

BOROUGH OF ROSELAND
NEW JERSEY

DECEMBER 13, 2016
PUBLIC MEETING ROOM
19 HARRISON AVENUE
7:00 PM

COUNCIL MEETING MINUTES

The December 13, 2016 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, Council President
Richard N. Leonard, Councilman
Peter M. Smith, Councilman
Thomas Tsilionis, Councilman
Michelle Tolli, Councilwoman
Mark Vidovich, Councilman

ALSO IN ATTENDANCE:

Maureen Chumacas, Borough Administrator
Ethan Jesse Sheffet, Borough Attorney
Jock H. Watkins, Borough Clerk
John Matheis, OEM Coordinator

SALUTE TO THE FLAG

Mayor Duthie led the Salute to the Flag.

PUBLIC COMMENT

Borough resident William Tedesco asked for additional explanation about resolution No. 342-2016. Mr. Tedesco also commented that he has been a member of the Board of Adjustment for many years and is saddened about the retirement of Janice Falivena as Board Secretary and Board Attorney. Mr. Tedesco asked that Council recognize Ms. Falivena's long time service to the Borough. Mayor Duthie acknowledged Mr. Tedesco's comments about Ms. Falivena, and responded to the question about Resolution No. 342-2016 stating that the NJDEP has mandated that the Borough inventory the water and sewer system infrastructure. In response to that mandate, the Borough hired professionals and they will report back on the condition of systems.

Mr. Liudvik Karapwetian and Mr. Hayk Mikayelan, operators of the Lukoil gasoline station at 525 Eagle Rock Avenue, stated that they received a warning from the zoning officer regarding a property maintenance violation. Mr. Karapwetian and Mr. Mikayelan asked Council to allow them to store unregistered vehicles on the property. Zoning Officer Gail Tynan was at the meeting and explained that the storage of unregistered vehicles on the property is not permitted by the International Property Maintenance Code, which is adopted by the Borough by reference. Mayor Duthie asked that

the matter be referred to committee for review with local public safety officials and that the committee report back at the January 3rd Caucus meeting.

ADOPTION OF RESOLUTIONS

Councilman Jacobs made a motion to approve the nineteen resolutions and the two consent agenda items:

Resolution No. 329-2016 Approval of 2017 Meeting Schedule

Resolution No. 330-2016 Adoption of Facility Use Policy and Fee Schedule

Resolution No. 331-2016 Approval to Purchase Street Signs from MPH Industries Inc. under State Contract 82101 \$8,550.00

Resolution No. 332-2016 Approval to Purchase One Poweredge R430 Server from Dell Marketing Under State Contract 89967 for a total cost of \$6,751.65

Resolution No. 333-2016 Approval of Salary Increase for Assistant Superintendent of Public Works - Christopher Critchett

Resolution No. 334-2016 Budget Transfers

Resolution No. 335-2016 Amending Resolution No. 288-2016 Authorize Contract with Approved Essex County Contract P & A Auto Parts LLC to increase the not to exceed \$2,500.00

Resolution No. 336-2016 Authorizing Refunds, Overpayments or Cancellations in the Tax Office

Resolution No. 337-2016 Authorizing the Mayor to Sign Proof of Loss for Fire at Borough Hall

Resolution No. 338-2016 Cancel Reserve and Receivable Balances in the Grant Fund Budget

Resolution No. 339-2016 Cancellation Water Sewer Billings-Balances and Refunds

Resolution No. 340-2016 Approval of Payment Plan for 41 Artho Lane

Resolution No. 341-2016 Approval of Emergency Purchase of Existing Enforsys Polisy Cad/RMS Software for a total of \$16,500.00

Resolution No. 342-2016 Award RFP for Financial Advisor for the Sale of the Water Sewer System

Resolution No. 343-2016 Permission to re-advertise for certain professional services for the calendar year 2017

Resolution No. 344-2016 Bill List

Resolution No. 345-2016 Accept with regret resignation of Janice Falivena as Secretary and Attorney for the Board of Adjustment

Resolution No. 346-2016 Authorizing the Appropriate Borough Officials to sign as Power of Attorney in the name, place and stead of the Borough, any certificate of title covering the 2014 Ford Taurus Sedan, VIN No. 1FAHP2MK3EG182965

Resolution No. 347-2016 Approval to hire seasonal employees for Gym Supervisors and Scorekeepers

CONSENT AGENDA

Approval for Michael Colitti to Attend NJRPA District Meeting/Seminar "Safety for Young Athletes" on Wednesday, 12/14/16 for a total cost of \$18.00

Approval of Blue Light Application for Andrew Dichiara, Salvatore Digenova, and Ayana McPherson-Jackson

Mr. Vidovich reported that because there is only one meeting this month, a few more bills have been added to the bill list since distribution, and two invoices were removed while a problem is resolved. Mrs. Chumacas added that the revised amount of the bill list is \$137,088.17. There being no additional comments or questions, the motion to approve the resolutions and consent agenda items was seconded by Councilwoman Tolli and approved by a 6-0 voice vote.

MAYOR'S REPORT

Mayor Duthie wished everyone a Merry Christmas, Happy Hanukah, and a Happy New Year.

COMMITTEE REPORTS

PUBLIC WORKS

Councilman Smith congratulated Councilmen Jacobs and Leonard on their reelection. Mr. Smith also reminded residents that there will be one more round of leaf pickups, but only in bags, and asked that no more leaves be placed in the street as winter weather is approaching. Mr. Smith closed wishing everyone Happy Holidays.

PUBLIC SAFETY

Councilman Jacobs wished everyone a healthy Happy New Year, a Merry Christmas, and a Happy Hanukah.

RECREATION

Councilman Tsilionis stated that he was looking forward to first meeting of the Open Space Advisory Committee. Mr. Tsilionis also wished everyone a Merry Christmas, Happy Hanukah, and a Happy New Year.

CAPITAL IMPROVEMENTS

Councilman Leonard wished everyone a Merry Christmas, Happy Hanukah, and a Happy New Year. Mr. Leonard also announced that on December 18th, Santa will be riding through town on fire truck. Mr. Leonard congratulated the fire department for their first place finish at the 15th Annual Wallington Holiday Parade in the Best Lighted/Decorated Pumper category. Councilman Leonard

reminded everyone that Roseland passed an ordinance this year requiring the installation of a natural gas detector on re-occupancy of single family dwellings and encouraged everyone to install a natural gas detector. Councilman Leonard closed his report by thanking the members of the Department of Public Works who responded to the recent callout for icy roads.

PUBLIC AFFAIRS

Councilwoman Tolli reminded residents of the importance of having the house number clearly visible on the front of their house for emergency responders. Mrs. Tolli was pleased to report that two vacancies on the Senior Transportation Committee will be filled at the Council's reorganization meeting in January. Mrs. Tolli added that the fire department will be driving Santa through town on Sunday, December 18th beginning at 3:30 PM. They will begin on Laurel Avenue and proceed West through the entire town. Mrs. Tolli closed wishing everyone a Merry Christmas, Happy Hanukah, and a Happy New Year.

ADMINISTRATION & FINANCE

Councilman Vidovich commended everyone on a great job at the recent tree lighting, stating that it was well attended and thanking those who participated. Mr. Vidovich added that now that the 2017 meeting schedule has been approved, he will begin scheduling budget meetings for the first of the New Year.

Councilman Vidovich reported that a Borough employee has requested that Council approve the maximum payout of sick time compensation upon her upcoming retirement. Mr. Vidovich added that such a payout is discretionary according to local ordinance. Mr. Vidovich then made a motion to approve Resolution No. 348-2016 "Approval of Payout of Accumulated, Unused Sick Time in an Amount not to Exceed \$15,000 to Gail Tynan" upon her retirement, reducing the payout by any sick time used between now and her retirement. Councilman Leonard seconded the motion and the resolution was approved by a 6-0 voice vote. Councilman Vidovich wished everyone a Merry Christmas, Happy Hanukah, and a Happy New Year.

APPROVAL OF MINUTES

Councilman Jacobs made a motion to approve the minutes of the November 29, 2016 Council Meeting. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

PUBLIC COMMENT

Borough resident Marty Greenwald, president of Roseland Green. Mr. Greenwald asked questions about the natural gas detectors as discussed in Councilman Leonard's report. Councilman Leonard explained the different types and costs of the detectors that he is aware of. Mr. Leonard added a caution to residents to wear light, reflective outerwear when walking in the snow.

EXECUTIVE SESSION

Borough Attorney Sheffet read Resolution No. 328-2016 Approval to Close to Executive Session to discuss the following:

1. Personnel
2. Audit Contract
3. COAH Matters

Councilman Jacobs made a motion to close to Executive Session at 7:40 PM. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

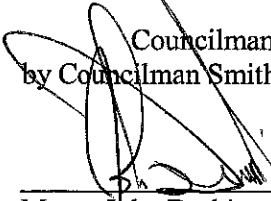
RETURN TO OPEN SESSION

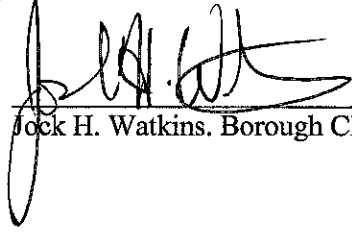
After returning from executive session, Councilman Jacobs made a motion at 9:36 PM to reopen public session. The motion was seconded by Councilman Tsilionis and approved by a 6-0 voice vote.

Councilman Jacobs made a motion to approve Resolution No. 349-2016 to appoint Jeffrey Surenian as Special Counsel for COAH matters until a new RFP can be advertised, for an amount not to exceed \$15,000. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

During Executive Session, Borough Attorney Sheffet requested that the personnel matter affecting him be discussed in public session. Mr. Sheffet then recused himself from the meeting and left the room. Council discussed the report from the Borough's Labor Attorney with respect to the position of Borough Attorney. At the close of the discussion, Mr. Sheffet was summoned to return to the meeting.

Councilman Jacobs made a motion to close the meeting at 9:42 PM. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.



Mayor John Duthie

Jock H. Watkins, Borough Clerk

Approved: January 24, 2017

ROLL CALL

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