

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

**Mayor and Council  
Regular Meeting Minutes of June 21, 2021**

Mayor Malkin opened the meeting at 7:03 pm and explained that due to the Coronavirus and the need for social distancing, this meeting is being held remotely and available to the public in a live feed. M/Malkin read the Open Public Meetings Act statement: “Adequate notice of this meeting, as required by Chapter 231, P.L. 1975, has been provided by a public notice on January 25, 2021, 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**

	<b>PRESENT</b>	<b>ABSENT</b>	<b>LATE ARRIVAL</b>
<i>Councilmember Robert Atwood</i>	✓		
<i>Councilmember Lou Esakoff</i>	✓		
<i>Councilmember Michael Hamilton</i>	✓		
<i>Councilmember Steven Macher</i>	✓		
<i>Councilmember Joe Trammell</i>	✓		
<i>Mayor Peggy Malkin</i>	✓		

Also in attendance: Greg Cannon, Esq., Kathleen Hart, Borough Clerk

Mayor Malkin read a letter from the Roosevelt Democratic Municipal Committee, dated June 17, 2021, submitting the following three nominees to fill the vacancy left by Councilman Luke Dermody: Constance J. Herrstrom, Jean S. Shahn, Jacquelin A. Carpenter.

C/Hamilton nominated Constance Herrstrom to fill the vacancy by Councilman Luke Dermody; a second was offered by C/Atwood.

Resolution 21-81     Appointing Constance Herrstrom to the Borough Council Position Vacated by Luke Dermody

C/Hamilton made a motion to adopt Resolution 21-81, with a second offered by C/Atwood.

**Roll Call**

AYES:            C/Atwood, C/Hamilton, C/Macher, C/Trammell  
 NAYS:            None  
 ABSTAIN:       C/Esakoff  
 ABSENT:        None

Oath of Office to be administered at the next Borough Council meeting.

**MAYOR’S REPORT:** No report.

**PUBLIC COMMENT (Agenda items only):**

M/Malkin opened the meeting to Public Comment for agenda items only at 7:06 pm.

Maureen Parrot, 2 Tamara Drive would like speed humps to be include in the DOT grant for Tamara Drive. Would also like an ordinance requiring the power companies to pay for traffic control in the event of a power line blocking the road.

Mary Tullos, 21 Lake Drive would like the governing body to reach out to other municipalities, New Jersey League of Municipalities and the NJ Institute of Local Government Attorneys to get more information regarding the Cannabis Legislation.

C/Malkin closed the Public Comment for agenda items at 7:21 pm.

## **CORRESPONDENCE**

1. Resignation letter from Lori Maher, Deputy Municipal Clerk, effective June 18, 2021.

## **APPROVAL OF MINUTES**

- **June 7, 2021 Regular Meeting Minutes**

C/Esakoff made a motion to approve the minutes as amended, with a second offered by C/Trammell.

Roll Call

AYES: C/Atwood, C/Esakoff, C/Hamilton, C/Macher, C/Trammell  
 NAYS: None  
 ABSTAIN: None  
 ABSENT: None

## **RESOLUTIONS**

### **Resolution 21-82** Payment of Bills for June 21, 2021

C/Hamilton made a motion to adopt Resolution 21-82, with a second offered by C/Esakoff.

Roll Call

AYES: C/Atwood, C/Esakoff, C/Hamilton, C/Macher, C/Trammell  
 NAYS: None  
 ABSTAIN: None  
 ABSENT: None

### **Resolution 21-83** Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Improvements to Tamara Drive

C/Hamilton made a motion to adopt Resolution 21-83, with a second offered by C/Esakoff.

Roll Call

AYES: C/Atwood, C/Esakoff, C/Hamilton, C/Macher, C/Trammell  
 NAYS: None  
 ABSTAIN: None  
 ABSENT: None

## **REPORTS OF COMMITTEE CHAIRS**

**Environmental Health & Safety:** No report.

**Administration:** No report.

**Finance:** C/Hamilton is waiting to get a schedule from the CFO to introduction the budget.

**Public Works:** C/Macher states that the drainage work was completed behind the garage at Borough Hall.

**Utilities:** C/Trammell states that the large snakes where removed from the sewer plant generator.

**Community Dev/Code:** No report.

## **UNFINISHED BUSINESS**

M/Malkin discussed the following:

1. NJ DoT Application for Safe Routes to Schools FY2022: M/Malkin read an email from the Borough Engineer stating that this grant is typically awarded up to \$500,000 for construction costs. The NJDOT also provides additional funding for design engineering and construction administration/inspection funding. However, you can't use the same engineering firm for both. A firm estimate on the construction costs for this project is not complete, but a preliminary cost is approximately \$350,000.00. C/Hamilton would like a traffic study to be done again on County Route 571/N. Rochdale Avenue as there is a lot more traffic due to Great Adventure. C/Trammell and C/Atwood will contact Monmouth County to see about a traffic study to be done again. This item still needs to be discussed at the next finance committee meeting. This is tabled until the next council meeting, which is on Tuesday, July 6, 2021.
2. Cannabis Legislation: C/Esakoff states that we first need to decide if there is a location suitable. There is the old gas station and not sure that would be big enough. M/Malkin states if the Council decides on a growing facility or manufacturer, possible locations are two farms or the factory area. C/Atwood questions if they would still need to abide by the borough's ordinances. Borough Attorney discusses cannabis businesses are going to be licensed and regulated similar to Alcohol Beverage Commission (ABC). Focus on if you want any of the classes in Roosevelt. If you opt in now, businesses would be grandfathered in even if you decided in 5 years to opt out. The Cannabis Regulatory Commission is still adopting the rules. The Council would be able to do enhanced zoning restrictions and set the hours of operations. If you opt out now, you can opt in at any time prior to the 5 years. If you choose to opt out, an ordinance would need to be done that would prohibit the classes in all zones. The ordinance requires two readings and needs to be introduced by July 19, 2021. The Planning Board needs to review the ordinance and submit a consistency report to the Council prior to the second reading/public hearing.
3. C/Trammell would like the Borough Engineer to check out the culvert on Farm Lane.

## **PUBLIC COMMENT (Any item):**

M/Malkin opened the meeting to Public Comment for any item at 7:52 pm.

Teresa and Mark Aakhus, 37 Farm Lane discusses issues with the neighbor at 35 Farm Lane. Two of the dogs are trespassing, terrorizing and running at large. They broke through the fence and was running and barking in her back yard, unattended, multiple times. They have urinated and defecated on our property. Animal Control Officer has been called many times. Multiply neighbors have complained about these dogs. These dogs are possible vicious dogs or potentially dangerous dogs. Many infractions of the borough ordinances have been ignored or dismissed. He has fooled us all many times. He needs to be responsible, law abiding resident. Action is necessary and needs to be swift and permanent.

M/Malkin states we are well aware of the situation and are discussing how to remedy the situation and take real action. The Borough Attorney discusses what steps can be done.

Stephen Ring, N. Valley Road asks the Council if they are doing anything to address fireworks in town on 4<sup>th</sup> of July. He would like to suggest Code Enforcement Officer or the State Police be able to be in town on July 4<sup>th</sup> to issue warnings. This is a public safety issue.

Borough Attorney states that the residents can make a citizen complaint at the Municipal Court. Certain types of fire crackers are legal in New Jersey.

M/Malkin closed the meeting to Public Comment at 8:51 pm.

**CLOSED SESSION**

C/Esakoff made a motion to move to Closed Session, seconded by C/Trammell.

The Borough Clerk read Resolution 21-84: 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:

- That the next portion of this meeting be held in Private Session.
- That the general nature of the matter(s) to be discussed relate to the matters:
  - a. Attorney Client Privilege – Contractor Issues
- 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.
- 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/Atwood, C/Esakoff, C/Hamilton, C/Macher, C/Trammell

NAYS: None

ABSTAIN: None

ABSENT: None

Time in: 8:54 pm

C/Esakoff made a motion to return to open session, second by C/Trammell. All in Favor.

Time out: 9:07 pm

**ADJOURNMENT:**

C/Hamilton made a motion to adjourn, with a second offered by C/Trammell, and with all in favor the meeting adjourned at 9:08 pm.

The audio tape is available in the Clerk’s Office at Borough Hall.

Respectfully Submitted,

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Kathleen Hart, Borough Clerk

Adopted Date: July 6, 2021