

**33 N. Rochdale Avenue
Roosevelt, NJ 08555**

**Mayor and Council
Regular Meeting Minutes of February 27, 2017 at 7:00 p.m.**

The meeting was called to order by Mayor Ellentuck at 7:01 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 Ticktin</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 discussed the upcoming referendum regarding the emergency services building and what the bond funds would be used for if approved by the residents on March 14, 2017 Special Election. The residents have a choice to vote yes to build an EMS building or no to not build and would have to contract out with a neighboring fire department.

APPROVAL OF MINUTES:

January 3, 2017 – Reorganization Meeting Minutes

On a motion by Councilmember Ticktin, second by Councilmember Bonna to approve the January 3, 2017 Reorganization Meeting Minutes.

Roll Call:

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

January 3, 2017 – Regular Meeting Minutes

On a motion by Councilmember Lipoti, second by Councilmember Malkin to approve the January 3, 2017 Regular Meeting Minutes.

Roll Call:

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

January 12, 2017 – Special Meeting Minutes

On a motion by Councilmember Ticktin, second by Councilmember Bonna to approve the January 12, 2017 Special Meeting Minutes.

Comments: Councilmember Malkin commented that on page 2 the sentence “Borough Attorney stated that Councilmember Hamilton is correct and that both resolution are framed that way. There is case law that make it clear to include an interpretive statement, be neutral in content and explain what the question is about.” They asked for the case law and never received it. The Borough Attorney, Richard Shaklee will forward the case law. Councilmember Malkin stated that she feels the minutes don’t accurately reflect what was said, by whom and there was a more detailed discussion on the interpretive statement.

Roll Call:

AYES: Bonna, Lipoti, Ticktin
NAYS: Malkin
ABSTAIN: Trammell
ABSENT: Hamilton

PUBLIC COMMENT FOR CONSENT AGENDA: None

CONSENT AGENDA:

Resolution 17-45: Recognizing the Creative Team to Support Roosevelt’s Application for Sustainable Jersey Recognition

Payment of Bills

Comments: Councilperson Lipoti explained that Sustainable Jersey is an organization in which the Roosevelt Environment Commission has received two grants and that Roosevelt establishes a creative team for the purposes of applying for Sustainable Jersey grants. This will allow the Green Team to make Bronze Certification and earn a possible 10 points in the Arts category. It names the RAP Board as the creative team. Larisa Bondy will represent the school and Councilmember Stacey Bonna to represent the Green Team.

On a motion by Councilmember Ticktin, second by Councilmember Bonna to approve the Consent Agenda.

Roll Call:

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

Consent Agenda approved.

OTHER RESOLUTIONS:

Resolution 17-46: Awarding Main Pool & Chemical Company for the Purchase of Chemicals for the Borough's Water and Sewer Facilities

Comments: Mayor stated that the lowest bidder was not able to perform so the Borough will go with the second qualified bidder who can provide the service.

On a motion by Councilmember Ticktin, second by Councilmember Malkin to adopt Resolution 17-46.

Roll Call:

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

Resolution 17-46 adopted.

REPORTS OF COMMITTEE CHAIRS

Councilmember Michael Hamilton, Public Works:

- In absence of Councilperson Hamilton, the DPW Director gave a short report regarding a tree hazard that has the potential to fall on a shed and fence located at 11 Farm Lane on the Borough property. A quote was received from Allen's Tree Service in the amount of \$900.00 to remove.
- The Borough Attorney stated that this is under the quote threshold and being an emergent situation can proceed tonight and forward to the CFO.

On a motion by Councilmember Bonna, second by Councilmember Lipoti to proceed with the removal of the tree hazard by Allen's Tree Service in the amount of \$900.00.

Roll Call:

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

Motion approved.

Councilmember Michael Ticktin, Community Dev & Code:

- Attended a CDBG meeting and was elected as Vice Chairman of CDBG. Roosevelt is not eligible for CDBG.
- Asked if there was any further progress with the medical marijuana facility. Mayor stated that there is no update and to continue to follow up.
- Spoke with Monmouth County Board of Health regarding some programs for the seniors. They have a program for the seniors regarding emergency kits and will schedule in May to come out.
- Code Enforcement is making progress on the 37 Homestead.

Councilmember Stacey Bonna, Administration/Environmental Rep.:

- The Administration Committee postponed their meeting on Monday. They need more time to speak with employees and do some research before they schedule their next meeting.
- Environmental Commission – The warning signs “Slippery When Wet” that are on the trails were vandalized and tossed into the woods. Nick Murray went out and reinstalled the signs along the trail. Mayor stated that a camera could also be installed.
- A section of the trail which was rerouted by the Environmental Commission in July 2016 was altered by someone trying to clear the old route that is not accessible. Eitan Grunwald and Nick Murray went out and blocked the old route to make it inaccessible. The new route is a safer route for the children going to school.

Board Attorney, Richard Shaklee:

- Sent a letter to Verizon informing them that there would be no blanket approval for the poles and has not received a response.
- A meeting with PSEG is scheduled for Feb 28th regarding ongoing issues.

Councilmember Peggy Malkin, Finance/Planning Board Rep.:

- No report from the Finance Committee.
- The Planning Board has review the Master Plan every 10 years. The Planning Board made some minor changes. The public is invited to attend, give suggestions and ask questions regarding the Master Plan at the next Planning Board meeting on March 7th. This will be the final meeting of the Planning Board to discuss the Master Plan before submission on March 29th.

Councilmember Jill Lipoti, Utilities:

- There is no report from the Utilities Committee.
- Will be attending a League of Municipalities seminar on budgeting for municipal officials and will report back.

Councilmember Joe Trammell, Envi, Health & Safety:

- Received an email from Eitan Grunwald a few weeks ago regarding gunshots heard near homes. On February 16th went to Assunpink Wildlife Management office to discuss with the law enforcement agency his concerns. The safety zones are 450’ from

houses. A lot of the trails in Roosevelt are in the active hunting zones and that there is nothing that they can do. Also saw hunters in the fields over by the sewer plant. The Mayor stated that there is an ordinance that prohibits the discharge of firearms anywhere within the Borough. Councilmember Trammell stated that the Assunpink owns some of the areas where the trails go (between sewer plant and Tamara Drive, behind the Solar Village and cemetery). The law enforcement officer also stated that it is probably local hunters and that they have posters for us to hang up for the residents to be aware. Would like a copy of the hunting zones map to be posted on the website and bulletin boards.

- Stated that Applegarth Fire Company is approximately 5.3 miles from post office to Applegarth going down Battleground and Butcher Road. It is 4.3 miles from the power lines at the edge of town. A contract is being created for \$30,000 a year for three years should we decided this is an option. Councilmember Malkin stated they contacted a number of insurance companies and that many insurance companies do not look at mileage anymore. They look at response time, proximity to hydrants and volunteer vs. professional fire fighters. A couple of insurance agencies said that homeowners may possible go down if we contract with Applegarth because they are 24-7 paid. Mayor Ellentuck would like to see that in writing and Councilmember Malkin will provide. Councilmember Trammell said that Chief Jim Carbin, from Applegarth can come to the next meeting and answer questions.

Mayor Ellentuck would like to make a couple of points so that we all understand. When we originally went to Millstone and had a proposal of \$30,000 that number did not come out of thin air. Take \$30,000 a year and a two bay versus a 4 bay you come out to almost exactly the same number. \$30,000 a year that would be the same price as building a 4 bay station.

Councilmember Malkin said that is \$30,000 a year for three years but we donate \$20,000 a year to fire department already so that would be an extra \$10,000 a year.

Councilmember Trammel said we could buy some time to plan for our fire department. Maybe Millstone will renegotiate with us or we continue with Applegarth. These are all alternatives. He also spoke to several lawyers and if we contract out, our fire department would not disappear.

Mayor Ellentuck said if you enter into a three year contract, there is no fire company. You don't come back and build one as the volunteers will quit. It took 9 years to build this fire department. It does not negate the possibility of doing something with Applegarth or whomever, but I think we need to recognize the reality that if we go into a three year contract at the end of the contract expiring, you will need a new contract or be under their rate of 13.5 per \$100. You will either go up to their current rate or continue at the same rate.

Councilmember Malkin said that Monroe is very conscious of our small population and limited funds. At the end of the three year contract, you would negotiate. It should also be clear that if we already contribute \$20,000 a year now, that it would only cost us an additional \$10,000 a year for a department that is 24-7 paid.

REPORTS OF BOROUGH OFFICIALS:

Comments: Joe McGrath, Zoning Officer, stated the Dexheimer Farm has a signed agreement with the County. The County and Mr. Dexheimer are working very well together. There are a lot of issues on the site still such as 21 vehicles on the property that need to be removed. The County is working with the family to remove personal items in the house and will dispose of any items left in the house. The property consists of 4 acres. The house is pre Jersey Homestead. The Mayor asked if Millstone and Roosevelt fire departments could use for a drill. Joe McGrath will follow up.

OLD BUSINESS:

Comments: Joe McGrath, Zoning Officer, stated the current Ordinance requires that anyone who wants to rent out their residential properties must first get Mayor Council approval as a rental prior to allowing tenants to move in. There are three application for the Mayor Council to approve.

Mayor Ellentuck said a question from the last meeting was whether we should specifically apply all those recommendations to all of these rental units. Two out of the three are in compliance.

Borough Attorney, Richard Shaklee, said that the six recommendations listed, 2 through 6 are in the ordinance but payment of water/sewer liens needs to be looked at to see if it can be included and then be added to the ordinance.

Mayor Ellentuck ask if we need to change our ordinance at next meeting prior to approving them and asked if there were unpaid water/sewer liens on any of these applications.

Joe McGrath, Zoning Officer, stated that the taxes are not unpaid. However, some landlords rely on outside companies to come in and pick up their tax sale certificates which pays the water/sewer/taxes on that property. The landlord still collects the rents but allows the property to get run down. Would like the landlord to pay the water/sewer tax prior to renting. Would like landlord to be better involved and maintain the property.

Mayor Ellentuck asked for a motion to approve the application for 33 Homestead Lane.

1. Approval of Application for License to Rent Residential Property – Areta Trytjak, 23 Homestead Lane is fully compliant and ready for approval.

Comments: Joe McGrath, Zoning Officer, stated that the property is in compliance.

On a motion by Councilmember Ticktin, second by Councilmember Lipoti to approve Application for License to Rent Residential Property – Areta Trytjak, 23 Homestead Lane.

Roll Call:

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

Motion approved.

2. Approval of Application for License to Rent Residential Property – Ezra Goldberg, 6 Farm Lane, subject to conditions recommended by Zoning Officer.

Comments: Joe McGrath, Zoning Officer, stated the property is not ready for approval and will send a letter to the property owner.

On a motion by Councilmember Ticktin, second by Councilmember Bonna to table the application until next council meeting.

Roll Call:

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

Motion Tabled.

3. Approval of Application for License to Rent Residential Property – Pranaya Realtors, LLC – 1 North Rochdale Ave, subject to conditions recommended by Zoning Officer.

Comments: Joe McGrath, Zoning Officer, stated the property is not ready for approval. The Council discussed in detail. Mayor Ellentuck said that the deli is in a commercial district and the zoning ordinance states that there shall be no residential use. When the building was built the applicant asked for a specific one time variance to allow a relative or employee of the deli to live there. Borough Attorney, Richard Shaklee asked if the conditions of the variance are being met. Are the tenants going to be employees or relatives? Councilmember Malkin said that a few years ago this came up to the Planning Board. The owner of the deli wanted to put people who were not employees or relatives in the apartment and the planning board denied them. Councilmember Ticktin asked should we approve subject to the zoning requirements and CO. Zoning Officer, Joe McGrath stated they are not in compliance with the deli or close to a CO. The Borough Attorney, Richard Shaklee and the Zoning Officer, Joe McGrath will review the issues relating to the property and come back to the Mayor Council. A letter will be sent to the property owner.

On a motion by Councilmember Ticktin, second by Councilmember Malkin to table the application until next council meeting.

Roll Call:

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

Motion Tabled.

Joe McGrath, Zoning Officer, told the audience that anyone who has a rental property must register with the Borough each year.

Mayor Ellentuck questioned Councilmember Malkin that if we contract with Monroe what happens to the first aid squad? The Council discussed in detail.

Councilmember Malkin said:

- Most people in Roosevelt would prefer to keep our own first aid.
- We have two choices, renovate the current facility or contract with Monroe as well (24/7 paid).
- Spoke to the many professional people including the Fire Marshall of Monmouth County, Monroe Fire Chief and Commissioners and Millstone Fire Commissioners. They all told us that if we build a fire house with all the gear we need and everything that it entails, you are looking at \$2 to \$3 million dollars. That the \$571,000 is completely not feasible. It is not possible that a pole barn will be sufficient and has list of all the gear that a fire department needs. It is not feasible to maintain our own fire department.
- The government does not want small towns to have their own fire department and encouraging them to merge or contract out. Councilmember Bonna asked if the government is offering any incentives and Councilmember Malkin said no.
- Once the public votes on the referendum, then we can make a decision on how to proceed.

NEW BUSINESS:

1. Building Use Dates: Environmental Commission
Stream Monitoring Training Class
April 29, 2017, 8:30 a.m. – 4:00 p.m.
May 27, 2017 (Rain Date)

On a motion by Councilmember Bonna, second by Councilmember Ticktin to approve the dates for Stream Monitoring Training Class as stated above.

Roll Call:

AYES: Bonna, Lipoti, Malkin, Ticktin, Trammell
NAYS: None

ABSTAIN: None
ABSENT: Hamilton

2. Allen's Tree Service – Proposal for tree trimming throughout the Borough

Comments: A resolution will be on the next council meeting in the amount of \$700.00 for routine tree trimming.

3. Specification for Maintenance of Public Land for Discussion

Comments: Tabled to next meeting.

4. Set Date for Bulk Pick Up – Tentative Dates: May 1 – 2, 2017

On a motion by Councilmember Lipoti, second by Councilmember Ticktin to approve the dates for Bulk Pick Up.

Roll Call Vote:

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

5. Set Date for Branch Pick Up – Tentative Dates: Week of May 1, 2017

Comments: Council discussed and will table to next meeting.

PUBLIC COMMENT:

John Vo - 19 Farm Lane:

- First Aid Chief thanked all the support received from the Millstone First Aid.
- Discussed how they are trained, responds to calls, people respond to a familiar faces when they show up, both squads help each other out.
- If Monroe is contracted for first aid, it will cost per run \$600 - \$900 dollars.
- Insurance companies will be billed and any unpaid balance will be billed directly to the resident.
- Questioned why the first aid squad was not invited to any discussions? If there are any discussion in the future, they would like to be involved.

Sam Lopez -7 Homestead Lane:

- Ask the Council that when contracting with Monroe did you inquire about the mutual aid agreement? Councilmember Malkin stated that Millstone is first on the list along with other companies.

Eizio Craglia – 44 Lake Drive:

- If you continue to raise taxes you will see a drop in house sales.
- Taxes went up \$1,000 per household regarding the Yeshiva with a promise to roll back to residents. This never happened.
- Would like the Council to find extra funds in the budget and not raise taxes on the resident taxpayers. Councilmember Malkin will check with the CFO.
- The water/sewer infrastructures should be looked at first.

Steve Yeger - 3 Lake Drive:

- Feels he is talking to a wall and feels like he is being misled.
- The First Aid and Fire Department did not ask for anything but housing.
- First Aid has its own ambulance that we paid out of our own budget and looking for grants from the State.
- No one asked the squads to attend any meetings and should really be talking us.

Erica Salderine – 1 Clarksburg Road:

- New resident and feels there is a clear division in this town and wants to know the bottom line.
- Council needs to inform the residents on what they are voting for this Tuesday and the financials.
- Would like the Council to work together for the community.

Petronio Zalamea, Millstone Township First Aid Captain

- Close ties with Roosevelt First Aid, with 6 volunteer members covering the night shift.
- Millstone contracted with Western Monmouth during the day and they agreed to come into Roosevelt. They bill the insurance company only.
- Monroe First Aid would be more expensive to the residents.

Kurt Muzer – 54 Pine Drive:

- Tree leaning on County Road 571 near the power lines.
- Upset on how certain residents in town came up to his property questioning how he feels about the fire house.

Dave Markunas – Board of Fire Commissioners Chairman

- We are not professional engineers, architects and make no evaluation on the design, costs or any consideration for the plans that are proposed. Strictly deal with fire safety, fire prevention and firefighting operations and what we can provide for the residents of Roosevelt.
- If you contracting with Monroe it does not faithfully honor the mutual aid agreement and would need to be re-evaluated.
- Look at surrounding towns that have similar arrangements.
- Millstone has continued to provide service to Roosevelt.

Deb Lenart – 5 Elm Court:

- Questioned Councilmember Trammell on when the fire department asked to have a meeting. Why no information was brought to the fire department once they spoke to

outside towns. Councilmember Trammell said that he spoke to John Lenart, received no response from Chris Suk and Dan Archer.

- The volunteers are certified and are “professional”.
- Nothing in the report that is positive for the volunteers.

Sharon Unger – 25 Farm Lane:

- Wants the Council to remember Hurricane Sandy and would like to know how these other fire companies would be able to reach the residents.
- Was accosted at the post office because of her support for the fire department.

Gary Shyner – 46 Lake Drive:

- Has a lot of respect for the fire department and good luck with the vote.
- Upset with how one of the members acted at the last council meeting.

CLOSED SESSION (If Needed)

ADJOURNMENT

Councilmember Tickin moved to adjourn at 9:08 p.m., Councilmember Bonna second. All ayes.

Respectfully Submitted,

Kelly Tyers, Deputy Borough Clerk

Adopted Date: