

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

**Mayor and Council
Special Meeting Minutes of June 1, 2017 at 7:00 p.m.**

Mayor Ellentuck opened the meeting at 7:00 p.m. and 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 May 26, 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, Kathleen Hart, Borough Clerk, Kelly Tyers, Deputy Clerk, George Lang, CFO, Gerry Stankiewicz, Auditor.

Mayor Ellentuck said this is a special meeting and only items on the agenda will be discussed. Public Comment will come prior to the discussion of engineering fees not after the closed session.

Discussion of proposed Budget 2017:

Comments:

Mayor Ellentuck said that there will be a public comment section and no action will be taken tonight on the proposed Budget 2017. Mayor Ellentuck asked if the revenues for recreation fees of \$10,000 comes from the summer recreation program and is concerned that there is not a lot of residents signing up this year. Councilmember Malkin said that residents tend to sign up late for the summer recreation program and this year the program will be run by an outside company. Councilmember Hamilton will get a breakdown of the anticipated revenues for the summer recreation program but feels it will be hard to get a figure this year since it will be handled by an outside company. George Lang, CFO, said that the salary positions are being replaced with an outside company so it was moved from salary to other expenses.

Mayor Ellentuck questioned the Municipal Clerk salary and wage line item and asked if this includes \$20,000 for an Administrator. George Lang, CFO said that an Administrator salary would be budgeted under General Administration and is currently not in this proposed budget. The Municipal Clerk salary is being paid out of salary and wages, where in prior year it was a shared service agreement.

Mayor Ellentuck said that legal fees went down by \$25,300 and he is concerned we have a potential litigation. Councilmember Malkin said that we no longer have emergency services issues and the land swap is basically over. Legal fees have been very excessive and now we don't have those issues. George Lang, CFO, said he has concerns reducing the amount so much based on the history. Councilmember Hamilton said that in 2014 we spent less than \$60,000 in legal fees and in the past few years it has gone up a lot. We saw that a lot of it was due to legal advice that was provided regarding the emergency services issues since 2015. We anticipate less billable hours and the budget should be in accordance with that. The function of the budget is to make sure you allocate enough money for the year and make sure you have controls and direct expenditures in line. George Lang, CFO, said to date, we are at about \$26,000 in legal fees. We are close to CAP and if something goes up, something will need to go down. Mayor Ellentuck recommends to increase legal fees.

Mayor Ellentuck said that the engineering fees have gone down by \$6,000. JIF came out and said we need to do something with the firehouse, first aid building, steps at water plant, lift station, parking lots and the millings at the water tower, which all requires the Borough Engineer. George Lang, CFO, said that engineering fees for capital projects would come out of the project.

Mayor Ellentuck questioned that the line item, other expenses, under Planning Board have gone up by 50%. The land swap and EMS is over is, why did this go up. Councilmember Malkin said this year we have the reexamination report.

Mayor Ellentuck questioned Public Works, streets & roads salary/wage line went from \$20,000 down to \$10,000. George Lang, CFO, said we are not spending that much in that area. Last year we spent close to \$10,000 and feels comfortable with that number.

George Lang, CFO, will increase the Fire Protection to reflect the amount prorated this year for the shared service agreement with Millstone Township.

Councilmember Lipoti questioned a DOT grant was received, would Carmela's soft cost come from the budget and the remainder under the capital improvement. The DOT grant is for Cedar Court and Homestead Lane. Gerry Stankiewicz, Auditor, said that the soft cost are administration costs on the eligible roads and not the actual work.

George Lang, CFO, said originally the Finance Committee recommended to add \$20,000 in for an Administrator, however, it was taken out due to invoices received from the County for the special elections. Councilmember Hamilton said the Finance Committee feels an Administrator is needed to direct employees and be hands on, reviewing bills, projects and would like to see it in the budget. Mayor Ellentuck said that cutting the maintenance budget at the water/sewer

plants to add an Administrator is counterproductive. Councilmember Malkin said that an Administrator may be added later in the year. Councilmember Ticktin said it is a good idea to have one; possibly next year if we could afford it.

Mayor Ellentuck said setting a salary for the Zoning Officer you would need a resolution setting the salary and an Ordinance setting the range.

George Lang, CFO, said that the line for advertisement has been increased due to the referendums. To date, we are at \$9,000.

Councilmember Lipoti talked about a change in the data processing system to be able to pay the water/sewer bills on line. George Lang, CFO, said that has been added in another line item and hopes to have it up and running by July. Mayor Ellentuck said that the upgrade to the server is complete but the company is looking for additional cost. They gave a proposal, which was approved by the Council, and will discuss with them why they are looking for additional money. The tape recorder is from 1992 and needs to be replaced. The estimate came in very high. Councilmember Trammell said you can get a good digital recorder for about \$400 - \$500 and will look into it.

Councilmember Lipoti said that we need to build a container for the salt and needs to be done prior to winter. It needs to be in an impervious surface, covered with barriers around and is required to retain the salt. A proposal in the amount of \$6,000 was denied at a prior Council meeting. Councilmember Hamilton would like to see it located in another area other than the sewer plant.

Mayor Ellentuck said that the building maintenance line was cut to \$14,000 and would like to know how we fix the buildings with no money. It should be at least \$20,000. Councilmember Hamilton said the reduction was due to a one time cost to KTK for site remediation at the gas station, which was done in 2016. Mayor Ellentuck said that maintenance needs to be done on the buildings. George Lang, CFO, said that these projects can be done through an ordinance.

The Council discussed the line item under buildings and grounds for cemetery management. The current contract is for marking out new and old graves, maintaining the headstones that are sinking, leveling the grounds, recording keeping and bringing it up to current. Once this is done, we could maintain internally.

Mayor Ellentuck has had discussions with Allentown for sharing a public works person and splitting the cost.

Mayor Ellentuck commented that he has read that we have 1.6 million in improvements coming into the water/sewer utilities, but does not see that in the budget. Under other expenses, engineering fees have been decreased and there is a lot of work that needs to be done. George Lang, CFO, said he made those cuts in order to get a balanced budget and at some point the rates will need to be increased. Available surplus was used, which dropped from \$61,000 to \$22,000.

Councilmember Lipoti discussed the needed repairs on two pumps stating the sewage plant is not in good shape. You need engineering to change the way the pumps operate. The generator is on a maintenance schedule but would like to look for a new company. The stairs at the sewer plant need to be repaired.

Councilmember Hamilton said that this budget is really tight. All loans taken out have to be paid and the homeowners are the ones affected and as a Council we have to look at this. Should also have a pump on the shelf in case one goes down.

Councilmember Lipoti has looked for grants and funding. EIT has funding for putting together an asset management plan, but you need a bond. The EIT is government money and you can borrow at a very low rate.

Mayor Ellentuck said that over the last 25 years we have spent time and effort preserving the land around us so there is no increase in the population. This is a tradeoff and hits the residents in other areas.

George Lang, CFO, discussed the water/sewer budget and stated that the rates will need to be increased either end of this year or next.

Gerry Stankiewicz, Auditor, said you should look to increase the rates by October 1st. This will generate cash flow by January 1, 2018.

Mayor Ellentuck opened the public comment at 8:38 p.m.

Deb Lenart, 5 Elm Court:

- Questioned where the money would come from with all the repairs needed at the water/sewage plants and the borough hall.

George Lang, CFO, said you would have to do a bond ordinance, capital projects in nature.

Maureen Parrott, 2 Tamara Drive:

- Would like to see solar panels installed at Borough Hall to help reduce the electricity bill.

There being no further comments, Mayor Ellentuck closed the public portion at 8:45 p.m.

Mayor Ellentuck said there is a need for a closed session tonight.

CLOSED SESSION:

Richard Shaklee, Borough Attorney, read Resolution 17-80 in full:

RESOLUTION NO. 17-80
MEETING DATE: 06-01-17

PROVIDING FOR A PRIVATE EXECUTIVE MEETING THAT EXCLUDES THE PUBLIC

C/Bonna offered the following Resolution and moved its adoption, which was second by C/Ticktin.

WHEREAS, the “Open Public Meetings Act” enacted October 21, 1975 permits a public body to exclude the public from meetings or portions thereof wherein matters are to be discussed which are exempted from the requirements of the Act; and

WHEREAS, the said Act requires that prior to the holding of a meeting or portion thereof from which the public shall be excluded, the public body should adopt a Resolution at a public meeting providing for the holding of a private meeting; and

WHEREAS, the Borough Council of The Borough of Roosevelt has determined that a meeting should be held from which the public should be excluded in order to discuss a subject which is exempted under the said Act;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council, as follows:

1. That the next portion of this meeting be held in Private Session.
2. That the general nature of the matter(s) to be discussed relate to the following pending or anticipated litigation matters: R3M Engineering Invoices
3. That no official action will be taken at the meeting but Minutes shall be kept and shall be available to the public after official action on the subject matter has been taken.
4. It is anticipated the discussion conducted in closed session can be disclosed to the public after no further action is required in the matter.

ROLL CALL:

AYES: C/Bonna, C/Lipoti, C/Ticktin, M/Ellentuck (broke the tie)
NAYS: None
ABSTAIN: C/Hamilton, C/Malkin
ABSENT: None

Councilmember Hamilton questioned the Borough Attorney as to what are the limitations to anticipated litigation?

Richard Shaklee, Borough Attorney, said that it's "reasonable to anticipate that there is a situation that litigation will occur". Generally going to discuss, strengths/weakness of case and possible settlement, but this is not an exclusive list.

Councilmember Malkin asked if we heard anything from R3M regarding litigation.

Richard Shaklee, Borough Attorney, said he is not aware of any letter but there is reason to anticipate that litigation might occur as they have not been paid the amount due them.

Councilmember Malkin said that she believes this closed session is to purposely exclude the public from any discussion regarding the R3M bills. There is nothing concrete about anything pending or anticipated litigation and this is very vague.

Mayor Ellentuck said that R3M would like to collect on their invoices and others who have threaten to sue.

Mayor Ellentuck asked the audience to exit the Borough Hall during closed session and that formal action may be taken in open session.

Time in: 8:52 p.m.

Councilmember Ticktin moved to adjourn from executive session, second by Councilmember Trammell. All ayes

Time Out: 10:23 p.m.

Mayor Ellentuck said that no action will be taken and no conclusions. Another discussion will be held at the next Council meeting on June 12, 2017. The June 26, 2017 Council meeting has been cancelled due to Borough Hall will be closed during June 26 – June 30, 2017 for record retention.

George Lang, CFO, would like to introduce the budget at the June 12, 2017 Council meeting and have the budget approved at the July 10, 2017 Council meeting. A draft of the budget will be sent out to the Council to review.

Mayor Ellentuck asked for a motion to adjourn.

Councilmember Ticktin moved to adjourn at 10:27 p.m., Councilmember Trammell second. All ayes.

Respectfully Submitted,

Kathleen Hart, Borough Clerk

Adopted Date: July 24, 2017