

BOROUGH OF ROSELAND
NEW JERSEY

NOVEMBER 28, 2017
PUBLIC MEETING ROOM
6:30 PM EXECUTIVE SESSION
7:30PM OPEN SESSION
19 HARRISON AVENUE

COUNCIL MEETING MINUTES

CALL TO ORDER & SUNSHINE STATEMENT

The November 28, 2017 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 Notice of the rescheduled date, time and location of the meeting was published in the Star Ledger and The Progress, 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
Michelle Tolli, Councilwoman
Thomas Tsilionis, Councilman (7:18 PM)
Mark Vidovich, Council President

ALSO IN ATTENDANCE:

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

Councilman Jacobs made a motion at 6:31 PM to approve Resolution No. 297-2017 Approval to Close to Executive Session to discuss the following:

1. 56 Livingston Ave -Tax Appeals Settlement 2012-2020
2. Gorman vs. Roseland - Litigation
3. Personnel
4. JMF v. Roseland-Motion to Intervene COAH Litigation
5. Contract-Interlocal Agreement Construction Code
6. Water Meter Reading and Billing Errors

Councilwoman Tolli seconded the motion and the motion was approved by a 5-0 voice vote (Tsilionis absent). Councilman Jacobs made a motion to open Executive Session. The motion was seconded by Councilwoman Tolli and approved by a 5-0 voice vote (Tsilionis absent).

Councilman Jacobs made a motion to close Executive Session and to return open session at 7:24 PM. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote. Mayor Duthie read the Sunshine Statement again 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 Duthie led the Salute to the Flag.

PRESENTATIONS

Mayor Duthie read and presented a Proclamation to Borough resident Matthew Forget for his lifesaving rescue of a distressed swimmer during the summer at the Verona Community Pool.

PUBLIC COMMENT

Essex County Liaison Dan Salvante announce a number of Holiday activities being hosted by the County. Mr. Salvante directed interested parties to the County' website for details. Mr. Salvante also reported that countywide leaf collections continue.

INTRODUCTION OF ORDINANCES

Clerk Watkins read Ordinance No. 16-2017 for the first time: "An ordinance of the Borough of Roseland, in the County of Essex, New Jersey, providing for replacement of police equipment in and for the Borough and appropriating \$43,000 to fund the same. Councilman Jacobs made a motion to introduce Ordinance No. 16-2017. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote. The Public Hearing on the ordinance will be held on December 11, 2017.

Clerk Watkins read Ordinance No. 17-2017 for the first time: "An ordinance amending Chapter XIV of the Revised General Ordinances of the Borough of Roseland entitled "Parks and Recreation". Councilman Smith made a motion to introduce Ordinance No. 17-2017. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote. The Public Hearing on the ordinance will be held on December 11, 2017.

Clerk Watkins read Ordinance No. 18-2017 for the first time: "Bond Ordinance of the Borough of Roseland, in the County of Essex, New Jersey amending Bond Ordinance No. 6-2017, finally adopted July 18, 2017 in its entirety". Councilman Smith made a motion to introduce Ordinance No. 18-2017. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote. The Public Hearing on the ordinance will be held on December 11, 2017.

Clerk Watkins read Ordinance No. 19-2017 for the first time: "Ordinance of the Borough of Roseland, in the County of Essex, New Jersey amending Bond Ordinance No. 12-2016, finally adopted October 18, 2016 in its entirety". Councilman Smith made a motion to

introduce Ordinance No. 19-2017. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote. The Public Hearing on the ordinance will be held on December 11, 2017.

PUBLIC HEARING OF ORDINANCE

Clerk Watkins read **Ordinance No. 15-2017** for the second time: “An ordinance to amend Chapter II entitled “Administration” of the Revised General Ordinances of the Borough of Roseland to create a Municipal Alliance Committee and to establish the requirements of membership thereof”. Councilwoman Tolli made a motion to open the public hearing on Ordinance No. 15-2017. Councilman Jacobs seconded the motion and the motion was approved by a 6-0 voice vote.

There being no one wishing to be heard, Councilwoman Tolli 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. 15-2017** for the third and final time: “An ordinance to amend Chapter II entitled “Administration” of the Revised General Ordinances of the Borough of Roseland to create a Municipal Alliance Committee and to establish the requirements of membership thereof”. Councilman Smith made a motion to adopt Ordinance No. 15-2017. The motion was seconded by Councilwoman Tolli and approved by a 6-0 roll call vote.

ADOPTION OF RESOLUTIONS

Mayor Duthie explained that Resolution No. 312-2017 and Resolution No. 314-2017 are being withdrawn. Councilman Tsilonis made a motion to approve the remaining twenty-four resolutions and the two items on the Consent Agenda:

Resolution No. 298-2017 authorizing Budget Transfers

Resolution No. 299-2017 authorizing refunds, overpayments or cancellations in the Tax Office

Resolution No. 300-2017 authorizing an increase in the contract with Kaufman, Semeraro and Leibman for Tax Appeal Services from an amount not to exceed Fifty-Thousand Dollars (\$50,000.00) to an amount not to exceed Seventy Five Thousand Dollars (\$75,000.00)

Resolution No. 301-2017 authorizing cancellation of Capital Ordinance Funds

Resolution No. 302-2017 authorizing cancellation of Reserve and Receivable balances in the Grant Fund Budget

Resolution No. 303-2017 authorizing cancellation of Water Sewer Billing-Balances and Refunds

Resolution No. 304-2017 approval to hire Gym Supervisors and Time-Score Keepers for the Recreation Basketball Program

Resolution No. 305-2017 authorizing inclusion in the Essex County Urban County Community Development Program for program years 2018-2020 and authorizing the Mayor to execute the attached, revised agreement for the CDBG Entitlement Program for 2018-2020

Resolution No. 306-2017 authorizing return of unused escrow – Police side jobs

Resolution No. 307-2017 approval of Commercial Tax Appeal Settlement for 56 Livingston Avenue

Resolution No. 308-2017 authorizing return of the Performance Bond in the amount of \$500.00 for 30 Third Avenue

Resolution No. 309-2017 authorizing the extension of the appointment of Daniel Bloch of Maser Consultant as Acting Zoning Officer through December 31, 2017

Resolution No. 310-2017 authorizing the use of Open Space Trust Funds to purchase picnic tables and park benches for Tedesco Park under State Contract - \$4,194.15

Resolution No. 311-2017 approving the rescission of Resolution No. 94-2017 “Authorizing Refunds, Overpayments or Cancellations in the Tax Office” and to void Purchase Order No. 1700327 in the amount of \$15,198.65

Resolution No. 312-2017 WITHDRAWN

Resolution No. 313-2017 approving the November 27, 2017 Bill List

Resolution No. 314-2017 WITHDRAWN

Resolution No. 315-2017 approval to extend the contract with Allied Oil LLC for the purchase and delivery of fuel and for a fifth extension from November 1, 2017 through February 28, 2018

Resolution No. 316-2017 approval of the proposal from Maser Consulting in the amount of \$5,000.00 to prepare the Housing Element and Fair Share Plan

Resolution No. 317-2017 authorizing the return of unused escrow in the amount of \$64,478.76 to Avalon Bay Communities Inc.

Resolution No. 318-2017 approval to hire seasonal Recreation Basketball Officials

Resolution No. 319-2017 approval to hire seasonal Recreation Employees for the Recreation Youth Arts and Crafts Program

Resolution No. 320-2017 ratification of the award of an emergency contract in the amount of \$20,000.00 to Peterscape, Inc. for emergency tree removal on borough property

Resolution No. 321-2017 ratification of salaries – October 2017

Resolution No. 322-2017 amending Resolution No. 127-2017 Approval of 2017 Recreation Fee Schedule

Resolution No. 323-2017 awarding a contract in the amount of \$12,450.00 to GM Fence as the lowest quote to replace 1,000 linear feet of stockade fence along Thackeray Drive

CONSENT AGENDA

Approval for Angela Russomanno to Attend “Pension Workshop” on December 1, 2017 at Jumping Brook Country Club in Neptune, NJ for a total cost of \$99.00

Approval of November 2017 Treasurer’s Report

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. 321-2017 and Councilman Tsilionis abstaining on the vote to approve Angela Russomanno’s attendance at a seminar at Jumping Brook Country Club on December 1st.

CORRESPONDENCE

Clerk Watkins read a letter from Walgreens requesting permission to extend business hours during the holiday season. The request was for the period from December 15th through December 24th, and to extend their hours Monday through Friday from 7:00 AM until midnight, and Saturday and Sunday from 8:00 AM until midnight. Councilwoman Tolli made a motion to approve the request. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

MAYOR’S REPORT

Mayor Duthie reported that he attended a very engaging Veteran’s Day celebration at Noecker School. In the spirit of Thanksgiving, Mayor Duthie expressed his thanks for a great family and for having a great town to live and work in. Mayor Duthie wished everyone a Happy Hanukkah and a great holiday season

COMMITTEE REPORTS

PUBLIC WORKS

Councilman Smith reported that December 7th will be the last scheduled day for curbside leaf pickup and asked that with the onset of winter months, that residents remove any snow plowing obstructions such as basketball nets from their streets.

Councilman Smith made a motion to authorize the advertisement of bids for the installation of new water meters. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.

After discussion of the Committee's recommendation to authorize the Library Board to make improvements to the children's bathroom at the Roseland Public Library at 20 Roseland Avenue, Council agreed to place a resolution of the November 11th agenda grant authorization for the improvements.

PUBLIC SAFETY

Councilman Jacobs acknowledged that Thanksgiving is his happiest holiday. On behalf of the police department, Mr. Jacobs reminded residents to lock their cars and cautioned resident to notify police of suspicious activities, and not to investigate suspicious activities on their own. On behalf of the fire department, Mr. Jacobs asked residents to be cautious with their use of holiday lights. Councilman Jacobs thanked John Matheis and the OEM for their efforts to prepare for bad weather and other emergency events.

RECREATION

Councilman Tsilionis reported that there have not been a lot of enrollments through the online registration system, noting that recreation is transitioning from fall to winter sports, and encouraged residents to take advantage of the online registration system. Mr. Tsilionis thanked all of the volunteers on recreation committee.

CAPITAL IMPROVEMENTS

Councilman Leonard requested that a copy of the resolution presented to Matthew Forget be forwarded to the Township of Verona. Mr. Leonard thanked the police and fire departments for their early morning response to a recent carbon monoxide alarm call. Councilman Leonard encouraged residents to maintain their smoke and carbon monoxide alarms.

PUBLIC AFFAIRS

Councilwoman Tolli reported that the police department is hosting a coat drive and Toys for Tots drive and will have a collection boxes at the police station through December 13th. Mrs. Tolli announced that the Christmas tree lighting ceremony will be held at 6:30 PM on December 1st. Councilwoman Tolli announced that the Municipal Youth Guidance Council will be hosting breakfast with Santa on December 10th at the Roseland First Aid Squad building.

Councilwoman Tolli reported that resolutions will be on December 11th agenda to set the date for the reorganization meeting and to set the 2018 meeting dates. Mrs. Tolli wished everyone a Happy Hanukkah and happy holidays.

ADMINISTRATION & FINANCE

Councilman Vidovich noted the requirement that the Best Practice Inventory be discussed at a Council meeting, noting that the Borough's answers to the 2017 Inventory will result in receipt of 100% of the available state aid. Mr. Vidovich noted that the state changes the inventory questions every year, making it increasingly difficult to score a 100%.

Mayor Duthie reported that residents may have observed tree work being performed on the recently acquired railroad property, noting that emergency work is being performed to remove unsafe trees through December 3rd. Mayor Duthie suggested that a preliminary 2018 budget meeting might be prudent before the end of the calendar year and asked Administrator Chumacas to circulate potential dates.

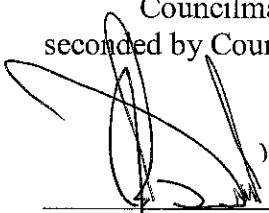
APPROVAL OF MINUTES

Councilman Jacobs made a motion to approve the August 15, 2017 Council Meeting Minutes, the September 19, 2017 Council Meeting Minutes, the October 3, 2017 Caucus Meeting Minutes, the October 17, 2017 Council Meeting Minutes, and the November 8, 2017 Special Meeting Minutes, with a correction on Page 6 of the October 17th minutes to correct the spelling of VFW Post No. 2619. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

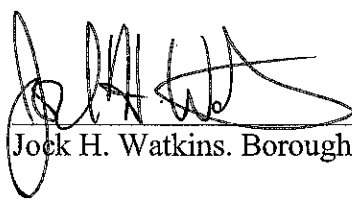
PUBLIC COMMENT

None

Councilman Tsilionis made a motion to close the meeting at 8:15 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: December 11, 2017

ROLL CALL

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