

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

Special Borough Council Meeting Minutes of May 17, 2017

Mayor Ellentuck open the meeting at 7:07 p.m. Adequate notice of this meeting, as required by Chapter 231, P.L. 1975, has been provided by a public notice on May 14, 2017 which was posted on the Bulletin Board in 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: Steven Kleinman, Special Counsel, Kelly Tyers, Deputy Clerk

Mayor Ellentuck stated that this is a special meeting and only the 2 Resolution on the agenda may be discussed and the purpose of the meeting is:

- Consider the donation of certain fire equipment to the Borough of Union Beach, NJ.
- Consider proposals from nearby fire departments to provide primary emergency fire services to the Borough.

RESOLUTIONS:

Resolution 17-69 Resolution of the Borough Council of the Borough of Roosevelt, County of Monmouth, State of New Jersey, declaring certain fire suppression equipment surplus and authorizing the donation of said equipment to the Borough of Union Beach, New Jersey

On a motion by Councilmember Ticktin, second by Councilmember Trammell to approve Resolution 17-69.

Comments: The Council discussed what items to donate to the Borough of Union Beach Fire Department, Roosevelt First Aid Squad and Public Works. The First Aid Squad would like to review the equipment prior to any items being donated.

Roll Call:

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

ABSENT: None

Resolution 17-69 adopted.

Councilmember Hamilton made a motion to allow the Public Comment prior to final vote on Resolution 17-70.

Comments: Mayor Ellentuck reported:

- Borough of Hightstown is not interested in providing emergency fire and related services.
- Monroe Township Fire District No. 1 will not change the contract and is presented in the originally version to the Borough.
- The New Jersey State Police were contacted regarding the travel time between Monroe Fire Department on Halsey Reed Road and Hilltop Swim Club in Roosevelt. Sgt. Greg Pagano drove the distance on Saturday, May 13, 2017 at 7:00 a.m. (no traffic and no light) in 8 minutes and 20 seconds and repeated again at 11:00 a.m. (with light traffic and stop at light) in 11 minutes and 15 seconds. Lt. Knuckle invites anyone who has questions regarding this report, to contact him directly at 609-584-5010.
- Recently spoke with Freeholder Arnone, Mr. Stout, Monmouth County Fire Marshall and Mr. Oppegarrd, Monmouth County OEM, Each suggested strongly that, in the best interest of Roosevelt, to obtain fire services within Monmouth County and to use Millstone. Within the County first:
 - a. Monroe owes its first obligation to Monroe and to Middlesex County under the various fire codes.
 - b. There are multiple, practical and procedural issues and delays working across County lines.
 - c. Going across County lines makes a considered future regionalization a more difficult problem.
Millstone in particular because they are good, close and in County and has served Roosevelt for over a decade.

Councilmember Hamilton asked if the Mayor had this in writing. Mayor Ellentuck responded that Fire Marshall Stout was unable to make tonight's meeting, however, Rick Hogan, Assistant Deputy Fire Marshall was introduced and stated that the Mayor's statement was 100% accurate.

Councilmember Trammell read a statement from Monroe Fire Commissioners Jason Martin (see attached).

Steven Kleinman, Special Counsel said the resolution has some blanks and the Council will need to discuss and if you make a decision tonight need to amend the resolution prior to the vote.

PUBLIC COMMENT:

Mayor opened up the public comment portion at 7:15 p.m. and stated it is limited to Resolution 17-70.

Nancy Warnick – 4 Homestead Lane:

- Urge the Council to go with Millstone for the safety and health of the residents.
- Millstone is only 3 miles away with one stop sign. Monroe has 3 stop signs and traffic light and over 5 miles away.

Beth Battel – 64 Lake Drive:

- Stated that during a major storm, Millstone has more accessible roads to get to Roosevelt.
- Monroe would have to travel a farther distance to get to Roosevelt if the main road is closed.

Mark Connors – 23 N. Rochdale Ave:

- First Aid squad has a very good working relationship with Millstone and would like to see a familiar face. It works, no reason to reinvent the wheel.
- Would like to see it stay in the county.

Maureen Parrott – 2 Tamara Drive:

- If we go with Millstone, suggest to go with the one year contract to see how it works and if Millstone will be receptive to lowering the amounts in the agreement based on the number of calls.

Deb Lenart – 5 Elm Court:

- Nothing in contracts for downed wires, trees and lift assistance; will Millstone provide.
- Sad that none of this was looked at prior to voting the fire company down. Hopefully the residents of Roosevelt do not suffer.

Steven Kleinman, Special Counsel said Monroe was asked to change the language in their contract stating “sole discretion”. They declined.

Mayor Ellentuck closed the Public Comment at 7:35 p.m.

Resolution 17-70 Resolution of the Borough Council of the Borough of Roosevelt,
County of Monmouth, State of New Jersey, Authorizing the Execution
of an Agreement for Emergency Fire and Related Services

Councilmember Ticktin made a motion to propose the Millstone contract for five years, second by Councilmember Bonna.

Comments:

Councilmember Trammell asked if Millstone would consider a 3 year contract instead of a 1, 5 or 10 year contract and questioned paragraph 5, Section C of the contract. The Mayor explained the rate assessments.

Councilmember Ticktin gave an explanation of the annual assessment that Monmouth County has, the equalization of the rates of both towns and how it effects both towns. It could be in favor of Roosevelt as Roosevelt is already built out and Millstone is still growing.

Councilmember Malkin stated that Monroe was giving the Borough a flat rate.

Councilmember Hamilton questioned the Council about going with a one year contract opposed to a five year contract. Feels that Roosevelt should go with the one year term. Asked if any of the Borough Professionals were contacted and if they gave any input. He spoke with Gerry Stankiewicz, Borough Auditor, and said that his strong recommendation is to go with a shorter term contract if possible, for your initial contract. You would then see the pros and cons. Councilmember Hamilton is concerned about if we go with a 5 year

contract with Millstone you could get stuck with some issues and would not have any recourse.

Mayor Ellentuck and Councilmember Ticktin stated that the one year does not give enough time to assess what will be in the future and the five year gives more room to assess.

Mayor Ellentuck stated that Millstone has been our primary for years and has a relationship with the First Aid for years. The 5 years gives Borough time to see on the how it works.

Steven Kleinman, Special Counsel, said that in the terms of contract there is an “out clause” if there is some major breach, such as not provide services at the same level that they provide for themselves.

Councilmember Malkin asked if that was in the Monroe contract as well. Councilmember Trammel stated that it is only in the Millstone contract. Millstone could also back out if Roosevelt breaches contract.

Councilmember Malkin stated that there is some crucial issues not brought up:

- Millstone is all volunteer starting at 6:00 pm; Monroe has a paid staff on 24/7.
- Monroe has crossed counties in the past several weeks to assist Millstone.
- 3 calls in Monroe while in Millstone; Monroe didn't leave Millstone and mutual aid was called to cover Monroe.
- Choose less expensive options as long as you are getting equal value; Monroe would be faster at night. Monroe has ability to change light.
- Money we save with Monroe can go to the First Aid.
- Don't be quick to dismiss Monroe. They have things to offer.
- Millstone is physically closer but Monroe is cheaper.

Councilmember Lipoti stated that the factor that makes the most difference: You need to be in County when there is a State of Emergency. Another key factor is that Bob Francis and Mark Connors stated that they have worked with Millstone for years, knows how to work as a team and it works!

Councilmember Bonna stated what has bothered her the most is Monroe stated in the contract no guarantee that services are to be provided and Millstone put the guarantee in writing.

Councilmember Hamilton objects to the five year contract and would go with a shorter term.

Mayor asked for the roll call on the five year contract for Millstone.

Roll Call:

AYES: Bonna, Lipoti, Ticktin

NAYS: Hamilton, Malkin

ABSTAIN: Trammell

ABSENT: None

PUBLIC COMMENT:

The Mayor opens up for public comment at 8:10 p.m.

Bob Francis, 27 Lake Drive:

- Most important is to stay in County and the five year contract is not a bad idea. Good relationship with Millstone for over 25 years, No major streets to get here versus Monroe.

ADJOURNMENT:

Mayor Ellentuck asked for a motion to adjourn.

Councilmember Ticktin moved to adjourn at 8:15 p.m., Councilmember Bonna. All ayes.

Respectfully Submitted,

Kelly Tyers, Deputy Borough Clerk

Adopted Date: July 10, 2017

Joe,

We went into closed session to discuss your proposed alterations to the contract. The board has decided to stick with the original wording for submission. It was unanimous.

By removing "There is no guarantee that the service shall be provided if the referenced identified factors exist." we would be guaranteeing a service that isn't even guaranteed to the residents of our district. A perfect example is what happened last week. We were dispatched to Millstone for a gas leak. We responded. During the time we were out of District we had two or three calls in our district. We did not drop what we were doing in Millstone and run home. We continued in Millstone and our mutual aid departments covered the other calls. There is certainly a possibility that a mutual aid department could be delayed or would not be available which could cause a delay. This is the nature of the beast. Nothing is ever guaranteed.

Please submit the original proposal and let the cards fall where they may with who is selected. I know you have done your best for the people of Roosevelt and I am sure things will work out for the best.

Regards,

Jason Martin

Read by Councilmember Trammell at the Special Meeting held on May 17, 2017