

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

Mayor and Council
 Regular Meeting Minutes of December 18, 2023

Mayor Malkin opened the meeting at 7:11 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: No Report.

PUBLIC COMMENT (Agenda items only)

M/Malkin opened the meeting to Public Comment for agenda items only at 7:12p.m.

1. Michael Merritt, 6 S. Rochdale Ave: Questions and concerns about Stormwater Management and the Tier A Stormwater Management guidelines. We need a clear idea of cost would be to meet the Tier A Stormwater Management guidelines. Why not partner with surrounding towns?
2. Nona Sherak, 4 Maple Court: She is horrified with the Amphitheater design and the materials proposed. Questions why only 1 plan and why go to a landscaper and not just an architect? We do not need to spend a million dollars on something that is not used very often. You don’t have money to trim trees that can fall on a kid or a dog but yet you want to spend a million dollars on the memorial. Water bills are going up, taxes bills will go up, roads need to be repaired and this is what you want to spend money on, she doesn’t get it. You received \$330,000 and will need to match the amount, but a million dollars makes no sense.
3. Corky Rothfuss, 3 Tamara Drive: Thanks the Council for moving ahead with the Amphitheater project as it is an important project for the Borough to spend money on. Please move forward with the project.
4. Alan Mallach, 15 Pine Drive: Supports the Amphitheater and believes that \$300,000 is manageable. This project is a legacy for this Council.
5. Tom Curry, 3 Pine Drive: Agrees with Corky and Alan. The project deserves your support and to move forward with the project.
6. Michael Ticktin, 37 N. Valley Road: Endorses what the others have already said and this is a very important project and we must preserve legacy of FDR.
7. Nona Sherak, 4 Maple Court: Doesn’t have a problem with spending \$330,000, but I have a problem with you spending more than \$330,000 and would like to know what the tax ramifications are. The materials proposed need to be changed.

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

MINUTES:

1. May 15, 2023 Closed Session Minutes

On a motion by C/Esakoff 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/Esakoff, C/Herrstrom, C/Macher, C/Trammell

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

2. June 19, 2023 Closed Session 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

3. July 17, 2023 Closed Session Minutes

On a motion by C/Esakoff 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/Esakoff, C/Hamilton, C/Herrstrom, C/Macher, C/Trammell

NAYS: None ABSTAIN: None ABSENT: None

4. August 21, 2023 Closed Session 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: A/Atwood, C/Esakoff, C/Hamilton, C/Herrstrom, C/Macher, C/Trammell

NAYS: None ABSTAIN: None ABSENT: None

5. November 9, 2023 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

6. November 20, 2023 Closed Session Minutes

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

Roll Call:

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

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

PRESENTATION:

1. Kevin L. Scibilia – NJ Licensed Tree Expert gives a presentation on Roosevelt’s Street Tree Inventory and Management Plan.

The following is a summary of Mr. Scibilia's presentation: Roosevelt is a community with a substantial number of native trees along the right-a-way in both forested and residential sections of town. Although the vast majority of trees are native and most likely self-seeded, there is a good diversity within the Borough with 42 different species represented. The total number of trees in the inventory is 414 with an additional 200 vacant planting locations.

Sweetgum is the dominant species followed by Red Maple and Norway Maple. These three species are over-represented in the population and should be chosen in upcoming tree plantings. There are 140 trees that currently pose a hazard of various risk levels and the H4 and H5 hazard trees (14) are a high priority to remove.

Roosevelt is fortunate to have an unusually large number of planting sites either with no sidewalks or with wide planting strips. The wide strips may account for the very low number of heaved sidewalks as trees have ample room to grow without obstruction.

Future plantings should concentrate on reducing the number of vacant planting sites as well as replacing trees that are lost. New trees can be chosen based on existing species that are performing well but are underrepresented in the population such as Blackgum, White Oak, London Plantree, and Eastern Redbud. In addition, new trees can be chosen from the list suggested trees in Appendix 1.

CORRESPONDENCE:

1. Letter received, dated December 1, 2023, from Roberts Engineering Group, LLC regarding request for Stays of the regulatory requirements for Stormwater Management.
2. Letter received, dated December 1, 2023, from Roberts Engineering Group, LLC regarding Stormwater Management Report.
3. Letter received, dated December 12, 2023, from the Fund for Roosevelt, Inc. regarding Amphitheater project.

ORDINACE:

PUBLIC HEARING AND SECOND 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

M/Malkin opens the public comment at 7:56p.m.

No Public Comment

M/Malkin closes the public comment at 7:56p.m.

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

C/Hamilton asks about 10pm closing and State regulations say 6pm? M/Malkin states it's to cover the occasional special events that take place at the wineries. Mark Pouch states that this is not out of line for wineries and they follow all regulations and will adhere to all noise ordinances. C/Trammell asks how do we deal with neighbors that have noise complaints? Attorney Greg Cannon states we have regulations that have to be followed and if there was any violation of these provisions. Beverly Tepper again states that they will adhere to all regulations and it is not their intent to stay open passed 10pm every day and their plan is not to be open to the public every day. We want to be an asset to the community and not a nuisance in any way, if a neighbor has a problem I hope they would come to us first. C/Hamilton asks about regulations dealing with children?

Roll Call:

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

NAYS: None ABSTAIN: None ABSENT: None

PUBLIC HEARING AND SECOND READING

BOND ORDINANCE 2023-17 BOND ORDINANCE PROVIDING FOR A TRICKLING FILTER EVALUATION 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

M/Malkin opens the public comment at 8:13p.m.

1. Nona Sherak, 4 Maple Court: Has anyone ever wrote a letter to Andy Kim or the White House, explaining that we are a small community and asked if they could help us. C/Trammell responds he met someone who said there may be federal money available and he will meet with them again. Nona Sherak states if someone can get her the information she will write a letter to our representatives and President Biden. Attorney, Greg Cannon states that there is money for water but not wastewater.

M/Malkin closes the public comment at 8:17p.m.

C/Trammell made a motion to adopt Ordinance 2023-17 on second reading, with a second offered by C/Atwood. C/Trammell asks if this \$100,000 is just for the engineer to figure out the trickling situation, and we already gave them \$50,000 a year ago. Will we then have a finalized plan on the trickling filters? C/Hamilton states yes she has scoped out most of the engineering without specs. C/Trammell states part of the original \$50,000 was to eliminate the phosphates.

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 23-123 Resolution Authorizing Transfer of Appropriations for 2023
- Resolution 23-124 Payment of Bills for December 18, 2023
- Resolution 23-125 Resolution of the Borough Council of the Borough of Roosevelt Waiving September/October Water and Sewer Utility Billings for 5 & 6 Cedar Court
- Resolution 23-126 Resolution Authorizing the Borough Engineer to Prepare a Preliminary Assessment/Site Investigation (PASI) for the Rehabilitation of the Roosevelt Amphitheater
- Resolution 23-127 Resolution Authorizing the Borough Engineer to Prepare an Updated Stormwater Management Plan
- Resolution 23-128 Resolution Authorizing Return of Escrow Funds for 19 S. Rochdale Avenue (Block 12, Lot 2)
- Resolution 23-129 Resolution Authorizing 2023 Salaries for Roosevelt Borough Employees
- Resolution 23-131 Resolution Approving Second Addendum to Project Agreement with the Fund for Roosevelt to Reimburse the Soft Costs Associated with the Borough’s Planned Renovation of the Franklin Delano Roosevelt Memorial Amphitheater

C/Hamilton asks to pull resolution 23-130 from the consent agenda to discuss further.

Roll Call:

C/Atwood made a motion to adopt, with a second offered by C/Herrstrom, to adopt the Consent Agenda Resolution’s 23-123 through 23-129 and 23-131, by the following roll call vote:

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

Resolution 23-130 Resolution Authorizing an Agreement with Monmouth County Board of County Commissioners to Provide Special Citizen Area Transportation Service (SCAT) for Fiscal Year 2024

M/Malkin states that we pay a little over \$8,000 per year and no resident has used this service in the past 2 years. M/Malkin has also asked but has not received an answer if we don't continue now can we join again?

C/Hamilton made a motion to consider, with a second offered by C/Esakoff, to consider Resolution's 23-130, by the following roll call vote:

Roll Call:

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

Resolution 23-130 was not adopted.

REPORTS OF COMMITTEE CHAIRS:

Environmental, Health & Safety: No Report.

Administration: No Report.

Finance: C/Hamilton reports that we are in good shape financially at year end, in water/sewer and general fund. In June we asked the Chief Financial Officer to look into generating more interest on our bank account balance, we are currently earning 1/2 percent.

Community Dev/Code: C/Herrstrom reports that tonight we did 2 things for the amphitheater, the Borough Engineer will be doing the PASI by end of January and allowed for funding for 2nd Phase of project. Next push is the Landscape Architect will be coming up with construction plans for bidding. The CFO feels we will be able to go out for bonding sometime in February. A discussion takes place regarding the bidding process and who is responsible for which part of the process. ETM will have to review the bids that come in if they are the ones putting the bids together.

The Senior meeting had 14 members turn out.

C/Esakoff states he is not against the rehabilitation of the Amphitheater; he believes it can be done for a lot less, that is the reason he has voted no and considering all the expenditures coming.

C/Herrstrom states the project has been trimmed down to \$726,000 and part of the project is receiving funding donations, we must get the word out about the project and hoping the project is complete by 2025. C/Hamilton states we already received \$83,000 from the community, which shows the willingness of the community and the value to the community. C/Atwood states the Amphitheater is used for graduation, however, once it is revised it can potentially be used for many more activities. RAP would use more if the electrical was updated and other organization would also. M/Malkin states there is no plan in place for any additional usage and can only be used 6 months a year, it cannot be used in the cold weather or during inclement weather. The Amphitheater is very important. There is nothing in place to divert the noise, and remembers back in the 70s when it was used much more. The Borough does have a lot of upcoming expenditures what we need to know is how much will this affect people's taxes. We should just match the \$330,000 from the County. The residents that are coming in are not interested in the history of Roosevelt, we need to keep as low as possible. We need a final number.

Public Works: C/Macher reports we took care of our fire extinguishers. Gregg has been keep up with the storm drains. The bays have been cleared out.

Utilities: C/Trammell reports that in 12 years there has been no increase in water/sewer bills, we have surplus in water/sewer budget. RAP has many videos of the town is there any way we can share with Monmouth County Library? C/Hamilton states there has been flooding around town due to recent storms. The Borough Engineer has to come up with a solution for Nurko Road flooding. Also a conversation with John Kluty from the State should take place.

REPORTS OF BOROUGH OFFICIALS:

1. Michael Ticktin, 37 N. Valley Road – Vice Chair of the Environmental Commission states the Environmental Commission and Green Team Yearly Reports for 2023 have been submitted to the Borough Council.

UNFINISHED BUSINESS:

1. Discussion regarding Improvements to Lake Drive and Spruce Lane: We were given \$183,337 from the State of New Jersey DEP for Fiscal Year 2024 Municipal Aid Program. C/Trammell states we should ask if we should televise. C/Macher states maybe we should split the job into 2 separate jobs. C/Hamilton states this should be discussed in Committee. M/Malkin states lets have additional information for the 2nd council meeting in January.

NEW BUSINESS:

1. Emergency call-out to shut the water off at the curb: Right now when a resident wants the water shut off at the curb, if John Holden is in town he will come and shut it down, however if he is no longer in Roosevelt such as nights, weekends and holidays he charges us and this should be passed on to the resident. Discussion takes place regarding turning on and off of water and who's responsible for it. Meter to house is the resident; Borough owns the meter. Attorney, Greg Cannon will revise the Ordinance.
2. Christmas trees can be dropped off at the entrance of Sewer Plant until January 31, 2024.

PUBLIC COMMENT (Any item)

M/Malkin opens the public comment at 9:22p.m.

1. Tim Hartley, 29 Farm Lane – Asks about the Hazardous Tree Ordinance proposal. Would like to stress the issue of hazard meaning the hazard to life, people. Speaks about this hazardous tree falling on someone walking down the street. The Borough needs to have a way of taking care of these trees that residents won't. We need to safe guard everyone in the Borough. Tim Hartley has reviewed other towns ordinances regarding dangerous situations. M/Malkin states we need to discuss in Committee. Attorney, Greg Cannon states it's a property maintenance issue and how to enforce. Language is the easy part, it's the administrative part that is hard. C/Hamilton states we need more data and then make recommendations. Much discussion takes place. Mr. Hartley would like to be part of the Committee.
2. Michael Merritt, 6 S. Rochdale Ave – Asks about the Stormwater Mapping, what is the status? He is very interested. There is a storm drain adoptive program which he is part of. We will look into the sign that came down by the sewer treatment plant and we are working on replacing the Woodland Trail sign. Questions the Salary Resolution for 2023 that was adopted tonight. C/Hamilton stated that the budget had to be adopted first in September and the salary resolution is retro for the year.

M/Malkin closes the public comment at 9:51p.m.

ADJOURNMENT

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

Time Out: 9:51p.m.

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

Respectfully Submitted,

Kathleen Hart, Borough Clerk

Adopted Date: February 5, 2024