

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

**Mayor and Council
Regular Meeting Minutes of September 6, 2022**

Mayor Malkin opened the meeting at 7:06pm 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>	✓		
<i>Councilmember Michael Hamilton</i>	✓		
<i>Councilmember Constance Herrstrom</i>		✓	7:55PM
<i>Councilmember Steven Macher</i>	✓		
<i>Councilmember Joe Trammell</i>	✓		
<i>Mayor Peggy Malkin</i>	✓		

Also in attendance: Christine Malamut, 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 7:07pm.

1. Maureen Parrott, 2 Tamara Drive – asks what were the closed meeting minute topics that are on for approval.

M/Malkin closed the Public Comment for agenda items at 7:09pm.

APPROVAL OF MINUTES:

1. August 2, 2022 Regular Meeting Minutes
On a motion by C/Esakoff to accept the minutes, with a second offered by C/Hamilton. The minutes were approved by the following roll call vote:
Roll Call:
AYES: C/Atwood, C/Esakoff, C/Hamilton, C/Macher, C/Trammell
NAYS: None ABSTAIN: None ABSENT: C/Herrstrom
2. March 21, 2022 Closed Meeting Minutes
On a motion by C/Esakoff 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/Esakoff, C/Hamilton, C/Macher, C/Trammell
NAYS: None ABSTAIN: None ABSENT: C/Herrstrom
3. April 4, 2022 Closed Meeting Minutes
On a motion by C/Esakoff 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/Esakoff, C/Hamilton, C/Macher, C/Trammell

NAYS: None ABSTAIN: None ABSENT: C/Herrstrom

ORDINANCE:

First Reading

Ordinance 2022-09 AN ORDINANCE SETTING THE SALARY RANGE AND COMPENSATION OF CERTAIN OFFICIALS, POSITIONS AND EMPLOYEES IN THE BOROUGH OF ROOSEVELT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

C/Hamilton made a motion to adopt on first reading Ordinance 2022-09, 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: C/Herrstrom

Public Hearing to be held on September 19, 2022 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555.

CONSENT AGENDA RESOLUTIONS:

Resolution 22-87 Payment of Bills for September 6, 2022

C/Hamilton made a motion, with a second offered by C/Esakoff, to adopt the Consent Agenda Resolution 22-87

Roll Call:

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

NAYS: None ABSTAIN: None ABSENT: C/Herrstrom

REPORTS OF COMMITTEE CHAIRS:

Environmental, Health & Safety: No report

Administration: No report

Finance: No report

Public Works: C/Macher reports the Public Works Department is finished building the cover for well 4 and will be painted next. We had a short meeting with the Public Works Committee and discussed if we need any additional traffic control devices. C/Esakoff questions the generator at Borough Hall if it tests itself. It is supposed to start up every Tuesday at 10:00am and it didn't start up today. Ana will call Warshauer to find out the schedule.

Utilities: C/Trammell reports we are not happy with Warshauer as they took too long to get it to work. Very concerned with generators at sewer and water plants. We have a contract with them until next May and we should seriously look into other contractors at that point or maybe sooner. Had a meeting at Borough Hall and working with Ana regarding streets that have been paved and the sewer and water lines that have been swapped out. We are going to do a map showing what streets have been done and which need to be done. By 2025 90% of the old town should be done. There was a little damage to the lift station behind Borough Hall. Mike Lyons took a look and repair. We are going to arrange a public meeting at the water plant with John and Ellen from the Environmental Commission, on how the water gets distributed through the town.

REPORTS OF BOROUGH OFFICIALS:

Michael Ticktin has no report. Mary Tulloss, 21 Lake Drive, states things are going along fine and hopes everyone saw a printed copy of the newsletter that came out from the Environmental Commission which Ellen spearheaded. It was something we needed to do for our certification.

Bob Atwood reports for Connie Herrstrom on Community Development and read her email into record:

In our last meeting, we discussed two projects for grants from the County to be funded under the Open Space Acquisition Fund Grant as suggested by Gail Hutton. These were (1) to acquire the 12-acre parcel of land that was part of the Green Acres land swap and (2) a Capital Improvement Project for the improvement and enhancement of the amphitheater.

Both projects require applications and neither can meet the September 15 deadline for submission, however, it was Gail's recommendation that we apply as soon as possible. To move these projects forward, our attorney would need to prepare two resolutions for our next meeting. The first resolution would be for a grant that would pay 50% with a matching 50% to be paid from the Borough. The Fund for Roosevelt would pay for 50% of the Borough's obligation which is estimated to be approximately \$15,000. The second resolution would be for Concept Support for moving forward with design and funding for the monument/amphitheater improvement and enhancement project.

Due to the first project fitting more fully within the Open Space objective and no design is required, it was recommended that this application be completed first. Once the resolution is approved for the second project and the design is completed and approved, the application process for the second project can commence.

Connie Herrstrom

Michael Hamilton states we have a lot of local talent that have expressed interest in working on the concept design, we'd like to keep it in house. The grants require certain steps, a public hearing within 12 months prior to application to discuss what we would like to do and to get public input. Then a resolution by the governing body to authorize the application. We could put forth a resolution to support if we want to preserve the 12 acre on the North side of Lake Drive. Even though we missed the deadline, Gail said they might grant preliminary approval of the concept plan. Michael Hamilton states that he has asked to have a discussion in executive session on the 12-acre property.

Joe Trammell states he would like to move that the council be in support of the amphitheater reconstruction. Attorney Christine Malamut states that it's not necessary but you can pass a resolution in support once the application is drafted.

UNFINISHED BUSINESS/OLD BUSINESS:

Michael Hamilton states he would like to bring up going back to live meetings. Consensus of the council is to go back to live meeting as soon as possible. Michael Hamilton asks if we go to live meetings is it possible that the residents could join through zoom. Consensus of the council is to start back to live meetings on October 17, 2022. Kathleen will advertise one meeting at a time. Attorney Christine Malamut brings to the council's attention that with her experience as Borough Attorney in other towns, that hybrid meeting you need a special type of software and equipment to implement and there are sound issues.

NEW BUSINESS:

1. Bulk Pick Up – October 17, 2022
2. M/Malkin states that Recreation is planning a family movie night on September 24, 2022 with a rain date of October 7, 2022. The movie is the Adams Family 2.

3. Michael Ticktin, 37 N. Valley Road, asks if the Environmental Commission and the Planning Board be able to make their own decision on when they would like to go back to in person meetings? Attorney Christine Malamut states they can make their own decisions.

PUBLIC COMMENT: (Any item)

M/Malkin opens the public comment at 7:47pm

1. Maureen Parrott, 2 Tamara Drive: States that the recycling truck backed up and put a gash in my neighbor's truck that was parked in the street and the driver left. Requests a leaf pick up. Questions mosquito pesticides being sprayed on lawns. It is highly dangerous and can this be prohibited or the borough regulate? Wants more signs put down instead of one. Discussion takes places among the Council and Attorney regarding whether the Borough can require additional notification/signage for lawn spraying. Some items touched on are: Environmental Commission can look into alternative treatments and Environmental Commission putting out a flyer on this issue. Christine Malamut states there is no state pre-emption, however, there are constraints that are placed upon by the DEP and the Borough would need DEP approval. There is a Right To Farm Act that has its own requirements and restrictions. The Borough can require more signage/notification but with the DEP's approval first. Christine Malamut will get additional information and forward to the Mayor. C/Trammell said he would like to look into it, maybe there's a way around it.
2. Michael Ticktin, 37 N. Valley Road, states that the Right To Farm Act would only apply to farms. Also, the other problem is the enforcement and who would actually enforce any new rules.

M/Malkin closes the public comment at 8:04pm

C/Herrstrom arrives at 7:55pm

CLOSED SESSION:

Resolution 22-88 Providing for a Private Executive Meeting that Excludes the Public

C/Esakoff offered the following Resolution and moved its adoption, which was second by **C/Hamilton**.

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. Items Falling Under Attorney/Client Privilege – NJDEP Adjudicatory Hearing
 - b. Potential Land Acquisition
 - c. Personnel
- 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/Herrstrom, C/Macher, C/Trammell

NAYS: None

ABSTAIN: None

ABSENT: None

Time In: 8:08 Time Out: 9:28pm

ADJOURNMENT

C/Esakoff made a motion, with a second offered by C/Trammell, to adjourn meeting with an All in Favor.

Time Out: 9:29pm

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

Respectfully Submitted,

Kathleen Hart, Borough Clerk

Adopted Date: September 19, 2022