

Borough of Roosevelt
33 N. Rochdale Avenue
Roosevelt, NJ 08555

Mayor and Council
Regular Meeting Minutes of February 13, 2017 at 7:00 p.m.

The meeting was called to order by Mayor Ellentuck at 7:00 p.m. and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting, as required by Chapter 231, P.L. 1975, has been provided by a public notice on January 3, 2017, which was posted on the Bulletin Board at the Roosevelt Post Office and in the Borough Hall. The notice was published in The Times and Asbury Park Press."

Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bonna</i>	✓	
<i>Councilmember Hamilton</i>	✓	
<i>Councilmember Lipoti</i>	✓	
<i>Councilmember Malkin</i>	✓	
<i>Councilmember Tickin</i>	✓	
<i>Councilmember Trammell</i>	✓	
<i>Mayor Ellentuck</i>	✓	

Also in attendance: Richard Shaklee, Borough Attorney, Kelly Tyers, Deputy Clerk,

MAYOR'S REPORT: Mayor Ellentuck stated that he will speak now and after Committee Reports. For those of you who do not already know, Jack Yudin passed away at the age of 102. He was a long time Borough Resident, Firefighter and prior Borough employee. We mourn his passing and, as a Borough, we thank him for his years of service.

CONSENT AGENDA PUBLIC COMMENT:

- Mayor Ellentuck stated that Resolution 17-42 Awarding a Contract for Driveway Mitigation and Improvements at the Borough Water Tower is being pulled from the Consent Agenda as more clarification is needed.
- Judy Methis, 3A North Valley Road, questioned what a Local Registrar does and if the Deputy Registrar does the same. Mayor Ellentuck stated that by State Statute you are required to have a Local Registrar and a Deputy Registrar. They are responsible for Vital Statistics (Birth, Death, Marriages). The Local Registrar is responsible for appointing the Deputy Registrar. The Local Registrar is Kathleen Hart who is appointing Lorraine Maher as Deputy Registrar.
- Councilmember Malkin asked that the Payment of Bills be pulled from the Consent Agenda and discussed separately.

CONSENT AGENDA:

Mayor Ellentuck asked for a motion to approve the Consent Agenda without Resolution 17-42 and Payment of Vouchers.

Resolution 17-36: Authorizing the County of Monmouth Mosquito Control Division to Conduct Aerial Mosquito Control Operations Within Roosevelt Borough

Resolution 17-37: Authorizing Upgrading Borough Server

Resolution 17-38: Authorizing Salary for Local Registrar

Resolution 17-39: Approving Amendment to Payment Schedule Contained in That Certain Consulting Services Agreement between the Borough and Farr Forestry Services

Resolution 17-40: Authorizing Appropriations Reserve Transfer

Resolution 17-41: Authorizing Temporary Emergency Appropriations

Resolution 17-43: Acknowledging Deputy Registrar of Vital Statistics

On a motion by Councilmember Ticktin, second by Councilmember Lipoti to approve the consent agenda without Resolution 17-42 and Payment of Bills.

Roll Call:

AYES: Bonna, Hamilton, Lipoti, Malkin, Ticktin, Trammell
NAYS: None
ABSTAIN: None
ABSENT: None

Consent Agenda adopted.

PAYMENT OF BILLS:

Councilmember Malkin had some questions and concerns with some of the bills.

- KTK was paid for \$5,450.00 for the snow storm on January 8, 2017 for plowing and salting. Would like to do a shared services and start a discussion with Hightstown or Millstone Township. The Borough has a shared service agreement with Millstone Township for Nurko Road.
- Legal fees were very high for January and would like a breakdown from Borough Attorney, Richard Shaklee. Mr. Shaklee responds that there is a legal situation regarding PSE&G and an ongoing issue with delivery of sodium aluminate for the water and sewer plants. The contractor was awarded the contract but could not deliver and the need to look go with another bidder.
- Home Depot bill for the Butterfly Garden from May 17, 2016.
- NJLM Convention hotel bills from November 2016.

Councilmember Trammell questioned the bills for the fire department. Mayor Ellentuck stated the fire department has their own budget.

Councilmember Hamilton would like to review all the invoices in a pdf format sent via email by Thursday prior to the Council meeting and would like the public packet to include the Payment of Bills.

The Council discussed that the Payment of Vouchers should be sent via email by the Treasurer on Thursday prior to the Council meeting along with the bills being paid in a pdf file. The Mayor will discuss with the Treasurer regarding procedures. The Payment of Vouchers will be included in the public packet.

On a motion by Councilmember Ticktin, second by Councilmember Trammell to approve the Payment of Bills.

Roll Call:

AYES: Bonna, Hamilton, Lipoti, Malkin, Ticktin, Trammell
NAYS: None
ABSTAIN: None
ABSENT: None

Payment of Bills approved.

REPORTS OF COMMITTEE CHAIRS:

Councilmember Michael Hamilton, Public Works: No Report

Councilmember Michael Ticktin, Community Dev & Code:

- Under new business there are three rental properties to discuss.
- No new updates on the medical marijuana development project.

Councilmember Stacey Bonna, Administration/Environmental Rep.:

- CPR Training Class was on held on February 4, 2017 with Fire/First Aid members, Borough employees and residents.
- JCP&L representative will be at the next Seniors meeting in March.
- Administration Committee met to discuss contracts and job descriptions. Will continue to meet to improve practices in the Borough.
- Forest Management – Eitan Grunwald, Chairman of the Environmental Commission, Steve Taylor and Jill Lipoti met with Farr Forestry Services, Ron Farr, on February 8, 2017. They toured of the town and a walk through the woods.
- Expenses charged to Municipal Environmental Commission budget of \$1,200.00 can be charged to the Sustainable Jersey Grant.

Borough Attorney, Richard Shaklee:

- Verizon requested in mid-December to ask for blanket approval to allow them to put on the telephone poles (existing or new) devices called nodes (in help with transmission). They would come back with specifics at a later time. The Borough Attorney will send letter stating that the Borough will not give blanket approval.

- Followed up with EPL Insurance regarding the preferred deductible for the employment practice liability insurance. Confirmed with EPL and the Borough met all the deadlines and requirements for the preferred deductible.
- JD Realty, 19 S. Rochdale tax foreclosure has been redeemed.

Councilmember Peggy Malkin, Finance/Planning Board Rep.:

- The Finance Committee met with the CFO to work on the budget for 2017. Two members of the public were in attendance: Bob Clark and Maureen Parrott.
- The Planning Board is working on the reexamination report of the master plan. The public is invited for input to the next two Planning Board meetings. The dates are February 21 and March 7, 2017. Reexamination report is due March 24, 2017. This gets reviewed every ten years. The Master Plan is on the website.
- Recreation will be holding Summer Camp for 2017.

The Council discussed having the public attend Committee meetings. If the Committee wants to invite the public a formal public notice needs to be done according to OPMA (Open Public Meeting Act).

Councilmember Jill Lipoti, Utilities:

- The roof at the water plant has been repaired and inspected by the Building Inspector.
- Routine maintenance to be done on the roof.
- Attended NJEIT meeting on January 28, 2017 regarding their financing program for 2017 and what type of projects are eligible.
- Discussed Asset Management for the plants.
- Need only one application for short term or long term loans.

Councilmember Joe Trammell, Envi, Health & Safety:

- Read his Safety Committee Report dated February 13, 2017 (see attached).

MAYOR'S REPORT: See attached.

The Council had a detailed discussion about the Safety Committee Report and the Mayor's Report. Some highlights are:

- Liable if a catastrophic event occurred with the fire fighters or equipment that every Councilmember will be personally liable because JIF would not cover all of it. The Safety Committee did not confirm with the JIF insurance company but spoke to Kevin Stout, Fire Marshall and Jim Carbin, Chief of Monroe. Stated that if the certifications are not in order with the Fire Department and we would not be covered.
- Need further research about the certification of the EMS, including background checks.
- Roosevelt is not part of any mutual aid because of how inadequate the fire department is.
- Went to 3 professionals: Kevin Stout, Fire Marshall of Monmouth County, Dave Markunas, BOFC Chairman, Jim Carbin, Chief of Applegarth/Monroe (who is also associated with Millstone Township Volunteer Fire Department).

- An adequate fire department would cost \$2.4 million dollars.
- Would like to do a share service agreement with other towns.
- Fire Department budget is \$16,000
- Concerns if there will be additional cost if the pole barn building is built.
- Suggest a 3rd party assessment of the ESB and EMS issues.

Councilmember Trammell asked about a Town Hall meeting at the School and what dates are available. The Mayor stated that anyone can hold a Town Hall meeting. If the majority of the Council is going to attend, then it would have to be advertised according to OPMA. The Mayor instructed Ms. Tyers to get available dates from the school for a Town Hall meeting and will inform the Council what is available. The laws states that the Mayor or a majority of the Council of the governing body can call a meeting.

**REPORTS OF BOROUGH OFFICIALS (If requested by Mayor or Committee Chair):
None Reported.**

OLD BUSINESS: None Reported

NEW BUSINESS:

- No Parking Signs: The Council discussed in detail about no parking signs at various locations throughout the Borough and will need to review the ordinance on no parking areas for the next Council meeting.
- Prescribed Burning: The State has notified that they will be doing prescribed burning in the areas around the Borough of Roosevelt.
- Applications for License to Rent Residential Property:
 - a. Areta Trytjak, 23 Homestead Lane (no code violations)
 - b. Ezra Goldberg, 6 Farm Lane (code violations)
 - c. Pranaya Realtors, LLC, 1 North Rochdale Ave (code violations)

The Council and Borough Attorney reviewed the applications and noted that there are code violations on two of the application. All Applications are tabled until the next Council meeting so the Zoning Officer can be in attendance to discuss. The Borough Ordinance will be reviewed, Code section 10-3.5.

- Request to approve deer enclosure to protect wild azaleas on woodland trail: The Council approved the purchase of the enclosure for the Environment Commission to install.

PUBLIC COMMENT:

Bert Ellentuck, 22 Homestead Lane:

- Questioned Councilmember Malkin if the meetings she requested with the fire company and the Borough Attorney every take place. Councilmember stated that she wanted to meet the fire company members at the next council meeting to meet and no meeting was set up with the Borough Attorney regarding their fees did not

take place. She will do a report when the meeting with the Borough Attorney occurs.

- Questioned Councilmember Trammel about his Safety Committee Report dated February 13, 2017 regarding the list of requirements of the fire company and the report implied that they were not in place but no effort was made to talk to the fire company.
- Questioned if the 3 meetings that Councilmember Trammell had with the Safety Committee was record and if so would like to get copies. If meetings were taped, an OPRA form would need to be completed with the Borough, Millstone Township and Monmouth County. Councilmember Malkin stated that she thinks the meetings were not taped.
- Stated that Councilmember Hamilton and Malkin were elected as Democratic Committee people and are to support the democratic candidates for office but chose not to support the democratic candidates for office, instead supported someone else, which is absolutely immoral.
- Would like to know how much more it would cost to build the ESB. The Mayor stated it would cost about \$130 more a year in your taxes.

The Council had a lengthy discussion about the cost and how the figures were calculated. Mayor Ellentuck stated he asked professionals in their field for the expertise. The Safety Committee asked their professionals which were the Monmouth County Fire Marshall, Fire Chief of Monroe and Fire Commissioners. Mayor Ellentuck asked why the Safety Committee refuses to talk to the Borough's fire company.

Sam Lopez – 7 Homestead Lane:

- Appreciate steps that were taking to look into other options but we should be careful as the facts of the report are untrue statements. Felt the report discredited the fire department. Councilmember Malkin stated that the meetings were strictly about how to run a fire department not expecting them to tell us not to build a fire house. Councilmember Trammell stated he called Dan Archer and Chris Suk and left messages but no one responded. Mr. Lopez stated that it is obvious you are trying to discredit the fire company which makes you look uneducated and foolish. Councilmember Malkin stated that they went to the top professionals and they had all the information there. Mr. Lopez stated the engines are certified and the Safety Committee report is discrediting the fire company. Wish the Council would stop repeating the same thing over and over again and both sides come together and weight the options.

Assenka Osslikoff - 50 Pine Drive:

- Has made her opinions known over time and feels the governing body is not functioning together. All of you need to come up with a way to come together with a solution and have it be political motivated. I feel this is a smart group of people that have different points who needs to educate the public when they vote with the correct knowledge of the issue at hand.

John Lenart – 5 Elm Court:

- Stated he was very disappointed that the Safety Committee did not even bother to ask the members of the fire company about their certifications, engine certifications and the fire company opinions. Mr. Lenart stated he has many certifications and gets a background check done yearly. Two weeks ago saved a house, chicken coup,

chickens, ducks and two people. The Pole barn will be in compliance with PEOSH and OSHA certified. Mr. Lenart is an Occupational Safety Consulting Officer for the State for 27 years.

- Would like the Council to get background checks too.
- The State did not fine the fire department; it was the environment that was cited!

Gary Shyner – 46 Lake Drive:

- Questioned the previous referendum election on the ESB and how many times do we need to vote on this. How much money is this going to cost the residents? Would like to know if we could down size the fire department and would like to know how this was brought back since the borough already voted on this in December.

Deb Lenart – 5 Elm Court:

- Baffling that two council people that are against the ESB building are on the Safety Committee and would like this looked into. These two people are not getting the right facts and did not go the fire department for the right facts. Councilmember Malkin stated that as Chair of the Finance Committee is being financially responsible and it's very expensive to build an ESB building. She is looking to save the residents money by going with a shared service agreement with a surrounding town. Councilmember Trammell stated he attended this meetings to get information on how to run a fire department and alternative services.

James Chasan – 21 Homestead Lane:

- Thanked the fire department and Council for the tribute of Jack Yudin by having the fire truck at the cemetery for this funeral.
- Questioned parking issues at the synagogue.
- Questioned about the marijuana facility and would like to impose a tariff.

Dan Archer – 42 South Rochdale Avenue:

- Pumps, ladders, hoses, tanks get tested every year.
- Equipment is inspected after each call.
- Explained the reasoning why we don't do mutual aid with surrounding towns – lack of facility.

Mary Tulloss – 21 Lake Drive:

- Questioned and concerned about the deli.

Councilmember Lipoti asked Dan Archer a few questions.

- Personnel applications are completed? Yes
- Valid NJ Driver License and abstracts? Working on.
- Criminal background checks needed? Not sure if this is needed or just a recommendation)
- Equipment inventory and equipment certifications up to date? Yes
- Do all personnel have personal safety gear? Has 7 or 8 sets of new gear and will need more. Budgeting by buying 2 or 3 new sets a year.
- Trucks are up to standard. Yes.
- Communication equipment is sufficient. Yes

- Yearly physical for personnel? New personnel get a physical, but all personnel will get done yearly. A local Doctor, Meridian Health, is contacted with the Borough.

Councilmember Malkin would like to see the certifications and state that it should be in one location. Mayor Ellentuck stated that the public is not entitled to view the certifications as it has personal information.

Councilmember Trammell stated that Upper Freehold and Allentown had a shared service agreement with the fire department and it did not work out.

Melissa Branco – 15 Homestead Lane:

- Praises the fire department and first aid for all their support.
- Reminded everyone about Hurricane Sandy – it's not just about fires.
- First aid needs fire department to do an extrication.
- EMS is our strength, why are they getting such disrespect.
- Fund our own fire department!

Kurt Muzer – 56 Pine Drive:

- Complaint regarding drainage on Nurko Road.
- Guide rails on the bridges are not up to standard.
- Noise complaint on Pine Drive.

Mayor stated the vote on water sewer bond is on April 25, 2017.

CLOSED SESSION (Resolution 17-44 Providing for a Private Executive Meeting):

The Borough Attorney read resolution 17-44 aloud.

Councilmember Bonna moved resolution 17-44, second by Councilmember Bonna. All ayes.

Council adjourned into executive session at 10:13 p.m.

Council reconvened into open session at 10:20 p.m.

Councilmember Ticktin moved to adjourn at 10:23 p.m., Councilmember Bonna second. All ayes.

Respectfully Submitted,

Kelly Tyers, Deputy Borough Clerk

Adopted Date: March 27, 2017

Safety committee report for council meeting 2/13/2017

On Wednesday Jan 11, 2017 our safety committee (Joe Trammell, Michael Ticktin and Peggy Malkin) met at the Monmouth County Fire Academy with Monmouth County Fire Marshall, Kevin Stout and fellow Roosevelt resident and Englishtown Fire Marshall, Ed Miller. Kevin is also Long Branch Fire Chief and is participating in a shared service agreement with the town of Monmouth Beach. Ed's Englishtown FD is also participating in a shared service agreement with parts of neighboring Manalapan. The purpose of our meeting was to obtain a clear understanding of our duties, responsibilities and liabilities as a committee, council and borough in the matter of insuring life, safety and the protection of property of our Roosevelt citizens.

We now understand that all emergency personnel (Fire, EMS, OEM and Code Enforcement) are deemed to be employees of the borough for purposes of liability, since they are acting under authorization from the borough and we (individuals, committee, council and borough) are fully liable for the actions and safety of the employees and equipment used by the employees. Also, as for all Fire Departments in NJ, our borough clerk must have on file copies of:

Completed personnel applications

Valid NJ State Driver's License and DMV abstracts

Full criminal history and background checks of all personnel

Equipment inventories with yearly inspection reports and certifications

Apparatus inventories with yearly inspection reports and certifications

Personal Safety Gear with yearly inspection reports and certifications

Yearly physicals for all personnel

At least FF1 state certification

CERTIFICATION REQUIREMENTS – FIREFIGHTER 1

A. Be at least 18 years of age;

B. Meet any **ONE** of the following certification options:

Option 1: Shall have been an active member of a fire department for a period of not less than 18 months prior to July 1, 1994.

The member must have performed the duties and function of a structural firefighter during the 18 months of active service. Proof of active membership in a fire department shall be verified by a letter from the fire chief of the department on department letterhead. Photo copy of a New Jersey Firemen's Association "Certificate of Exemption" will be accepted as meeting the 18 months of active firefighter experience in place of a letter from the fire chief; **or**

Option 2: Shall have completed between January 1, 1989 and July 1, 1994, a Firefighter 1 recruit training program which meets or exceeds the Firefighter 1 recruit training standards found in N.J.A.C. 5:73-4.2 through 4.4(b); **or**

Option 3: Has successfully completed a Firefighter 1 recruit training course approved by the Office of Training and Certification.

All Fire Officers must have state issued FF certifications

Fire Officer Certification Requirements are specified in N.J.A.C. 5:73-8.2, and are as follows.

Level 1: a. Certified as *Firefighter 1* issued by the Division of Fire Safety in accordance with N.J.A.C. 5:73-4.2;

b. Certified as *Hazardous Materials-Operational* issued by the Division of Fire Safety in accordance with N.J.A.C. 5:73-6.3;

c. Certified as *Incident Management Level 1* issued by the Division of Fire Safety in accordance with N.J.A.C. 5:73-6.1;

d. Satisfactorily completes a *Fire Officer 1* course of instruction approved by the Division of Fire Safety as meeting the requirements specified in N.J.A.C. 5:73-8.29(b); or, has completed three years' experience as a suppression fire officer; and,

e. Satisfactorily pass the written State examination for *Fire Officer 1*.

Level 2: a. Certified as *Fire Officer 1* issued by the Division of Fire Safety in accordance with N.J.A.C. 5:73-8.2(a);

b. Certified as *Incident Management Level 2* issued by the Division of Fire Safety in accordance with N.J.A.C. 5:73-6.1;

c. Satisfactorily completes a *Fire Officer 2* course of instruction approved by the Division of Fire Safety as meeting the requirements specified in N.J.A.C. 5:73-8.2(e); and,
d. Satisfactorily pass the written State examination for *Fire Officer 2*.

Level 3: a. Certified as *Fire Officer 2* issued by the Division of Fire Safety in accordance with N.J.A.C. 5:73-8.2(d);

b. Certified as *Instructor Level 1* issued by the Division of Fire Safety in accordance with N.J.A.C. 5:73-5.2;

c. Satisfactorily completes a *Fire Officer 3* course of instruction approved by the Division of Fire Safety as meeting the requirements specified in N.J.A.C. 5:73-8.2(h); and,

d. Satisfactorily pass the written State examination for *Fire Officer 3*.

Level 4: a. Certified as *Fire Officer 3* issued by the Division of Fire Safety in accordance with N.J.A.C. 5:73-8.2(g);

b. Satisfactorily completes a *Fire Officer 4* course of instruction approved by the Division of Fire Safety as meeting the requirements specified in N.J.A.C. 5:73-8.2(k); and,

c. Satisfactorily pass the written State examination for *Fire Officer 4*.

Note: *The applicant must presents course completion certificates for I-100, I-700 and I-800 training programs at the time of application submittal to verify compliance to Executive Order 50 mandates.*

Kevin Stout also told us that the Joint Insurance Fund (JIF) would only cover us on any claims if all vehicles, equipment and personnel involved in any incident were appropriately certified. If we do not have all of this paperwork on file and in order and anyone gets hurt then we (Individuals, Committee, Council and Borough) are liable. Kevin said that he was willing to come to Roosevelt and meet with the council to discuss this and other matters and answer any questions.

We also know that a firehouse is not as simple as a garage to keep the trucks in.

The firehouse must be equipped with OSHA standard equipment and ventilation that would add hundreds of thousands of dollars to the cost.

A basic fire engine (new) will cost at least \$300,000.

We do not know how much it cost to bring an older truck up to standards.

All personnel should have "turn out gear" helmets, coats, pants and boots. This safety equipment including "self-contained breathing apparatus" would cost over \$10,000/Fireman.

Modern communication equipment, Infrared cameras, computers and electronics will certainly have to be considered as many Fire Departments are floating bonds to upgrade their older equipment.

All of the above mentioned - firehouse, equipment, apparatus, and personal protection gear must be maintained, inspected and certified at least on a yearly basis. Personnel must have continuing education and training as per NJ fire code and their chief of dept.

What we now know is that all of this is not cheap. The cost of a firehouse and department goes well beyond the cost of a basic structure to house apparatus. There should be a plan in place that covers all the above requirements in depth. It would incumbent upon us to know the true cost of having a proper fire service before committing ourselves.

We also explored the concept and nature of shared services with neighboring towns.

In doing so we scheduled a meeting with Dave Markunas, Millstone Fire Commissioner. We met at Millstone Firehouse in Clarksburg on 1/19/2017. Dave was kind enough to give a tour of his firehouse. It was an impressive station with two tankers, a ladder truck, engines and rescue vehicles, and brush truck and chiefs vehicle. We then sat and discussed the fact that MFD has taken care of our emergencies for years including an average of twenty four calls per year from 2012 – 2016. Dave said that in 2016 Millstone responded to almost 800 calls. Millstone has responded to approximately 100% of our calls, totaling 12 in 2016 (Jan – Aug). It was acknowledged that we have not contributed anything to the MFD

in that time. Dave Markunas said that he would support a “phase in” period of up to five years, but that, after that period, Roosevelt would have to pay at the same rate that Millstone taxpayers pay.

We discussed several shared service arrangements of other towns (Englishtown – Manalapan, Upper Freehold – Allentown, Long Branch - Monmouth Beach, Allenhurst - Loch Arbor - Interlaken). We discussed setting a fixed or sliding scale of costs per different types of incidents, a fixed price per year, a minimum price per year with additional costs per incident, FEMA guidelines for reimbursements and more. Ed was very informative as to how any of these scenarios would benefit both parties involved.

On February 1, 2017 we, (committee) and Ed Miller, met with Monroe District Two Station 57 Chief of Department Jim Carbin and two of his District Commissioners. It was a very cordial meeting at the Halsey/Applegarth Road Firehouse which is approximately five miles from Roosevelt. We discovered that this is a 24/7 professionally staffed Department with engines, brush trucks, ladder truck, rescue vehicles, tankers and EMS vehicles at this location and more. Jim stated that response time to Roosevelt is around six minutes and they have means of controlling the traffic light on Rout 33. We discussed the possibility of contracting their services and they were interested. At their 2/8/2017 Commissioners meeting they discussed it and decided that they could offer us a three year contract at a fixed rate. Jim stated that he would be available to speak at council or public meetings and answer any questions.

We also realize that neither Roosevelt FD nor Millstone FD nor Applegarth have the capability to deal with hazardous materials such as Chlorine, which we have stored in our water and sewer plants. Teams in the immediate area are Monmouth County HAZ MAT team, West Windsor Emergency Services, and Middlesex County HAZ MAT team.

Respectfully Submitted

Joe Trammell - Roosevelt NJ Council, Chair Safety Committee

Council and Committee Members - Michael Ticktin, Peggy Malkin