

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

**Mayor and Council
Regular Meeting Minutes of November 21, 2022**

Mayor Malkin opened the meeting at 7:03 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 28, 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>		✓	7:09PM
<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

PRESENTATION BY BOROUGH ENGINEER:

1. Sewer Plant – Trickling Filters: Borough Engineer Carmela Roberts gives a presentation of analysis on the Wastewater Treatment Plant in regards to the replacement of the trickling filters. The anticipated cost for new trickling filters is approximately \$3,000,000. A lengthy discussion takes place. The Borough Engineer would like to see if the trickling filters can be moved out of the building to give more room in the plant. Soil drilling would need to be done.

On a motion by C/Trammell to move ahead with the soil drilling as a first step to dealing with the trickling filters at the Wastewater Treatment Plant, with a second offered by C/Hamilton. The motion was 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

A resolution will be on the next meeting to memorialize.

CORRESPONDENCE:

1. Resignation letter received, dated September 14, 2022, from Jacque Carpenter resigning as Chairperson from the Planning Board, effective immediately.
2. Adopted Resolution 2022-0769, dated October 27, 2022 from the Monmouth County Board of County Commissioners regarding establishing the USA 250 – Monmouth Committee.

PUBLIC COMMENT (Agenda items only):

M/Malkin opened the meeting to Public Comment for agenda items only at 7:57pm.

No Public Comment

M/Malkin closed the Public Comment for agenda items at 7:57pm.

APPROVAL OF MINUTES:

1. October 3, 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

2. October 17, 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

ORDINANCE:

FIRST READING

ORDINANCE 2022-10

AN ORDINANCE AMENDING SUBPART 5-6.2(g): "LICENSE REQUIRED; FEE" OF SUBSECTION 5-6.2: "POTENTIALLY DANGEROUS DOGS" OF SECTION 5-6: "POTENTIALLY DANGEROUS DOGS; VICIOUS DOGS" OF ARTICLE I: "DOGS" OF CHAPTER 5: "ANIMAL CONTROL" TO INCREASE LICENSE FEE FOR POTENTIALLY DANGEROUS DOGS WITHIN THE BOROUGH

C/Trammell made a motion to adopt on first reading Ordinance 2022-10, with an amendment to change the fee from \$150 to \$500 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 December 12, 2022 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555.

CONSENT AGENDA RESOLUTIONS:

- Resolution 22-103 Payment of Bills for November 21, 2022
- Resolution 22-104 2023 Software Support and License Agreement with Edmunds Govtech, Inc.
- Resolution 22-105 Resolution Authorizing an Agreement with Monmouth County Board of County Commissioners to Provide Special Citizen Area Transportation Service (SCAT) for Fiscal Year 2023
- Resolution 22-106 Resolution of the Borough Council of the Borough of Roosevelt Authorizing the Sale of Surplus Personal Property No Longer Needed for Public Use on an Online Auction Website
- Resolution 22-107 Resolution Appointing Clean Communities Coordinator

C/Hamilton would like to remove Resolution 22-103, Payment of Bills for November 21, 2022 from the Consent Agenda for further discussion. C/Esakoff made a motion to remove Resolution 22-103 from the Consent Agenda for further discussion, with a second offered by C/Herrstrom.

Roll Call:

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

C/Herrstrom made a motion to adopt, with a second offered by C/Esakoff, to adopt the Consent Agenda Resolutions 22-104 through 22-107.

Roll Call:

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

Resolution 22-103 Payment of Bills for November 21, 2022

C/Hamilton questions the legal bill from Attorney Greg Cannon in the amount of \$2,295 regarding the Stormwater Tier A to Tier B and questioned if we authorized, set a limit and should we fight the Tier designation. Attorney Greg Cannon states that the bill also represented filing the appeal. C/Hamilton states he has no objection to the bill, there was a lot of research done, the question is; do we continue with this expenditure because it could cost this much periodically or do we want to decide whether or not we want to protest the DEP designation. Attorney Greg Cannon states the last bill was August 30th, and the bulk of the work was researching if we could file an appeal, the current bill is \$2,295 and there has been no other billing since August 30th. There is nothing else to do at this time other than to show up when there's a hearing and prepare for that.

C/Hamilton made a motion to adopt Resolution 22-103, with a second offered by C/Trammell.

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 the 2020 audit report has been completed and sent to the State. We still have the 2021 audit that's was due on September 30th, so technically its past due. George has to input the numbers, no definite date as of yet. We also may need some security updates and upgrades on various areas that the Borough manages and recommends that we put in the upcoming budget.

Community Dev/Code: C/Herrstrom reports we are working on the two projects that we have been discussing. The first project is the Amphitheater which had its first committee meeting on November 1st. There was 8 of the 10 people on the committee in attendance. The next meeting is on November 30th to try to flush out our objectives. We are hoping to have an answer from the Fund for Roosevelt on what they may want to contribute. The second project is the parcel of land for possible purchase. C/Herrstrom contacted Paul Gleitz, who is our contact for the Monmouth County Open Space funding. He said the next step should be contacting the owner of the property for approval for 2 appraisers to walk the parcel and have a representative from the committee as well be in attendance. Then we would have to make the decision on what which appraisal the Borough would accept and negotiate with the owner of the property. C/Hamilton asks the Council which project to go with either the Amphitheater or the parcel purchase? The Council agrees that the Amphitheater should take preference.

Public Works: No report

Utilities: C/Trammell reports he received a call from John Kluthy from the State Agricultural Development Commission regarding Nurko Road. A meeting took place with different agencies in attendance. They are moving slowly but moving and figuring out the drainage situation.

REPORTS OF BOROUGH OFFICIALS: None

UNFINISHED BUSINESS:

1. Crossing Guards: M/Malkin stated that there was a promising candidate for crossing guard, unfortunately her schedule changed and can't take the position. We have exhausted all options and I think the only possibility is to hire a retired police officer or contact Manalapan Police Department for a shared service agreement for a Class III police officer. C/Atwood will contact Manalapan Township and Hightstown. We currently pay \$18.50 an hour; a Class III officer may cost about \$33.00 per hour. The hours would be from 8:10am-8:40am and 2:40pm – 3:10pm. Right now we have someone covering the 8:10am-8:40am.
2. Cannabis Committee – C/Trammell suggests that we form a Cannabis Committee in 2023, with the Planning Board and the Environmental Commission. We have 3 people that would come and speak with us. The State's representative had a closed town meeting on November 2nd and C/Trammell participated. A lot of people from Central Jersey attended and a lot of questions were answered and suggested that

NEW BUSINESS:

1. Best Practice Inventory Report - report has been filed.
2. Use of Borough Hall: Resident requested use for a private event on November 20, 2022. Request form on file. Memorialized, all are in favor.
3. Use of Borough Hall: Resident request use for a private event on November 27, 2022 from 1pm-4pm. Setup on November 26, 2022. Request form on file.
C/Esakoff made a motion to approve the use of the Borough Hall for a private event on November 27, 2022 from 1pm-4pm, with set up on November 26, 2022, with a second offered by C/Atwood. All are in favor.
4. Use of Borough Hall: Resident request use for an Author Fair on December 18, 2022 from 9am-1pm. Setup on December 17, 2022. Request form on file and deposit has been posted.
C/Atwood made a motion to approve the use of the Borough Hall for Author Fair on December 18, 2022 from 9am-1pm, with set up on December 17, 2022, with a second offered by C/Hamilton. All are in favor.

PUBLIC COMMENT: (Any item)

M/Malkin opens the public comment at 8:38pm

1. Michael Ticktin, 37 N. Valley Road – Notes that the parcel on North Side of Lake Drive; point is everything else in Roosevelt has Green Acres behind it, this would be the only property that doesn't. The valuation would take into account any wetlands on the property, also since the property is on a slope I wouldn't make any assumption on how much of the property has wetlands. Michael feels we should move forward with this process at the appropriate time; after the amphitheater project.

M/Malkin closes the public comment at 8:39pm

CLOSED SESSION:

Resolution 22-108 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 – Update on Reassignment MS4 Tier B to Tier A
 - b. Potential Litigation – Industrial Zoning
- 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

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

Time In: 8:45pm; Time Out: 9:15pm

ADJOURNMENT:

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

Time Out: 9:16pm

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

Respectfully Submitted,

Kathleen Hart, Borough Clerk

Adopted Date: December 20, 2022