

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

Mayor and Council
 Regular Meeting Minutes of November 20, 2023

Mayor Malkin opened the meeting at 7:18 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>	✓		
<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’S REPORT:

M/Malkin reports that Bill Counterman passed away today. Bill and June Counterman moved to the Borough 63 years ago. Our condolences to the Counterman family.

PUBLIC COMMENT (Agenda items only)

M/Malkin opened the meeting to Public Comment for agenda items only at 7:20 p.m.

1. Mark Pouch and Beverly Tepper, 23 Montgomery Ave, Rocky Hill: Discussion takes place regarding the Ordinance 2023-16 in regards to sales room, catered food (no commercial kitchen), outdoor seating and parking. Amended the ordinance section 6b from no more than 50 people to Shall be for no more persons than the occupancy/seating capacity permitted for the winery under this Section and/or the applicable Minimum Parking Requirements.

M/Malkin closed the Public Comment for agenda items at 7:33 p.m.

MINUTES:

1. Regular Meeting Minutes – October 16, 2023

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

Roll Call:

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

NAYS: None ABSTAIN: None ABSENT: C/Atwood, C/Trammell

CORRESPONDENCE:

1. Lyons Environmental Services, LLC, dated November 8, 2023 regarding response to the Compliance Evaluation Inspection on August 23, 2023
2. Letter from Monmouth County Board of County Commissioners, dated November 8, 2023 regarding SCAT Agreement. – Get more information put on next agenda for discussion.

ORDINANCES:

SECOND READING

ORDINANCE 2023-14

AN ORDINANCE AMENDING SCHEDULE A OF CHAPTER Z: "ZONING" TO INCREASE, ELIMINATE, AND IMPLEMENT CERTAIN ADMINISTRATIVE FEES

M/Malkin opens the public comment at 7:41pm

No Public Comment

M/Malkin closes the public comment at 7:41pm

C/Esakoff made a motion to adopt Ordinance 2023-14 on second reading, with a second offered by C/Hamilton.

Roll Call:

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

NAYS: None ABSTAIN: None ABSENT: C/Atwood, C/Trammell

SECOND READING

ORDINANCE 2023-15

ORDINANCE PROVIDING FOR THE CAPITAL IMPROVEMENT FOR THE ROOF REPLACEMENT AT THE WATER TREATMENT PLANT FOR THE BOROUGH OF ROOSEVELT AND APPROPRIATING \$31,000 THEREFORE, AUTHORIZED IN AND FOR THE BOROUGH OF ROOSEVELT, IN THE COUNTY OF MONMOUTH

M/Malkin opens the public comment at 7:42pm

No Public Comment

M/Malkin closes the public comment at 7:42pm

C/Esakoff made a motion to adopt Ordinance 2023-15 on second reading, with a second offered by C/Herrstrom.

Roll Call:

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

NAYS: None ABSTAIN: None ABSENT: C/Atwood, C/Trammell

FIRST READING

ORDINANCE 2023-16

AN ORDINANCE AMENDING THE ZONING ORDINANCES OF THE BOROUGH CODE TO INCLUDE WINERIES AS A PERMITTED USE IN THE BOROUGH'S R-AG/400 ZONE WITH APPLICABLE REGULATIONS

C/Esakoff made a motion to adopt on first reading Ordinance 2023-16 as amended, with a second offered by C/Hamilton.

Roll Call:

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

NAYS: None ABSTAIN: None ABSENT: C/Atwood, C/Trammell

Second Reading and Public Hearing to be held on December 18, 2023 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555.

FIRST READING

BOND ORDINANCE 2023-17

BOND ORDINANCE PROVIDING FOR A TRICKLING FILTER ~~EVALUATION~~ REPLACEMENT IN CONNECTION WITH THE WASTE WATER TREATMENT PLANT, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROOSEVELT, IN THE COUNTY OF MONMOUTH, NEW JERSEY

C/Esakoff made a motion to adopt on first reading Ordinance 2023-17 as amended, with a second offered by C/Hamilton.

Roll Call:

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

NAYS: None ABSTAIN: None ABSENT: C/Atwood, C/Trammell

Second Reading and Public Hearing to be held on December 18, 2023 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555.

CONSENT AGENDA RESOLUTIONS:

Resolution 23-117 Payment of Bills for November 20, 2023

Resolution 23-118 Resolution Authorizing Award of Non-Fair and Open Contract for Professional Appraisal Inspection Services for Real Property Data Collection Services

C/Esakoff made a motion to adopt, with a second offered by C/Hamilton, to adopt the Consent Agenda Resolution's 23-117 through 23-118, by the following roll call vote:

Roll Call:

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

NAYS: None ABSTAIN: None ABSENT: C/Atwood, C/Trammell

REPORTS OF COMMITTEE CHAIRS:

Environmental, Health & Safety: No Report.

Administration: No Report.

Finance: No Report.

Community Dev/Code: C/Herrstrom gives an update on the amphitheater. Council committed \$660,000 to the project and the Borough received a grant from Monmouth County in the amount of \$330,000. Original project costs were \$826,554. At the November 9th the Council was asked to consider committing one half of the project cost which would be \$413,000 for a total project cost of \$743,000. The project committee met and came up with some cost savings. How much do we want to go out and bond for? C/Hamilton states the numbers we are working with have a contingency of 10%. C/Esakoff questions if the Borough can afford this; he does not think so. We have two million dollars coming for the trickling filters. We are going to have to tax people very heavily. M/Malkin does state for those who are not aware we are going to have a two-million-dollar project for the trickling filters to be replaced at the sewer plant. Also, with the new Stormwater regulations, which are mandatory from the NJDEP will be additional cost to the Borough. We will have to hire a full time public works employee. C/Herrstrom asks what kind of obligation do we have to the Fund for Roosevelt? Also with the County we were told not to put in an application if we were not going to come up with the other half of the costs. So how can this be questioned? C/Hamilton states that the

CFO estimated a cost to resident of about \$150 a year. We are very thankful that we got this grant. Discussion continues amongst council members regarding the amphitheater and its costs. Attorney, Greg Cannon states that usually design costs are included in the bond. C/Herrstrom states we should bond for the \$728,250. C/Esakoff disagrees, C/Macher agrees with the \$728,000 as does C/Hamilton. This dollar amount will be forward to CFO, George Lang to start the process for Bond Ordinance. Senior group's next meeting will be December 5, 2023 and it will be their Christmas Party. Let's get it posted on the website.

Public Works: C/Macher reports Monmouth County is vacuuming the storm drains.

Utilities: No Report.

REPORTS OF BOROUGH OFFICIALS: No Reports.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

PUBLIC COMMENT (Any item)

M/Malkin opens the public comment at 8:36p.m.

1. Tim Hartley, 29 Farm Lane – Would like to talk about mandatory removal of hazardous trees on private property. He is a member of the Environmental Commission but is not here as a member, this has been spoken about at the Environmental Commission meeting. Mr. Hartley gives facts about hazardous and dead trees. The Borough has hired tree experts to do reports on borough hazardous trees. The Borough has ordinances on tree removal including the removal of bamboo trees. Recommendation dead trees of a certain size and in proximity of the right away or neighboring properties should be mandated to remove them. Should be added to Chapter 12 of the property maintenance code. M/Malkin asks Mr. Hartley which municipalities have these ordinance? Mr. Hartley states so far he knows of Jackson Twp., Highland Park, Manasquan and Princeton. C/Hamilton asks if then a homeowner who thinks their neighbor has a hazardous tree, would they contact code enforcement to report the hazardous tree? Mr. Hartley responds essentially that's how it would work. M/Malkin states this could be a hardship to homeowners. Tim Hartley doesn't feel it being a hardship is a reason not to do it. C/Hamilton also feels it should be a requirement, it's a matter of public safety and if it's dangerous.
2. Rainey Hartley, 29 Farm Tree Lane - Discussed insurance requirements.
3. Michael Ticktin, 37 N. Valley Road – This issue came up on his property on Tamara Drive and he took care of it. The property maintenance code says you have to maintain your property in a way that's not hazardous to anyone else.
4. Tom Curry, 3 Pine Drive – States you should notify your neighbor and the other factor is the cost. Trees don't die overnight it's not something that happens right away it's something you can save for; it's a good ordinance. Thanks the council for moving forward with the bond ordinance for the amphitheater, yes it's a very good project for Roosevelt. Mr. Curry states that there are only three places where residents can gather in the town, Borough Hall, the School and the Amphitheater, it will be used more than just a couple times a year.

M/Malkin closes the public comment at 9:02p.m.

CLOSED SESSION:

Resolution 23-119 Providing for a Private Executive Meeting that Excludes the Public

Municipal Clerk Hart read Resolution 23-119 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/Esakoff moved its adoption, which was second by C/Herrstrom with the following roll call vote.

ROLL CALL VOTE:

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

NAYS: None ABSTAIN: None ABSENT: C/Atwood, C/Trammell AYES:

Time In: 9:04p.m. Time Out: 9:33p.m.

ADJOURNMENT:

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

Time Out: 9:33 p.m.

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

Respectfully Submitted,

Kathleen Hart, Borough Clerk

Adopted Date: January 2, 2024