

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

**Mayor and Council  
Regular Meeting Minutes of July 19, 2021**

Mayor Malkin opened the meeting at 7:06 pm and explained that due to the Coronavirus and the need for social distancing, this meeting is being held remotely and available to the public in a live feed. M/Malkin read the Open Public Meetings Act statement: “Adequate notice of this meeting, as required by Chapter 231, P.L. 1975, has been provided by a public notice on January 25, 2021, which was posted on the Bulletin Board at the Roosevelt Post Office and in the Borough Hall. The notice was published in The Times and Asbury Park Press.”

**ROLL CALL**

	<b>PRESENT</b>	<b>ABSENT</b>	<b>LATE ARRIVAL</b>
<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., Kathleen Hart, Borough Clerk.

**MAYOR’S REPORT:** None.

**PUBLIC COMMENT (Agenda items only):**

M/Malkin opened the meeting to Public Comment for agenda items only at 7:08 pm.

No public comment.

M/Malkin closed the Public Comment for agenda items at 7:08 pm.

**APPROVAL OF MINUTES:** None.

**CORRESPONDENCE:** None.

**ORDINANCES:**

**FIRST READING**

**ORDINANCE 2021-02**

AN ORDINANCE TO OPT-OUT OF THE NEW STATE CANNABIS LAW AND TO PROHIBIT ALL CONSUMPTION OF CANNABIS IN PUBLIC PLACES AND ALL UNDERAGE POSSESSION OF CANNABIS ITEMS AND TO DEEM ALL RECREATIONAL

**CANNABIS BUSINESSES AS PROHIBITED USES UNDER THE LAND USE AND DEVELOPMENT REGULATIONS OF THE BOROUGH**

C/Trammell made a motion to adopt on first reading Ordinance 2021-02, 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 August 16, 2021 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555.

**FIRST READING**

**ORDINANCE 2021-03**

**CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA. 40A:4-45.14)**

C/Esakoff made a motion to adopt on first reading Ordinance 2021-03, 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

Public Hearing to be held on August 2, 2021 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555.

**RESOLUTIONS:**

**Resolution 21-89** Payment of Bills for July 19, 2021.

C/Esakoff made a motion to adopt Resolution 21-89, with a second offered by C/ Hamilton.

**Roll Call**

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

**Resolution 21-90** Resolution to Participate with County of Monmouth in Applying for a Leap Implementation Grant

C/Trammell made a motion to adopt Resolution 21-90, 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

**Resolution 21-91** Resolution Authorizing Temporary Emergency Appropriations #3

C/Hamilton made a motion to adopt Resolution 21-91, 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

**Resolution 21-92** Resolution Appointing Assistant Administrative Clerk and Environmental Commission Secretary Kaitlyn Ippolito

C/Esakoff made a motion to adopt Resolution 21-92, with a second offered by C/ Atwood.

Roll Call

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

NAYS: None

ABSTAIN: None

ABSENT: None

**Resolution 21-93** Resolution of the Borough Council of the Borough of Roosevelt Authorizing Change Orders #1 and #2 and Final Payment Request #3 for Improvements to Nurko Road, Elm Court and Borough Hall

C/Hamilton made a motion to adopt Resolution 21-93, 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

**Resolution 21-94** Resolution Authorizing Roberts Engineering Group, LLC, to Prepare an Application for the New Jersey Department of Transportation Safe Routes to School Program FY2022

C/Esakoff made a motion to adopt Resolution 21-94, with a second offered by C/ Hamilton.

C/Hamilton admitted that he was reluctant with this grant. However, the Borough Engineer feels the Borough has a good chance of being awarded the grant due to the increase of traffic on County Route 571.

Roll Call

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

NAYS: None

ABSTAIN: None

ABSENT: None

**Resolution 21-95** Introduction of the 2021 Municipal Budget

C/Hamilton made a motion to adopt Resolution 21-95, 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 August 16, 2021 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555.

**REPORTS OF COMMITTEE CHAIRS:**

**Environmental Health & Safety:** No report.

**Administration:** C/Esakoff said Administration was running very well.

**Community Development/Code Enforcement:** No Report.

**Public Works:** No Report.

**Utilities:** C/Trammell said the farmer at the Wong's Farm installed 12 bales of hay to help mitigate the drainage issue. John Holden will call Ken Lewis about the leaky hydrant at the water plant. John Holden is also looking into getting a second quote for three new impellers. Mike Lyons is going to speak with Carmela Roberts, Borough Engineer, on how to go about fixing the pipe at the sewer plant that is underwater. The sewer line is being repaired from Homestead to North Valley

**Finance:** C/Hamilton discussed that the Finance Committee held the final meeting on July 8, 2021 with the Borough CFO to finalize the 2021 budget. C/Hamilton discussed in detail the budget breakdown. The budget worksheets were distributed to the Council and is available to the public upon request. This was a challenging budget for the general fund due to the increase in the Fire/EMS shared services. There will be a 4 cent increase in the municipal tax rate to make up the difference. There is a surplus in the Water and Sewer Budget. John Holden and Mike Lyons are doing a great job. Repairs and maintenance are down 58%. Chemicals and lab costs are down. Lab fees are down as they are done in-house by Mike Lyons. Also, there was an increase in cell tower revenue.

**UNFINISHED BUSINESS**

M/Malkin reminds everyone that there will be a Labor Day/ End of Summer Party for the Borough. The Borough will be 85 years old and asks for any ideas or suggestions. M/Malkin is hoping for it to take place Sunday, September 5, 2021 with a rain date of Monday, September 6, 2021.

C/Esakoff asks when council meetings will resume at Borough Hall. M/Malkin believes council meetings will resume after Labor Day.

C/Atwood asks if the use of Borough Hall can be open to the public to make reservations now or if will that resume after Labor Day as well. M/Malkin confirms after Labor Day.

**NEW BUSINESS**

1. Tree Inventory and Hazardous Tree Assessment Grant – Environmental Commission  
Ellen Silverman states the Environmental Commission submitted a grant for Tree Inventory and Hazardous Tree Assessment and will know if the Grant is accepted late August early September. If it is accepted a resolution will be required. Ellen Silverman confirms that if the grant is accepted, Roosevelt Borough's cost share will be about one quarter of the cost, consisting of in-kind hours from volunteers and administrative time from employee who will do the inventory. Ellen Silverman confirms that the Grant is for hazardous street trees that can cause damage to properties.

C/Hamilton congratulates the Environmental Commission for receiving a Sustainable Jersey Grant for \$2,000. He also commends the Commission for all the great work that they do.

**PUBLIC COMMENT (Any item):**

M/Malkin opened the meeting to Public Comment for any item at 8:02 pm.

Mary Tulloss, 21 Lake Dr. asked Mike Hamilton if the Borough is in the last year of the contract for Fire/First Aid and if other options will be explored for next year. C/Hamilton confirmed all options will be explored and considered fairly.

Mark Aakhus, 37 Farm Ln. thanks the budget and utilities committees. He asked for an update from the council on what actions are being taken regarding fireworks. M/Malkin provided the firework ordinance to Mr. Aakhus which clearly states that fireworks are, in fact, illegal in Roosevelt Borough and she will be having a meeting with the State Police Liaison to discuss this issue and its enforcement. Greg Cannon Esq. says the State Police will need to catch the offender in the act in order to enforce the ordinance and that the State Police will need to be provided with a copy of the Borough's Firework Ordinance.

Ellen Silverman, 10 North Valley Rd. reminds everyone it is National Moth week and everyone is invited to observe the moths in her yard between 8:30pm and 10:30pm. All are invited on Thursday, July 22, 2021 as there will a full moon party, The Moth Ball.

Michael Ticktin 37 N. Valley Drive suggests that council consider joining the Millstone Fire District. M/Malkin assures it has been discussed.

M/Malkin closed the meeting to Public Comment at 8:19 pm.

**CLOSED SESSION**

C/Esakoff made a motion to move to Closed Session, seconded by C/Atwood.

The Borough Clerk read Resolution 21-96: 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. Potential Litigation - Nurko Road Right of Way Encroachment
  - b. Potential Litigation- Encroachment on Green Acres
- 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

Time in: 8:22 pm

Time out: 8:49 pm

**ADJOURNMENT:**

C/Esakoff made a motion to adjourn, with a second offered by C/Atwood, and with all in favor the meeting adjourned at 8:52 pm.

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: August 16, 2021