

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

**Mayor and Council  
Special Meeting Minutes of July 18, 2017**

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 July 15, 2017, which was posted on the Bulletin Board at the Roosevelt Post Office, 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.

	<b>PRESENT</b>	<b>ABSENT</b>
<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, George Lang, CFO, Gerry Stankiewicz, Kathleen Hart, Borough Clerk, Kelly Tyers, Deputy Clerk

The purpose of the meeting is to discuss and act upon: Public comment is limited to 5 minutes.

**(1) Certain matters relating to the emergency water incident of July 9, 2017**

Mayor Ellentuck spoke regarding the following:

- Asked the Utilities Committee to investigate and issue a full report on the water issue from July 9<sup>th</sup> – 10<sup>th</sup>. Mr. Kragen contacted the EPA regarding the water system, who in turn contacted the DEP. The DEP is asking for an Operator Report. C/Trammell would like June 26 – 28<sup>th</sup> be also included.
- Stated that the wrong time was given out at the last meeting regarding the reverse 911. The time was 1-1/2 hours, not 3 hours.
- Introduced George Lang, CFO and Gerry Stankiewicz, Auditor.

**PUBLIC COMMENT:**

Mayor Ellentuck opened up the public comment at 7:05 p.m.

Maureen Parrott, 2 Tamara Drive:

- Voiced her concerns regarding going into closed session for payment of engineering bills.

Deb Lenart, 5 Elm Court:

- Questioned the six month deadline to be in compliant with DEP notice that was received several months ago. C/Lipoti stated we are three months into the six month deadline.

Mary Tulloss, 21 Lake Drive:

- Would like to find a way to pay R3M and move forward.

Robert Masterson, 62 Pine Drive:

- Status of pump repair. C/Lipoti stated it was replaced.
- Wants Council people replaced.

Robin Middleton Phillips, 25 Pine Drive:

- Want clarification regarding payment to R3M and concerned about the closed session.

Naomi Barns, 22 Farm Lane:

- Voiced concerns about closed session.
- Would like to view minutes on website on a timely manner.

Mayor Ellentuck said the reason going into closed session is for potential litigation. There will be no vote on final payment during closed session.

Mayor Ellentuck closes the public portion at 7:17 p.m.

## **(2) Payment of engineering fees (Closed Session).**

C/Malkin disagrees with the Mayor's assessment regarding R3M and there was work that was not authorized.

C/Hamilton feels that most of the discussion should be held in public. Discussion can be general and anything related to litigation for closed session. Litigation can come from vendor and also rate payers.

C/Trammell agrees the discussion should be in public and would like R3M to come and explain what they did.

Mayor Ellentuck said that C/Hamilton concerns is that the public hear all the issues and participate and my belief is that failure to do this would cost us a whole lot of money.

Richard Shaklee, Borough Attorney, read Resolution 17-95 in full:

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

### **PROVIDING FOR A PRIVATE EXECUTIVE MEETING THAT EXCLUDES THE PUBLIC**

**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 VOTE:**

**AYES:** Bonna, Hamilton, Lipoti, Malkin, Ticktin

**NAYS:** Trammell

**ABSTAIN:** None

**ABSENT:** None

**Time in: 7:32 p.m.**

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

**Time Out: 8:29 p.m.**

Mayor Ellentuck asked for a motion to adjourn.

C/Ticktin moved to adjourn at 8:30 p.m., C/Bonna second. All ayes.

Respectfully Submitted,

---

Kathleen Hart, Borough Clerk

Adopted Date: August 14, 2017