

BOROUGH OF ROOSEVELT  
33 N. Rochdale Ave, Roosevelt Borough, NJ 08555

Mayor and Council  
Regular Meeting Minutes of May 20, 2024

Mayor Malkin opened the meeting at 7:27 p.m. and read the Open Public Meeting Act statement which stated, Adequate notice of this meeting, as required by Chapter 231, P.L. 1975, has been provided by a public notice on January 3, 2024 which was posted on the Bulletin Board Roosevelt Post Office and in the Borough Hall. The notice was transmitted to The Times and Asbury Park Press.

ROLL CALL

	PRESENT	ABSENT	LATE ARRIVAL
<i>Councilmember Lou Esakoff</i>		✓	
<i>Councilmember Michael Hamilton</i>	✓		
<i>Councilmember Constance Herrstrom</i>	✓		
<i>Councilmember Steven Macher</i>	✓		
<i>Councilmember Kristine Kaufman-Marut</i>	✓		
<i>Councilmember Joe Trammell</i>	✓		
<i>Mayor Peggy Malkin</i>	✓		

Also in attendance: Greg Cannon, Esq., Kathleen Hart, Borough Clerk

MAYOR’S REPORT: M/Malkin reports that she has been advised by the Land Use Attorney, Michele Donato to table Ordinance 2024-04 regarding the Stormwater Ordinance. However, there are differing opinions from our Attorney, Greg Cannon and our Engineer, Carmella Roberts and we will introduce the ordinance tonight.

PUBLIC COMMENT (Agenda items only)

M/Malkin opened the meeting to Public Comment for agenda items only at 7:29 p.m.

1. Michael Ticktin, 29 N. Valley Road : Questions what is the dispute over the Stormwater Ordinance? M/Malkin states that the Planning Board Attorney, Michele Donato, wants to discuss the ordinance with the Planning Board members and also bring up some issues that pertain to Roosevelt and its future. However, there is a deadline. The Borough Attorney and the Borough Engineer do not feel like we should hold up the introduction of the ordinance. There is a DEP deadline.

M/Malkin closed the Public Comment for agenda items at 7:32 p.m.

MINUTES:

1. Regular Meeting Minutes – May 6, 2024

On a motion by C/Hamilton to accept the minutes, with a second offered by C/Herrstrom; C/Herrstrom has a correction on page 4 under Community Development reports correcting the verbiage and C/Trammell has a correction on page 4 under Utilities report to correct the verbiage. C/Hamilton and C/Herrstrom accept the changes and amend their motions; the amended minutes were approved by the following roll call vote:

Roll Call:

AYES: C/Hamilton, C/Herrstrom, C/Macher, C/Kaufman-Marut, C/Trammell  
 NAYS: None ABSTAIN: None ABSENT: C/Esakoff

CORRESPONDENCE:

1. Letter from Roberts Engineering Group, dated May 8, 2024, regarding the Yearly Update to NJDES Stormwater Permit.
2. Letter from Roberts Engineering Group, dated May 9, 2024, regarding Wastewater Treatment Plant, Sodium Bisulfite Upgrade.
3. Letter from Roberts Engineering Group, dated May 10, 2024, regarding NJDOT Application for Municipal Aid Grant FY2025.
4. Letter from Roberts Engineering Group, dated May 14, 2024 regarding Amphitheater Rehabilitation.

ORDINANCES:

FIRST READING

2024-04 AN ORDINANCE AMENDING THE ZONING ORDINANCES OF THE BOROUGH OF ROOSEVELT AT ARTICLE VI: "SUPPLEMENTARY REGULATIONS" TO UPDATE THE BOROUGH'S STORMWATER REGULATIONS IN ACCORDANCE WITH UPDATED NJDEP STORMWATER REQUIREMENTS

C/Hamilton made a motion to adopt on first reading Ordinance 2024-04, with a second offered by C/Herrstrom.

Roll Call:

AYES: C/Hamilton, C/Herrstrom, C/Macher, C/Kaufman-Marut, C/Trammell  
 NAYS: None ABSTAIN: None ABSENT: C/Esakoff

Second reading and public hearing scheduled for June 17, 2024 at Borough Hall, 33 North Rochdale Avenue, Roosevelt, NJ.

SECOND READING

2024-06 BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2022-04 ADOPTED ON MAY 2, 2022, AS AMENDED BY BOND ORDINANCE NO. 2023-13 ADOPTED ON OCTOBER 16, 2023, PROVIDING FOR IMPROVEMENTS TO TAMARA DRIVE BETWEEN PINE DRIVE AND SOUTH ROCHDALE AVENUE, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$70,000 FOR A TOTAL APPROPRIATION OF \$644,000, TO INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$70,000 FOR A TOTAL DEBT AUTHORIZATION OF \$644,000, AND TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE BOROUGH OF ROOSEVELT, IN THE COUNTY OF MONMOUTH, NEW JERSEY

C/Trammell made a motion to adopt Ordinance 2024-06 on second reading, with a second offered by C/Hamilton. Discussion: C/Trammell states the additional funds are for fixing the sewer pipes on Tamara Drive.

M/Malkin opens the public comment at 7:41 p.m.

No Public Comment.

M/Malkin closes the public comment at 7:41 p.m.

Roll Call:

AYES: C/Hamilton, C/Herrstrom, C/Macher, C/Kaufman-Marut, C/Trammell  
 NAYS: None ABSTAIN: None ABSENT: C/Esakoff

FIRST READING

2024-07 CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL

BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA. 40A:4-45.14)

C/Hamilton made a motion to adopt on first reading Ordinance 2024-07, with a second offered by C/Herrstrom.

Roll Call:

AYES: C/Hamilton, C/Herrstrom, C/Macher, C/Kaufman-Marut, C/Trammell

NAYS: None ABSTAIN: None ABSENT: C/Esakoff

Second reading and public hearing scheduled for June 17, 2024 at Borough Hall, 33 North Rochdale Avenue, Roosevelt, NJ.

CONSENT AGENDA RESOLUTIONS:

Resolution 24-67 Payment of Bills – May 20, 2024

Resolution 24-68 Resolution Authorizing the Borough Engineer to Prepare Design and Sizing Calculations for the New Sodium Bisulfite System and Submit the Necessary Treatment Works Approval Application to the NJDEP

C/Trammell made a motion to adopt the Consent Agenda Resolution’s 24-67 through 24-68, with a second from C/Hamilton. C/Trammell and C/Hamilton questions the cost of the Sodium Bisulfite System and is it a safer system? M/Malkin replies it’s a safer and more efficient system and the cost is approximately \$25,000.00.

Roll Call:

AYES: C/Hamilton, C/Herrstrom, C/Macher, C/Kaufman-Marut, C/Trammell

NAYS: None ABSTAIN: None ABSENT: C/Esakoff

RESOLUTION:

Resolution 24-69 Resolution Authorizing Roberts Engineering Group, LLC to Prepare Front-End Specifications and Advertisement of the Bid for the Amphitheater Rehabilitation Project

C/Hamilton made a motion to adopt Resolution 24-69, with a second from C/Herrstrom, by the following roll call vote:

Roll Call:

AYES: C/Hamilton, C/Herrstrom, C/Macher, C/Kaufman-Marut, C/Trammell

NAYS: None ABSTAIN: None ABSENT: C/Esakoff

Resolution 24-70 Resolution Authorizing Temporary Emergency Appropriations #4

C/Hamilton made a motion to adopt Resolution 24-70, with a second from C/Herrstrom, by the following roll call vote:

Roll Call:

AYES: C/Hamilton, C/Herrstrom, C/Macher, C/Kaufman-Marut, C/Trammell

NAYS: None ABSTAIN: None ABSENT: C/Esakoff

REPORTS OF COMMITTEE CHAIRS:

Environmental, Health & Safety: Ms. Kaufman-Marut asks if the Council will be discussing the hazardous tree report and how the Borough will proceed. M/Malkin states that the Council will need to discuss and how to move forward. C/Hamilton states we did have a complaint at Solar Village

regarding a hazardous tree that is on Borough property near 7A and is leaning towards the unit. The tree is marked with tape. M/Malkin states we will have Ana get quotes.

Administration: No Report.

Finance: No Report.

Community Dev/Code: C/Herrstrom states that at the April 15<sup>th</sup> Council meeting, Resolution 24-62 was approved and signed (it was the execution of the Municipal Open Space Grant Agreement). Ana received 2 estimates for the utility shed; one for \$13,500 and one for \$15,700. Tonight, Resolution 24-69 was adopted for Roberts Engineering to prepare front-end bidding at a cost not to exceed \$4,000. We are now ready to ask the CFO, George Lang, to have bond counsel prepare a bond ordinance for \$689,500, which includes a second contingency. C/Hamilton asks what is the second contingency? C/Herrstrom responds one contingency is a construction contingency of 10% and the second 10% is for unforeseen conditions. C/Herrstrom asks if a bond ordinance can be ready for the June 17, 2024 meeting. M/Malkin states we will have to speak with CFO, George Lang. C/Hamilton states he will contact the CFO. C/Herrstrom also states that the Senior's will be going on the River Lady on June 5, 2024.

Public Works: No Report.

Utilities: C/Trammell reports that the driveway at the Water Treatment Plant work was recently done to improve the drainage. He would like to finish the driveway off by compacting 2.5" of DGA stone. Two quotes were received and would like to go with Sure Care Landscaping at \$3,650. C/Macher states he doesn't think 4 inches is enough; should be more like 6 to 8 inches. However, for now agrees with C/Trammell to move forward with doing the 2.5" DGA stone; we have so much going on now. Council agrees and will move forward with quote of \$3,650. Attorney, Greg Cannon and the Council discusses the expenditures for the water and sewer treatment plants and the recent emergencies on the sewer pipes on Clarksburg Road. Attorney, Greg Cannon states that when you decided to do road paving projects you also do the water and/or sewer pipes. This will help with eliminating emergencies. C/Hamilton states that the rates with the I-Bank are between 3 – 4% on bonds.

#### REPORTS OF BOROUGH OFFICIALS:

1. Environmental Commission Chair Ellen Silverman, 10 N. Valley Road: Roosevelt Seedling Library has some seeds at 10 N Valley Road, herbs, tomatoes, eggplant, and peppers.

#### OLD BUSINESS:

1. Improvements to Lake Drive and Spruce Lane – 1 quote has been received, sewer lines to be televised – carry to next meeting.

#### NEW BUSINESS:

1. Municipal Aid Grant FY2025: Lake Drive and South Valley Road or Pine Drive from Maple Court and Tamara Drive to the Borough Wastewater Treatment Plan. Council discusses which roads should be done. Consensus of the council is to move forward with Lake Drive and South Valley.

#### RESOLUTION:

Resolution 24-71	Resolution Authorizing Roberts Engineering Group, LLC to Prepare an Application for the New Jersey Department of Transportation (NJDOT) Municipal Aid Grant Fiscal Year 2025
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C/Hamilton made a motion to adopt Resolution 24-71, with a second from C/Herrstrom, by the following roll call vote:

Roll Call:

AYES: C/Hamilton, C/Herrstrom, C/Macher, C/Kaufman-Marut, C/Trammell  
NAYS: None ABSTAIN: None ABSENT: C/Esakoff

GOOD AND WELFARE:

Primary Election Day is Tuesday, June 4, 2024, polls are open from 6:00 a.m. - 8:00 p.m.

PUBLIC COMMENT: (Any item)

M/Malkin opens the public comment at 8:34pm  
No Public Comment.  
M/Malkin closes the public comment at 8:34pm

CLOSED SESSION: The Borough Clerk read into record the following resolution. There will be no formal action taken.

Resolution 24-72 Providing for a Private Executive Meeting that Excludes the Public

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
- 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/Trammell offered the following Resolution and moved its adoption, which was second by C/Herrstrom.

Roll Call:

AYES: C/Hamilton, C/Herrstrom, C/Macher, C/Kaufman-Marut, C/Trammell  
NAYS: None ABSTAIN: None ABSENT: C/Esakoff

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

Time In: 8:51 p.m. Time Out: 9:02 p.m.

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

Time Out: 9:02 p.m.

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

Respectfully Submitted,

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Kathleen Hart, Borough Clerk

Adopted Date: June 17, 2024