

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

**Mayor and Council
Regular Meeting Minutes of June 20, 2022**

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. Mayor 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 12, 2022, which was posted on the Bulletin Boards 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	LATE ARRIVAL
<i>Councilmember Robert Atwood</i>	✓		
<i>Councilmember Lou Esakoff</i>			7:10PM
<i>Councilmember Michael Hamilton</i>	✓		
<i>Councilmember Constance Herrstrom</i>	✓		
<i>Councilmember Steven Macher</i>	✓		
<i>Councilmember Joe Trammell</i>	✓		
<i>Mayor Peggy Malkin</i>	✓		

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

MAYOR’S REPORT: None

PUBLIC COMMENT (Agenda items only):

M/Malkin opened the meeting to Public Comment for agenda items only at 7:04 pm.

No Public Comment.

M/Malkin closed the Public Comment for agenda items at 7:05 pm.

CORRESPONDENCE:

1. Letter from Roberts Engineering, Dated June 3, 2022 regarding NJDOT Transportation Alternatives Set-Aside Program

APPROVAL OF MINUTES:

- **May 16, 2022 – Regular Council Meeting Minutes**

On a motion by C/Hamilton to accept the minutes, with a second offered by C/Atwood. The minutes were approved by the following roll call vote:

Roll Call:

AYES: C/Atwood, C/Hamilton, C/Herrstrom, C/Macher, C/Trammell

NAYS: None ABSTAIN: None ABSENT: C/Esakoff

- **February 7, 2022 - Closed Meeting Minutes**

On a motion by C/Hamilton to accept the minutes, with a second offered by C/Herrstrom. The minutes were approved by the following roll call vote:

Roll Call:

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

- **March 7, 2022 - Closed Meeting Minutes**

On a motion by C/Hamilton to accept the minutes, with a second offered by C/Atwood. The minutes were approved by the following roll call vote:

Roll Call:

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

ORDINANCE:

FIRST READING

ORDINANCE 2022-06 An Ordinance Replacing Chapter 14: “Flood Damage Prevention” of the Borough’s Revised General Ordinances to Adopt Flood Hazard Maps and to Create the Position of Floodplain Administrator and to Provide for Severability and an Effective Date

Attorney Greg Cannon states that this ordinance is a requirement for the National Flood Insurance Program with optional levels above that depending on the risk of your community. This makes certain types of flood insurance available to the residents. Roosevelt is not a very flood prone area. This is the most recent amendment to the FEMA regulations.

C/Hamilton made a motion to adopt on first reading Ordinance 2022-06, with a second offered by C/Esakoff.

Roll Call:

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

Public Hearing to be held on July 5, 2022 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555.

CONSENT AGENDA RESOLUTIONS:

- Resolution 22-65 Payment of Bills for June 6, 2022
- Resolution 22-66 Resolution Authorizing the Borough Engineer to Make a Grant Application to the New Jersey Department of Transportation for Improvements to North Valley Road Between Homestead Lane and Approximately 500 Feet South of Farm Lane
- Resolution 22-67 Resolution Authorizing the Award of a Non-Fair and Open Contract for Professional Cemetery Management Services to Sutphen Memorial, Inc., 53 Somerset Street, Hopewell, NJ 08525
- Resolution 22-68 Authorizing A Shared Services Agreement with the Millstone Township Board of Education for Electric, HVAC and Mechanic Services
- Resolution 22-69 Payment of Bills for June 20, 2022
- Resolution 22-70 Authorizing Temporary Emergency Appropriations #4

C/Esakoff made a motion, with a second offered by C/Hamilton, to adopt the Consent Agenda Resolutions 22-65 through 22-70.

Roll Call:

AYES: C/Atwood, C/Esakoff, C/Hamilton, C/Herrstrom, 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 reports that there will be a finance committee meeting on Thursday, June 23, 2022 at 10:30am at Borough Hall with the Chief Financial Officer to go over the FY 2022 budget. He would like the meeting advertised so council members can attend. M/Malkin explained that there is not enough time to advertise in the newspaper.

Community Development/Code Enforcement: No report

Public Works: C/Macher reports that Public Works did a cleaned-up at the cemetery and painted the speed humps on Pine Drive. Next on the schedule: put a cover on well # four and a roof over the fuel tank for the generator at the water plant. C/Hamilton asks if it's possible that the Public Works Committee could look into remediation of the path to the school (from Pine Drive to the back of the school). It's subject to all kinds of flooding and wood chips have been put down but they just sink. C/Marcher will take a look at different products that are available.

Utilities: C/Trammell reports things are moving along with all the utilities. Fiscal year 2021 finished with a surplus in the utilities fund.

REPORTS OF BOROUGH OFFICIALS:

Michael Ticktin, 37 North Valley Road states he was pleased to hear that the Public Works Committee has addressed the issue of the maintenance of Benjamin Browns grave at the cemetery. C/Hamilton gives a brief report on the Environmental Commission June 15th meeting. At the 4th of July BBQ the Environmental Commission will have a compost workshop and a ribbon cutting ceremony at 1:00pm for Sustainable Jersey. They will also have some fun games and a stormwater management display will be set up. Another item discussed at the EC meeting is the need for a Council member to take the core training program. C/Atwood said he tried to sign up but it didn't work out and will try again in October. Stream monitoring is ongoing with Mary, Jean and Corkey and many other volunteers. Some concerns were expressed by Environmental Committee members regarding cannabis cultivation on existing farms as two of the farms are preserved farmland, possible drainage issues may arise and additional structures on the farmland. Environmental Commission members have asked that there be some type of advisory committee established and would like to be on that committee.

UNFINISHED BUSINESS: NONE**NEW BUSINESS:**

1. Liquor License Fees – M/Malkin states that there has been new interest in obtaining a liquor license, possibly at the deli location, which may increase traffic. Mr. Gade, who owns the deli, has told M/Malkin that he has prospective people who are interested in leasing and that they would like to purchase the liquor license. M/Malkin states this would have to go out to public bid. The last time it went out to bid was May 2017 for \$150,000. No bids were received. Greg Cannon, Esq. states this is a distribution license and can be used as a liquor store. Council discusses what the minimum bid fee should be. Greg Cannon, Esq. states the proprietor must be a qualified individual; they need to be approved by the State of New Jersey. There is a 12-page application that needs to be filed with the State of New Jersey. M/Malkin explains how Mr. Gade would have to submit new plans and drawings and go before the Planning Board to re-open the deli since it's been closed for more than 10 years. No decision is made on minimum bid amount.
2. 2023 Transportation Set-Aside Program Project Scope – Curb and Sidewalk Improvements at Rochdale Avenue: C/Hamilton states that one of the provision in the grant is that you could apply for was historic and thought we might qualify under that for the amphitheater. What they are looking for is non-traditional projects and that would be a non-traditional project. We do need sidewalks on the west of Rochdale for safety issues. M/Malkin will discuss options with the Borough Engineer.

M/Malkin asks the Council about cancelling the August 1, 2022 meeting. C/Esakoff made a motion, with a second offered by C/Herrstrom to cancel the August 1, 2022 meeting. The motion passed unanimously.

PUBLIC COMMENT: (Any item)

M/Malkin opens the public comment at 8:00pm

1. Michael Ticktin, 37 North Valley Road asks for an update on the status of the Cannabis proposal? M/Malkin states that right now the Council is only in the discussion and exploring stage looking at advantages and dis-advantages.
2. Mary Tulloss, 21 Lake Drive would like to know if the Council is planning another public meeting regarding Cannabis as the last one was cancelled. M/Malkin responds that the Council is not rushing this through and is still gathering information. Mary Tulloss states that the Environmental Commission would like to be a part of the evaluation, because there are concerns about impervious coverage. C/Hamilton states that he would like to see the Council consider forming a committee as there is still a lot of information that we still need to get. Greg Cannon, Esq. explains the process that an individual would have to go through to apply for a cannabis license. Greg Cannon then suggests the committee should focus on the potential land uses under the zoning ordinances and also suggests going to visit other facilities. Some concerns of the Council members and the Environmental Commission members are the environmental impact to the Borough. C/Trammell states he would volunteer to be a member of that committee. C/Hamilton states we need to identify the stakeholders and need a balanced committee. Greg Cannon suggests reviewing the NJCRC website for the cannabis regulations.
3. Mary Tulloss states she is very happy that you renewed the contract with Sutphin Memorial as they do a wonderful job. There are a few graves that are overgrown with trees. M/Malkin states she will relay the information to the landscape company. Mary Tulloss states she is glad to hear that maybe there will be a deli opening and we have to remember that there should be no expansion of the parking lot. M/Malkin states the Planning Board Attorney is well aware of the restrictions.
4. Katarina Stupak, 26 Farm Lane states she has concerns with speeding issues on Farm Lane and today 2 loose dogs where in her backyard. She had to call 911 and used a rake to stop the dogs from attacking her child and her animals. Ms. Stupak states that the State Police and Animal Control removed the dogs. Ms. Stupak states something needs to be done as this is a very dangerous situation.
5. Rick and Hope Pressler, 23 Farm Lane states that they were also attacked by the dogs as was their dog. We are urging the Council to look at other options for Animal Control as it's not effective and more responsive. We are not getting the service we need to keep the neighborhood safe. Roosevelt's Animal Control Officer can only take the animals to the Popcorn Park. M/Malkin asks Attorney Greg Cannon if he can give guidance. Greg Cannon states since the Helmetta shelter closed down there are very few places to take animals. Monmouth County SPCA has by far the best resources but placement is the issue. Greg Cannon further explains the court can only have the dog put down if it bites someone and it is very difficult to destroy a dog. C/Hamilton states that the dogs have been identified as potentially dangerous dogs and asks if that give us any additional right to permanently remove them from the owner? M/Malkin states that they must have specific fencing to keep them in a specific area. C/Hamilton states the dogs get out and must go under the fence. Greg Cannon states that the victims must show up in court and speak to the prosecutor.
6. Teresa and Mark Aakhus, 37 Farm Lane, states the dogs jump over the fence into their yard. We have been dealing with this for a very long time and a year ago we were at the court hearing, when the dog killed the cat. We were called to testify. Yesterday, we were in our

dining room and the big dog was on our deck. We called animal control to come and get the dog off our property. The Animal Control Officer came and had trouble getting the dog so he called the owner of the dogs. The Popcorn Park won't take the dogs so they are back with the owner. There is a court order for 35 Farm Lane and it clearly specifies what kind of fencing and signage that needs to be done but the Animal Control Officer has not enforced what the court has specified. M/Malkin asks Attorney Greg Cannon to review the Animal Control Officer's contract to see what we can do moving forward. Attorney Greg Cannon also suggests that we reach out to the SPCA, Executive Director, Ross Licitra, to see if he could help us. C/Hamilton also states with the 4th of July coming and 35 Farm Lane shoots of fireworks, this is another enforcement issue. We will reach out to the NJSP, fax a copy of the Borough's fireworks ordinance and let them know we expect the ordinance to be enforced throughout the Borough.

M/Malkin closes the public comment at 9:08pm.

ADJOURNMENT:

C/Esakoff made a motion to adjourn, with a second offered by C/Atwood, and with all in favor the meeting adjourned at 9:10 pm.

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

Respectfully Submitted,

Kathleen Hart, Borough Clerk

Adopted Date: July 18, 2022