

BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY

NOVEMBER 13, 2018
PUBLIC MEETING ROOM
19 HARRISON AVENUE
6:30PM EXECUTIVE SESSION
7:30PM OPEN SESSION

COUNCIL MEETING MINUTES

The November 13, 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
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 #313-2018 Approval to Close to Executive Session to discuss the following:

1. Fire Company/Department
2. West/Ribaudo v. BOR/McDonough
3. Reis - Notice of Claim

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 5-0 voice vote. (Tsilionis absent) Council adjourned executive session at 7:26 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 after the close of executive session.

SALUTE TO THE FLAG

Mayor Duthie led the Salute to the Flag.

PUBLIC COMMENT

Susan Williams	75 Leonard Terrace
Jeanne Perrotti	12 Second Avenue
Jack Goldberg	55 Leonard Terrace, representing Roseland Glen
Dave Veneri	34 Bovensiepen Court
Janet Treamont	38 Leonard Terrace

INTRODUCTION OF ORDINANCES

Clerk Watkins read Ordinance No. 17-2018 by title only for the first time: "An ordinance to amend Chapter II "Administration" to change the standing committees of the Borough Council and modify the authority of the standing committees". Councilman Leonard suggested that introduction of the ordinance be tabled until next year. Mayor Duthie asked if there was a motion to introduce. No motion was presented.

Clerk Watkins read Ordinance No. 18-2018 by title only for the first 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 introduce Ordinance No. 18-2018. The motion was seconded by Councilman Bardi and approved by a 6-0 roll call vote. The public hearing will be held at 7:30 PM on December 11, 2018 at 19 Harrison Avenue, Roseland, NJ.

Clerk Watkins read Ordinance No. 19-2018 by title only for the first time: "An ordinance to amend Chapter II "Administration", Section 2-65 "Payment of Claims" in order to comply with statutory changes". Councilwoman Tolli made a motion to introduce Ordinance No. 19-2018. The motion was seconded by Councilman Jacobs and approved by a 6-0 roll call vote. The public hearing will be held at 7:30 PM on December 11, 2018 at 19 Harrison Avenue, Roseland, NJ.

PUBLIC HEARING AND ADOPTION OF ORDINANCES

Clerk Watkins read Ordinance No. 13-2018 for the second time: "An ordinance amending Chapter XIII of the Revised General Ordinances of the Borough of Roseland entitled "Fire Prevention and Protection". Councilman Smith made a motion to open the public hearing on Ordinance No. 13-2018. 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, Councilman Jacobs made a motion to close the public hearing. The motion was seconded by Councilman Smith and approved by a 6-0 voice vote.

Clerk Watkins read Ordinance No. 13-2018 for the third and final time: "An ordinance amending Chapter XIII of the Revised General Ordinances of the Borough of Roseland entitled "Fire Prevention and Protection". Councilman Smith made a motion to adopt Ordinance No. 13-2018. The motion was seconded by Councilman Bardi and approved by a 6-0 roll call vote. At this time, Councilman Leonard left the dais and took a seat in the rear of the meeting room.

Clerk Watkins read Ordinance No. 14-2018 for the second time: "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". Councilman Bardi made a motion to open the public hearing on Ordinance No. 14-2018. The motion was seconded by Councilwoman Tolli and approved by a 4-0 voice vote (Leonard recused, Smith abstain). At this time, Councilman Smith left the meeting room and did not return for the remainder of the meeting.

Public Comment

Gerald Goldberg	23C Nob Hill
Ken Mayers	17H Nob Hill
Ellen Sossin	30E Nob Hill

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 4-0 voice vote (Leonard, Smith recused). Prior to final reading of the ordinance, Councilman Tsilionis made a motion to reopen the meeting. The motion was seconded by Councilman Bardi and approved by a 4-0 voice vote (Leonard, Smith recused).

Public Comment

Ellen Sossin	30E Nob Hill
Ken Mayers	17H Nob Hill
Andrew Miller	27 Union Square West, NY, NY
Ned Steiner	9E Nob Hill
Steve Marx	25A Nob Hill
Gerald Goldberg	23C Nob Hill

There being no one else wishing to be heard, Councilman Tsilionis made a motion to close the public hearing. The motion was seconded by Councilman Bardi and approved by a 4-0 voice vote (Leonard, Smith recused).

Clerk Watkins read Ordinance No. 14-2018 for the third and final time: "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”. Councilman Bardi made a motion to table the vote on the adoption of the ordinance pending receipt of a letter from the landlord and to have the adoption vote at the next meeting. There was no second offered on the motion. Mayor Duthie asked for a motion to adopt the ordinance. There was no motion offered. Mayor Duthie noted that Councilman Smith and Councilman Leonard had recused themselves from this hearing. After continuing the discussion to table the vote on this ordinance until the next meeting, Councilman Bardi made a motion to adopt Ordinance No. 14-2018. The motion was seconded by Councilwoman Tolli and approved by a 3-1 roll call vote with Councilman Bardi, Councilman Jacobs, and Councilwoman Tolli voting affirmative; Councilman Tsilonis voting against, and Councilmen Leonard and Smith recused. After the vote, Councilman Leonard returned to the dais.

Clerk Watkins read **Ordinance No. 15-2018** for the second time: “Bond ordinance providing a supplemental appropriation of \$1,000,000 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 of the Borough for financing part of the appropriation”. Councilman Leonard made a motion to open the public hearing on Ordinance No. 15-2018. The motion was seconded by Councilman Bardi and approved by a 5-0 voice vote (Smith absent).

Public Comment

There being no one wishing to be heard, Councilman Leonard made a motion to close the public hearing. The motion was seconded by Councilwoman Tolli and approved by a 5-0 voice vote (Smith absent).

Clerk Watkins read **Ordinance No. 15-2018** for the third and final time: “Bond ordinance providing a supplemental appropriation of \$1,000,000 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 of the Borough for financing part of the appropriation”. Councilman Leonard made a motion to adopt Ordinance No. 15-2018. The motion was seconded by Councilman Bardi and approved by a 5-0 roll call vote (Smith absent).

ADOPTION OF RESOLUTIONS

Councilwoman Tolli made a motion to approve the fourteen resolutions and the four items on the Consent Agenda:

Resolution No. 314-2018 Ratification of Salaries – October 2018

Resolution No. 315-2018 approving the November 8, 2018 Bill List in the amount of \$591,691.61

Resolution No. 316-2018 approving the hiring of Gym Supervisors and Time-Score Keepers for Recreation Basketball Program

Resolution No. 317-2018 approving the hiring of Seasonal Recreation Basketball Officials

Resolution No. 318-2018 approving Change Order No. 1 in the amount of \$28,882.21 to Wildan Energy Solutions for energy efficient improvements to Municipal Buildings

Resolution No. 319-2018 approving the advertisement of Requests for Proposals for 2019 Professional Services

Resolution No. 320-2018 amending Section IV of the Personnel Policies and Procedures Manual entitled "Health Insurance Policy"

Resolution No. 321-2018 adopting a policy for maintaining records of Payment in Lieu of Taxes (PILOT) agreements

Resolution No. 322-2018 awarding a contract in the amount of \$59,790.00 to National Water Main Cleaning Company, the lowest responsive and responsible bidder, for utility televising services

Resolution No. 323-2018 memorializing the approval of the power supply bids received on behalf of ECAEPC members in PSE&G territory

Resolution No. 324-2018 approving the hiring of William Zois as a Probationary Teamster for the Department of Public Works

Resolution No. 325-2018 authorizing Final Payment No. 2 and Change Order No. 2 in the amount of \$17,321.38 to American Asphalt & Milling Services LLC. for Locust Avenue road improvements, contingent on receipt of the required Maintenance Bond

Resolution No. 326-2018 cancellation of Water Sewer Billing Balances

Resolution No. 327-2018 approving Budget Transfer

CONSENT AGENDA

Approval for Jock Watkins to attend "Ethics – It's all Conflicts" seminar from 9:30 AM – 1:00 PM on December 6, 2018 at Jumping Brook Country Club in Neptune, NJ at a cost of \$125.00

Approval for Jock Watkins to attend OPRA Seminar from 9:30AM – 1:30 PM on January 11, 2019 at NJ Law Center in New Brunswick, NJ at a cost of \$125.00

Accept with regret the resignation of Vincent Barba from the Affordable Housing Board Effective November 7, 2018

Approval of the October 2018 Treasurer's Report

The motion was seconded by Councilman Bardi and approved by a 5-0 voice vote, with Councilman Leonard abstaining from the vote on Resolution No. 314-2018 and Resolution No. 324-2018 and Councilman Tsilionis abstaining from the vote on Resolution No. 324-2018 (Smith absent). Councilman Tsilionis left the meeting following the vote.

MAYOR'S REPORT

Mayor Duthie commented that the Veteran's Day celebration on Saturday at the VFW Post was a great day and was well attended. The VFW Post dedicated a refurbished 155mm Howitzer that served on D-Day and throughout World War II. Mr. Duthie added that the Borough's Veteran's Day celebration on Sunday was a very nice event. Mayor Duthie wished everyone a Happy Thanksgiving.

COMMITTEE REPORTS

PUBLIC WORKS

No report

PUBLIC SAFETY

Councilman Jacobs wished everyone a Happy Thanksgiving. Mr. Jacobs reported that the fire department's new ladder truck is being outfitted and will be placed into service very soon. Councilman Jacobs cautioned residents to drive carefully with leaf piles and wet leaves in the roadway and with winter weather conditions approaching.

RECREATION

Councilwoman Tolli stated that high school student members of the Municipal Youth Guidance Council will be meeting this Thursday to prepare approximately thirty-five food baskets for the West Essex Food Pantry. Mrs. Tolli reported that the Recreation Committee conducted a site visit of the Borough's recreation facilities and has submitted recommendations for recreation facility improvements or new equipment. Councilwoman Tolli announced that Dr. DeFilippis will be providing rabies shots on Friday, November 16th from 6:30 to 7:30 PM in the all-purpose room at 19 Harrison Avenue, reminding residents. Mrs. Tolli reminded residents that pet licenses are required to be renewed by January 31st.

Mrs. Tolli announced upcoming holiday activities which included a mailbox at 140 Eagle Rock Avenue for Letters to Santa, the annual Menorah lighting is scheduled for Sunday December 2nd at 6:15 at 140 Eagle Rock Avenue, and the annual tree lighting and Santa visit will take place at 6:15 PM on Friday, December 7th.

Mrs. Tolli detailed upcoming recreation programs including the 16th annual Hoop Shoot contest which is scheduled for Monday, December 10th beginning at 6:45 PM at Noecker

School, and the West Caldwell-Caldwell Recreation ski/snow board trip to Shawnee Mountain in Pennsylvania is open to Roseland student in Grades 4 – 12. Councilwoman Tolli wished everyone a Happy Thanksgiving.

CAPITAL IMPROVEMENTS

Councilman Leonard made a motion to authorize payment of the Board of Adjustment's attorney's bills. Mrs. Chumacas advised that the bills were received after the bill list was prepared, and the bills would be on the bill list for approval at the December 4th meeting. Mr. Leonard withdrew the motion.

Councilman Leonard reported that there were four applications before the Board of Adjustment at their meeting last night, and that three of the applications moved forward.

Councilman Leonard reminded residents that bagged leaves are collected by the Department of Public Works (DPW) every Wednesday. Wet leaves are collected on Borough streets with the use of a "claw", and dry leaves are collected with a vacuum truck. The DPW has completed three town wide collections to date, but Councilman Leonard cautioned residents not to place rocks, branches, bricks, or other materials in leaf piles which can jam or damage the vacuum. If the machine has to be taken to the shop for repairs, collection is slowed. Mr. Leonard also echoed Councilman Jacobs' caution to drive carefully as there may be children playing in leaf piles. Mr. Leonard also asked that residents use caution in the upcoming snow plow season, suggesting that shovelers should wear reflective clothing or flashing safety equipment so plow drivers can see them. Mr. Leonard stated that branch pickup is suspended during leaf season and will resume in January.

Councilman Leonard announced that the water main replacement in the Belaire section of town is almost complete, with pressure testing scheduled for tomorrow and service connections completed before Thanksgiving. Mr. Leonard also note that replacement of the Conover Avenue pressure regulator is expected to be completed today, and that the water main replacement on Conover Avenue and Cobb Terrace should be begin tomorrow with completion expected before Thanksgiving.

PUBLIC AFFAIRS

Councilman Bardi announced that the Environmental Commission has some vacancies, asking that anyone interested in serving on the Commission submit a Citizen Leadership Form to the Borough Clerk. Forms can be obtained from the clerk or are available on the Borough's website. Mr. Bardi wished everyone a Happy Thanksgiving.

ADMINISTRATION & FINANCE

No report

APPROVAL OF MINUTES


Councilman Leonard suggested that comments attributed to him in the minutes were actually made by another member of Council. Clerk Watkins stated that he would review the audio tape and make any necessary corrections to the minutes before the next meeting.

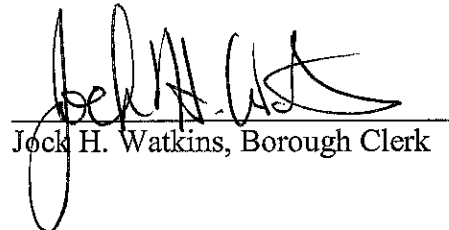
PUBLIC COMMENT

Gerald Goldberg 23C Nob Hill

ADJOURNMENT

Councilman Jacobs made a motion to close the meeting at 9:24 PM. The motion was seconded by Councilwoman Tolli and approved by a 4-0 voice vote (Smith and Tsilionis Absent)



Mayor John Duthie

Jock H. Watkins, Borough Clerk

Approved: December 11, 2018

ROLL CALL VOTE

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