

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

**Mayor and Council
Regular Meeting Minutes of October 17, 2022**

Mayor Malkin opened the meeting at 7:10 pm and read the Open Public Meetings Act notice which stated, “Adequate notice of this meeting, as required by Chapter 231, P.L. 1975, has been provided by a public notice on October 7, 2022, 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

	PRESENT	ABSENT	LATE ARRIVAL
<i>Councilmember Robert Atwood</i>	✓		
<i>Councilmember Lou Esakoff</i>	✓		
<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 7:11pm.

1. Mary Tulloss – 21 Lake Drive: Questions that under Closed Session resolution one of the items is in regards to Stormwater and why the Borough would object to NJDEP Stormwater Tier A? Attorney Greg Cannon, Esq., responds that every town has to show the NJDEP that it regulates Stormwater standards. There are levels of testing for the permit, with the Borough of Roosevelt being so small and historically has not had a large impact on the surrounding watershed, the Borough has been classified as Tier B municipality. The Borough Engineer annually submits reports to the DEP. Because of increased runoff in the watershed, which Roosevelt is a part, the surrounding waters have reached a classification that is lower in quality. The Borough has appealed that decision on the basis that nothing is happening here in Roosevelt that substantially impacts the surrounding area. We understand what’s going on around us but it’s not our fault. We are waiting for a response from DEP. Tonight’s discussion is the cost benefits of filing the appeal and the Governing Body can make an informed decision on the appeal. Mary Tulloss replies it could be good for us to try to meet a higher standard, our Watershed is very important and the water goes to the Delaware River. Attorney Greg Cannon, Esq., replies that we received a letter in great detail and if you would like you can review the letter. Mary Tulloss explains that the Environmental Commission has been testing the water here in Roosevelt for over a year.

M/Malkin closed the Public Comment for agenda items at 7:28pm.

APPROVAL OF MINUTES:

1. September 19, 2022 Regular 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/Herrstrom, C/Macher, C/Trammell

NAYS: None ABSTAIN: None ABSENT: None

CONSENT AGENDA RESOLUTIONS:

- Resolution 22-96 Payment of Bills for October 17, 2022
- Resolution 22-97 Appointing Code Enforcement Officer
- Resolution 22-98 Resolution Authorizing a “Fair and Open” Process and Issuance of a Request for Proposals for 2023 Professional Services Within the Borough
- Resolution 22-99 Resolution of the Borough Council of the Borough of Roosevelt Approving Change Order No. 1 and Payment No. 2 to S. Brothers, Inc. for Improvements to Farm Lane and School Lane

C/Esakoff made a motion, with a second offered by C/Herrstrom, to adopt the Consent Agenda Resolution 22-96 through 22-99.

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: C/Esakoff would like to discuss parking cars on grass. M/Malkin states that our Code Enforcement Officer has been going to everyone’s home and lets them know verbally that they can’t park on the grass. If they continue he sends them a letter and the final step is he will issue a summons. Attorney Greg Cannon states that there is a parking ordinance in the Borough Code Book under Zoning (designated driveways 6.2.11) and also 6.2.12 (limitation on vehicles). Discussion takes place on the zoning ordinances regarding parking.

Finance: C/Hamilton reports that the Council received a copy of the 2020 audit. The resolution is on for consideration tonight to accept the 2020 Audit and each of the council members need to sign off on the group affidavit. The auditor is currently working on the 2021 audit.

Community Dev/Code: C/Herrstrom reports that she is trying to establish the first meeting for the Amphitheater. There cannot be more than 3 governing body members on the committee. The committee will also include other groups from the town.

Public Works: C/Macher reports that we lost the brakes on the yellow truck and it is out for repair.

Utilities: C/Trammell reports that Vortex came and jetted and televised part of if not the whole Tamara Drive and then they were going from Tamara to the waste water plant. They will be back on November 20th to finish. They found a rock blocking the flow and a hole in the pipe.

REPORTS OF BOROUGH OFFICIALS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

Motion was made by C/Hamilton to Amend the Agenda to add Resolution 22-101, Resolution of the Borough Council of the Borough of Roosevelt Accepting the 2020 Audit Report with a second from C/Esakoff.

Roll Call:

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

Resolution 22-101 Resolution of the Borough Council of the Borough of Roosevelt Accepting the 2020 Audit Report

C/Hamilton made a motion, with a second offered by C/Esakoff, to accept the 2020 Audit Report.

Roll Call:

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

Council Meetings – Change in dates (November/December) – discussion takes place moving the December 5th meeting to December 12th. The December 20th is on a Tuesday, which has already been advertised (due to Hanukkah). The November 7th meeting will be cancelled due to setting up for the election on November 8th.

Motion to approve offered by C/Trammell with a second from C/Esakoff, all are in favor.

M/Malkin states that the General Election is on Tuesday November 8, 2022 from 6:00 a.m. – 8:00 p.m.

M/Malkin makes the following announcements:

CentraState Mobile Clinic scheduled for October 25, 2022 has changed the hours to 10:00am to 12:30pm. Flu Shots will be given out along with Covid 19 shots, blood pressure screening and diabetes screening.

The Millstone Township Fire Department will be out on Halloween helping with lighting.

Judith Goetzmann would like to use the Borough Hall on Sunday November 6th for a memorial service for her son and asks the Council for approval.

Motion to approve offered by C/Hamilton with a second from C/Trammell, all are in favor.

M/Malkin discusses the need for Crossing Guards which are needed desperately and the Borough may need to hire a Class C Police Officer. We have 9 dates that a crossing guard is needed. Asking for volunteers from the Council to help with shifts. The Council discusses and possibly add some incentive such as making it a minimum of 2 hours.

PUBLIC COMMENT: (Any item)

M/Malkin opens the public comment at 8:07pm

No Public Comment.

M/Malkin closes the public comment at 8:07pm

C/Hamilton reports on the Environmental Commission: At the September 21, 2022 meeting the Environmental Commission discussed and will stay in the Zoom format. Forest Management – we will lose our status if a council member cannot attend the Core training sessions (2 days). A lot of work has been done on the trails. 5th grade class did a spooky trail fundraiser, on the path going to the school - it was great, it was scary. It was a fundraiser for the class trip. On October 29th there will be an Art Walk on the trails. Reports were given on: Stream Monitoring, Invasive Species, Sustainable Jersey. There was a community build your own compost bin. The Environmental Commission also discussed a seed library where you can bring or receive seeds.

Branch pick up to take place on November 7th. Discussion takes place regarding a chip drop off.

The Borough Attorney states that action may be taken after Closed Session with Resolution 22-102 – Verizon Lease Amendment.

CLOSED SESSION:

Resolution 22-100 Providing for a Private Executive Meeting that Excludes the Public

C/Esakoff made a motion, with a second offered by C/Atwood, to adopt Closed Session Resolution.

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 – Reassignment MS4 Tier B to Tier A
 - b. Items Falling Under Attorney/Client Privilege – Fee for Potentially Dangerous Dog
 - c. Potential Litigation – Green Acres Encroachment
 - d. Contractual – Verizon Cell Tower Lease
- 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: 8:26pm; Time Out: 9:39pm

C/Esakoff made a motion, with a second offered by C/Trammell, to adjourn closed session meeting, all are in favor.

Resolution 22-102 Resolution Approving Amendment No. 1 to Lease Agreement with Verizon Wireless for Cellular Telecommunications Facilities Located on the Borough’s Water Tower at 35 North Valley Road, Roosevelt, NJ

C/Hamilton made a motion, with a second offered by C/Herrstrom, to adopt Resolution 22-102.

Roll Call:

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

NAYS: None ABSTAIN: None ABSENT: None

ADJOURNMENT:

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

Time Out: 9:44pm

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

Respectfully Submitted,

Kathleen Hart, Borough Clerk

Adopted Date: November 21, 2022