances regarding Payment of Claims were previously distributed to members of the governing body. The changes are primarily related to electronic transfers and electronic payments. Adopting the proposed ordinance changes will allow a "Yes" answer on this question on the Inventory. Council approved introduction of the proposed ordinance changes at the next meeting.
- The State provided a draft Pay-to-Play ordinance that will satisfy prospective need to pass ordinance next year if we want to answer yes next year. We can answer this question as "Prospective" this year and receive credit, but we will need to adopt the ordinance in 2019 in order to answer yes on the question next year.
- Administrator Chumacas recommended that the personnel policy be amended to include the 25% limit on reimbursing full time employees who waive health benefits. While the Inventory question also includes a \$5,000 limit, Mrs. Chumacas recommended keeping the lower, current cap at \$4,000. Council approved putting a resolution to amend the personnel policy on the next agenda.
- Mr. Chumacas explained that the state has adopted a new law which requires that part-time and seasonal employees be compensated for sick time at a rate of 1 hour for every 30 hours worked. The Inventory questions if the Borough has a way to track the part-time and seasonal hours. We can answer this question as "Prospective" this year and receive credit, but we will need to develop a method of tracking hours in 2019 in order to answer yes on the question next year. Mrs. Chumacas distributed two potential options for satisfying this requirement.

Councilman Tsilionis asked that the incoming administration review the current practice of hiring recreation umpires as a means of assuring that they have worker's compensation coverage.

After discussion, it was decided to advertise RFP's for 2019 Professional Services with a December due date. Review of the RFP's will be deferred to the new administration in January.

PUBLIC SAFETY

No report

RECREATION

Councilwoman Tolli made a motion to change the term of members of the Municipal Youth Guidance Council to more than one year. Discussion followed and it was also suggested to consider fiscal year terms to coincide with the school calendar. No further action was taken.

Mrs. Tolli reported that her committee recommends that the Parks and Recreation ordinance be amended to regulate profanity, loud speakers, and incorporate current park use policies to avoid problems such as occurred this past Labor Day weekend. Council agreed to put an ordinance introduction on the agenda for the next meeting.

CAPITAL IMPROVEMENTS

Councilman Leonard reported that the water main replacement on Belaire Court and Belaire Drive is almost complete. The contractor may begin work on Conover Avenue and Cobb Terrace as early as tomorrow.

Mr. Leonard advised that his committee has been discussing the possibility of creating a mixed use retail and residential project such as the Boston Public Market in the 280 Corporate Park. Councilman Leonard stated that he wants his committee to meet with the developer to discuss this concept for potential 65 Livingston Avenue redevelopment.

PUBLIC AFFAIRS

Councilman Bardi reported that his Committee has been discussing changing the Council standing committee assignments by moving capital improvements into the Finance and Administration Committee, and changing Public Affairs to include redevelopment or shared services. Mr. Bardi preferred adoption of the necessary ordinance changes this year so that Council assignments can be made at reorganization meeting. After discussion, the matter was deferred to the new administration taking office in January.

PUBLIC COMMENT

Janet Treamont	38 Leonard Terrace
David Veneri	34 Bovensiepen Court
David Disler	43 Leonard Terrace
Claudia Reis	4 Cooper Avenue

Jean Perrotti

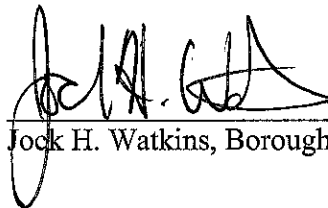
12 Second Avenue

ADJOURNMENT

Councilman Bardi made a motion to close the meeting at 10:22 PM. The motion was seconded by Councilwoman Tolli and approved by a 4-0 voice vote (Jacobs and Smith Absent).



Mayor John Duthie



Jock H. Watkins, Borough Clerk

Approved: December 4, 2018

VOICE VOTE

Aye: Bardi, Leonard, Tolli

Nay: None

Abstain: None

Absent: Jacobs, Smith, Tsilionis