

BOROUGH OF ROSELAND  
COUNTY OF ESSEX, STATE OF NEW JERSEY

DECEMBER 11, 2018  
PUBLIC MEETING ROOM  
19 HARRISON AVENUE  
6:30PM EXECUTIVE SESSION  
7:30PM OPEN SESSION

COUNCIL MEETING MINUTES

The December 11, 2018 meeting of the Roseland Mayor and Council was called to order at 6:35 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  
Michele Tolli, Council President  
Thomas Tsilionis, Councilman (7:30 PM)

**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. 345-2018 Approval to Close to Executive Session to discuss the following:

1. Caldwell Sewer
2. Volunteer Fire Company/Department
3. Roseland Shell Station
4. Review of Executive Session Minutes

Councilwoman Tolli made a motion to close to Executive Session at 6:36 PM. The motion was seconded by Councilman Smith and approved by a 5-0 voice vote (Tsilionis absent). Council adjourned executive session at 7:25 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 at the beginning of the public portion of the meeting.

**SALUTE TO THE FLAG**

Mayor Duthie led the salute to the flag.

**PUBLIC COMMENT**

James Spango	Mayor Elect
John Matheis	OEM Coordinator
William Tedesco	20 Meeker Court
Margo McCormack	46 Harrison Avenue
Robert Griffin, Esq.	Representing Stonegate

**PUBLIC HEARING AND ADOPTION OF ORDINANCES**

Clerk Watkins read Ordinance No. 16-2018 for the second 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. 23-1983 entitled “An ordinance authorizing the Borough Council to provide for the salting and sanding of certain private roads in a residential development known as Holmehill upon certain conditions”, 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 Roseland Glen, rescinding Ordinance No. 2000-35 entitled “Maintenance and repairs of the roadways in the condominium development known as 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 open the public hearing on Ordinance No. 16-2018. The motion was seconded by Councilman Bardi and approved by a 6-0 voice vote.

**Public Comment**

Robert C. Griffin, Esq.	Griffin Alexander, PC, representing Stonegate
Robert Rosen	President, Paradise Place Association
Janet Treamont	38 Leonard Terrace
Dave Veneri	President, Roseland Green Association
Steve Hoffman	42 Bovensiepen Court
Don Ershow	President, Holmehill Association

There being no one else wishing to be heard, Councilman Bardi 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. 16-2018 for the third and final 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. 23-1983 entitled “An ordinance authorizing the Borough Council to provide for the salting and sanding of certain private roads in a residential development known as Holmehill upon certain conditions”, 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 Roseland Glen, rescinding Ordinance No. 2000-35 entitled “Maintenance and repairs of the roadways in the condominium development known as 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 adopt Ordinance No. 16-2018. The motion was seconded by Councilman Leonard and approved by a 6-0 roll call vote.

Clerk Watkins read Ordinance No. 18-2018 for the second time: “An ordinance to amend Chapter XIV “Parks and Recreation”, adding a new section establishing an operating policy, adding a new section establishing permit and use requirements of outdoor facilities, and amending other sections to create conformity with other state or local laws and regulations”. Councilwoman Tolli made a motion to open the public hearing on Ordinance No. 18-2018. The motion was seconded by Councilman Bardi and approved by a 6-0 voice vote.

#### Public Comment

There being no one wishing to be heard, Councilwoman Tolli 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. 18-2018 for the third and final time: “An ordinance to amend Chapter XIV “Parks and Recreation”, adding a new section establishing an operating policy, adding a new section establishing permit and use requirements of outdoor facilities, and amending other sections to create conformity with other state or local laws and regulations”. Councilwoman Tolli made a motion to adopt Ordinance No. 18-2018. The motion was seconded by Councilman Bardi and approved by a 6-0 roll call vote.

Clerk Watkins read Ordinance No. 19-2018 for the second time: “An ordinance to amend Chapter II “Administration”, Section 2-65 “Payment of Claims” in order to comply with statutory changes”. Councilman Bardi made a motion to open the public hearing on Ordinance No. 19-2018. The motion was seconded by Councilman Jacobs and approved by a 6-0 voice vote.

#### Public Comment

There being no one wishing to be heard, Councilman Tsilionis 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. 19-2018 for the third and final time: “An ordinance to amend Chapter II “Administration”, Section 2-65 “Payment of Claims” in order to comply with statutory changes”. Councilman Bardi made a motion to adopt Ordinance No. 19-2018. The motion was seconded by Councilwoman Tolli and approved by a 6-0 roll call vote.

**BUDGET TRANSFER RESOLUTIONS – 2/3 VOTE OF COUNCIL REQUIRED**

Councilman Jacobs made a motion to adopt Resolution No. 338-2018 Budget Transfers. The motion was seconded by Councilman Smith and approved by a 6-0 roll call vote.

Councilman Jacobs made a motion to adopt Resolution No. 348-2018 Budget Transfers. The motion was seconded by Councilman Smith and approved by a 6-0 roll call vote.

**ADOPTION OF RESOLUTIONS**

Councilman Smith made a motion to approve the remaining thirteen resolutions and the two items on the Consent Agenda:

Resolution No. 346-2018 approving the 2019 Meeting Schedule

Resolution No. 347-2018 authorizing the purchase of certain goods and services through the use of the Morris County Co-Op for deer carcass removal

Resolution No. 349-2018 ratification of salaries – November 2018

Resolution No. 350-2018 approving the December 7, 2018 bill list in the amount of \$64,962.81

Resolution No. 351-2018 authorizing submission of a CDBG application for ADA compliant handicap access ramp at the First Aid Squad Building

Resolution No. 352-2018 approving the advertisement of Requests for Proposals for 2019 Professional Services

Resolution No. 353-2018 authorizing refunds of overpayments or cancellations in the Tax Office

Resolution No. 354-2018 approving the purchase of a 2018 Morbark Beaver Chipper for the Department of Public Work at a cost of \$65,858.14 under GSA contract #30F0018N

Resolution No. 355-2018 Ratification of Bills

Resolution No. 356-2018 approving the December 11, 2018 Open Space bill list in the amount of \$2,464.44

Resolution No. 357-2018 authorizing the Police Department to submit an application for the 2018 Body Armor Grant

Resolution No. 358-2018 approving the hiring of gym supervisors and time-score keepers for the recreation basketball program

Resolution No. 359-2018 approving the hiring of seasonal recreation basketball officials

## CONSENT AGENDA

Extended holiday hours for Walgreen's until Midnight

Accept the resignation of Andrew Potts Sr. from the Department of Public Works effective December 10, 2018

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. 349-2018, Councilman Smith abstaining from the vote on Resolution No. 346-2018, and Councilman Tsilionis abstaining from the vote on Resolution No. 346-2018.

## MAYOR'S REPORT

Mayor Duthie acknowledged that this will be his last meeting as Mayor. Mr. Duthie thanked everyone who supported him throughout his tenure, especially his wife Lisa and son Chris. Mr. Duthie also thanked his entire family, his business associates, and his supporters. Mayor Duthie noted that his service to the Borough began as a member of the Zoning Board of Adjustment, after which he ran for and was elected to Council in 2006 to fill a one year unexpired term for 2007. Mr. Duthie was then re-elected to a full three-year term from 2008-2010. In 2010, Mr. Duthie was elected to his first of two, four-year terms as Mayor, serving from 2011 through 2018. Mayor Duthie wished everyone a Merry Christmas and the best New Year ever.

## COMMITTEE REPORTS

### PUBLIC WORKS

Councilman Smith thanked borough residents for their support over the years and expressed his appreciation for the opportunity to serve. Mr. Smith stated that he did his best to represent everyone, for the Borough's best interest. Mr. Smith thanked his wife, his kids, and his fellow Council members for their support.

### PUBLIC SAFETY

Councilman Jacobs thanked the Police Department, the Fire Department, the Office of Emergency Management, and the Department of Public Works for their response to the recent snow storm which snarled traffic and closed highways for hours. Mr. Jacobs also thanked the same departments for their year round service to the Borough. Councilman Jacobs wished everyone a Merry Christmas, and a Happy and Healthy New Year.

### CAPITAL IMPROVEMENTS

Councilman Leonard commented on the recent Menorah lighting and Tree lighting, adding that the annual Santa ride will take place on December 23<sup>rd</sup> beginning on Laurel Avenue. Mr. Leonard remarked that the Roseland Fire Department does an excellent job of synchronizing the lights and music.

Councilman Leonard reported that the water main replacement on Belaire Drive, Belaire Court, Conover Avenue, and Cobb Terrace has been completed, with the only items outstanding

being submission of the as-built plans and the maintenance bond. Mr. Leonard stated that during the excavation, it was observed that the 12" main installed on Davenport Avenue, sometime in the 1960's, still appears to be in great shape.

Mr. Leonard wished everyone a Merry Christmas and hoped that those who celebrated Hanukah, enjoyed a great time with their families.

#### PUBLIC AFFAIRS

Councilman Bardi announced that the next budget meeting will be held on Saturday, January 19<sup>th</sup> at 10:00 AM. Mr. Bardi thanked Mayor Duthie, Councilman Smith, and Councilman Tsilionis for their service to the Borough. Councilman Bardi wished everyone a safe and happy holiday.

#### ADMINISTRATION & FINANCE

Councilman Tsilionis remarked that this was his last Council meeting as well. Mr. Tsilionis added that it has been a rewarding and challenging nine years. Councilman Tsilionis thanked the residents for their trust and allowing him to serve. Mr. Tsilionis also stated that he was thankful for the support of a great family.

#### RECREATION

Councilwoman Tolli reported that the tree lighting last week was a great success, with 199 children signing up to visit with Santa. Mrs. Tolli thanked everyone who helped with the celebration. Councilwoman Tolli advised residents that there is still one opening on the Senior Transportation Committee. The next meeting will be in March 2019 at the Caldwell Community Center, with meetings beginning at 6:15 PM.

Councilwoman Tolli presented a proclamation to Councilman Smith in appreciation for his years of service as a Council Member from January 1, 2010 through December 31, 2018.

Councilwoman Tolli presented a proclamation to Councilman Tsilionis in appreciation for his years of service as a Council Member from January 1, 2010 through December 31, 2018.

Councilwoman Tolli presented a proclamation to Mayor Duthie in appreciation for his years of service as a Council Member and Mayor from January 1, 2007 through December 31, 2018.

Mrs. Tolli wished everyone a Happy New Year, a Merry Christmas, and a Happy Hanukah.

Councilman Leonard suggested that the incoming Council invite Mayor Duthie, Councilman Smith, Councilman Tsilionis, and former Councilman Vidovich back for a more formal thanks for their years of service.

#### APPROVAL OF MINUTES

The November 8, 2018 executive session minutes and the November 13, 2018 executive session minutes were withdrawn from consideration. Councilman Leonard made a motion to

Council Meeting Minutes December 11, 2018

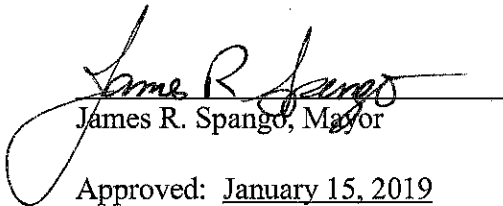
approve the November 13, 2018 Council meeting minutes, the December 1, 2018 special budget meeting minutes, and the December 4, 2018 caucus meeting minutes. The motion was seconded by Councilman Bardi and approved by a 6-0 voice vote.

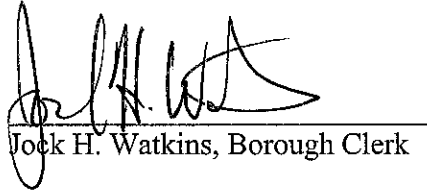
**PUBLIC COMMENT**

Margo McCormack	46 Harrison Avenue
Dave Veneri	34 Bovensiepen Court
Mark Vidovich	54 Pitcairn Drive
Angelo Carrozza	117 Eagle Rock Avenue

**ADJOURNMENT**

Councilman Tsilionis made a motion to close the meeting at 8:57 PM. The motion was seconded by Councilman Bardi and approved by a 6-0 voice vote.

  
James R. Spango, Mayor

  
Jock H. Watkins, Borough Clerk

Approved: January 15, 2019

**VOICE VOTE**

Aye: Bardi, Fishman, Freda, Jacobs, Leonard, Tolli  
Nay: None  
Abstain: None  
Absent: None