

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

Mayor and Council
 Regular Meeting Minutes of August 21, 2023

Mayor Malkin opened the meeting at 7:05 p.m. 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 January 6, 2023 which was posted on the Bulletin Board 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>		✓	7:16PM
<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., Borough Attorney and Kathleen Hart, Borough Clerk.

Mayor Malkin states that we have on for second reading and public hearing Ordinance 2023-07. However, we will need to table the ordinance due to an oversight. The Borough Planner needs to review and submit a report to the Planning Board at their September 19, 2023 meeting to see if wineries conform with the Master Plan. Once that is done we will go back to step 1 and have a first reading possible at the October 2, 2023 Council meeting. Attorney Greg Cannon spoke stating the planner will do his research and will bring back suggestions for a new ordinance. The process will be to introduce a new ordinance then send to the Planning Board for their review before we can have a second reading and public hearing.

MAYOR’S REPORT: None

PUBLIC COMMENT (Agenda items only)

M/Malkin opened the meeting to Public Comment for agenda items only at 7:11 p.m.

No Public Comment

M/Malkin closed the Public Comment for agenda items at 7:11 p.m.

CORRESPONDENCE: None Presented

APPROVAL OF MINUTES:

1. June 19, 2023 Regular Meeting Minutes

On a motion by C/Atwood 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

2. July 3, 2023 Regular Meeting Minutes

On a motion by C/Atwood 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

ORDINANCES:

SECOND READING AND PUBLIC HEARING:

ORDINANCE 2023-07 AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE BOROUGH OF ROOSEVELT TO ADD WINERIES AS A PERMITTED USE IN THE R-AG/400 ZONE

M/Malkin opens the public comment at 7:14 pm.

1. Michael Ticktin, 37 N. Valley Road, states that 2 items need to be addressed; noise and parking. Mr. Ticktin will supply language he has to the Borough Attorney.

C/Esakoff arrives at 7:16pm.

M/Malkin closes the public comment at 7:17pm.

C/Hamilton made a motion to table on second reading Ordinance 2023-07, with a second offered by C/Trammell. The ordinance was tabled with 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 23-85 Payment of Bills for August 21, 2023
- Resolution 23-86 Authorizing the Execution of a Commodity Resale Agreement with the County of Monmouth
- Resolution 23-87 Resolution Appointing Crossing Guard
- Resolution 23-88 Resolution Awarding Contract to Earle Asphalt Company for Installation of New Water Service and Sanitary Sewer Lateral at 19 South Rochdale Avenue
- Resolution 23-89 Resolution Authorizing Roberts Engineering Group LLC to Inspect Installation of the Sewer Lateral and Trench Restoration and H2O Services to Inspect Installation of the Water Service at 19 South Rochdale Avenue

C/Trammell made a motion to adopt, with a second offered by C/Esakoff, to adopt the Consent Agenda Resolution's 23-85 through 23-89, by the following roll call vote:

Prior to the vote C/Trammell questions the payment for the installation of new water and sewer services at 19 S. Rochdale Ave; Municipal Clerk Kathleen Hart states that in the resolution it clearly states that the Borough requested and received escrow from the property owners to cover the costs. C/Trammell and C/Hamilton questions the payment to BIS Digital. C/Hamilton question why the Finance Department was not aware of this purchase. M/Malkin states that the previous recording system was of very poor quality, as you all know, throughout the meetings we heard knocking, all kinds of noises and it also was very difficult for our administrative staff to transcribe it. C/Hamilton states his question was about the process. M/Malkin states that C/Trammell was aware of the problems and he was looking into a new system that would cost approximately \$12,500 and Ana Debevec, Administration, contacted one of the companies that many towns use and the price was approximately \$900. It was a necessary expenditure. C/Hamilton states his question was about the process and we need protocols. M/Malkin states it was very transparent and the Council is aware of how poorly the current system was. C/Trammell states it was not transparent. M/Malkin states Ana Debevec in her position contacted other towns to see what they were using, she spoke with other

companies, found this system which has an excellent reputation, and spoke with people in other towns that use this system. M/Malkin and Ana Debevec discussed it and decided on this new system, which is a tiny fraction of the cost. C/Hamilton states it's the process and the Council should be consulted on expenditures of a certain dollar amount. C/Hamilton also questions the ETM payment.

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 states he went to look at the storm drains during one of the torrential storms we had. They were clogged and need to be jet vac. We have a shared services agreement with the Monmouth County and maybe they can come out and look at the clog. M/Malkin states we will have Ana call and see when they can come out.

Community Dev/Code: C/Herrstrom states on August 1, 2023 we had our Roosevelt Senior Group meeting and discussed the making of sourdough bread. The next meeting will be September 5, 2023 and the project will be on the mapping of Roosevelt. We had about 15 people in attendance.

Public Works: C/Macher states the drainage pipes on County Roads need attention. We should ask the County about them too.

Utilities: C/Trammell: No Report

REPORTS OF BOROUGH OFFICIALS:

Ellen Silverman, 10 N Valley Road, states the Environmental Commission have voted on a mission statement and has a new sub-committee that is working on goals for the next couple of years. We have applied for Sustainable Jersey and have enough points for Bronze certification. We will be notified in September if accepted. If we could get part of the Stormwater mapping, especially in relationship to the channels that go across the trails, it will be very helpful in making our plans for the maintenance of the trails and keep those channels open so they don't flood. Benches were painted behind the head.

UNFINISHED BUSINESS:

1. Draft Ordinance – An Ordinance Amending Chapter 2 “Administration”, Article VII: “Administrative Fees”, Subsection 2-59 Borough Hall Use: The Borough Council discussed. The word rental will be changed to use. Also, the ordinance now states that no alcohol is permitted within Borough Hall during any event. C/Hamilton states that as long as the application meets all requirements it does not need to go to the Borough Council for approval it can be done by Administration. Municipal Clerk, Kathleen Hart states that it states that applicant agrees not to attach anything to walls, doors, trim, ceiling, paintings unless approved in advance. C/Herrstrom states we don't want Ana Debevec to have to feel the weight of approving if there are any issues, how comfortable is she going to feel making the decision every time. Attorney Greg Canon states she can always send it back to the Council if she is not comfortable approving. C/Hamilton states under the heading “Right to use Borough Hall” there's a section that states form must be submitted at least 3 weeks before the event – since it's not subject to Council approval anymore, do we still need 3 weeks in advance notice. It is decided that that should be taken out.

NEW BUSINESS:

1. Hydrant Flushing – 8/28 (east side) and 8/30 (west side)

- 2. Borough Attorney prepared a resolution to authorize the Borough Planner to review draft Ordinance 2023-07.

Resolution 23-90 Resolution Authorizing the Borough Planner to Review, Analyze, and Report Upon Borough Ordinance No. 2023-07 to Properly Include Vineyard and Winery Uses in the R-AG/400 Zone in an Amount Not to Exceed \$2,500.00 was read into the record.

WHEREAS, the Borough of Roosevelt, County of Monmouth, State of New Jersey (the “Borough”), seeks to preserve its rural character through development policies that promote agricultural uses and the preservation of open spaces; and

WHEREAS, the Borough faces significant threats of development on farmland and open space both within the Borough and surrounding its borders; and

WHEREAS, the Mayor & Council sought to update the Borough’s development regulations and policies, and introduced Ordinance No. 2023-07 to promote more modern agricultural uses of land, and correspondingly, the preservation of farmland within the Borough;

WHEREAS, upon review of Ordinance No. 2023-07 by the Planning Board, significant issues were raised by the Planning Board and the Borough Planner regarding the proper implementation of such updated regulations; and

WHEREAS, the Borough seeks expert advice as to the appropriate implementation of the aforementioned land use goals, and has been provided with a proposal by the Borough Planner, Thomas Planning Associates, LLC, dated August 17, 2023, in an amount not to exceed \$2,500.00 to review, analyze, and provide a report with recommendations as to Ordinance No. 2023-07; and

WHEREAS, the Borough’s Chief Financial Officer has certified the availability of funds in the amount not to exceed \$2,500.00.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Roosevelt, County of Monmouth, State of New Jersey that Thomas Planning Associates, LLC is hereby authorized to review, analyze, and provide a report with recommendations as to Ordinance No. 2023-07, in accordance with the Proposal attached hereto as Exhibit A, in a total amount not to exceed \$2,500.00.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Chief Financial Officer, Purchasing Agent, and Thomas Planning Associates, LLC.

C/Esakoff made a motion to adopt Resolution 23-90, with a second offered by C/Atwood with 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

PUBLIC COMMENT (Any item)

M/Malkin opens the public comment at 8:16pm

Michael Ticktin, 37 North Valley Road proposed text to be include in the draft Ordinance 2023-07 regarding parking and hours of operations which should be 6PM, not 10PM.

Ellen Silverman, 10 North Valley Road states that you need to stop selling at 6PM but BYOB can continue.

M/Malkin closes the public comment at 8:21pm

CLOSED SESSION:

Municipal Clerk Hart read Resolution 23-91 Providing for a Private Executive Meeting that Excludes the Public into the record:

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. Roosevelt First Aid

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.

C/Atwood moved its adoption, which was second by C/Herrstrom with the following roll call vote.

ROLL CALL VOTE:

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

NAYS: None ABSTAIN: None ABSENT: None

C/Atwood made a motion, with a second offered by C/Atwood to adjourn closed session with an All in Favor.

Time In: 8:29pm Time Out: 8:35pm

ADJOURNMENT

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

Time Out: 8:36 p.m.

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

Respectfully Submitted,

Kathleen Hart, Borough Clerk

Adopted Date: September 18, 2023