

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

**Mayor and Council
Regular Meeting Minutes of July 18, 2022**

Mayor Malkin opened the meeting at 7:05pm 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. Mayor 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 12, 2022, which was posted on the Bulletin Boards at the 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., and 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 7:06pm.

No Public Comment

M/Malkin closed the Public Comment for agenda items at 7:07pm.

CORRESPONDENCE:

1. Email from Alissa Schembry, dated June 30, 2022 regarding cannabis.
2. Letter from the Fund for Roosevelt, Inc., dated July 8, 2022 regarding cannabis cultivation in the Jersey Homesteads Greenbelt.
3. Email from Rich Pressler, July 18, 2022.

APPROVAL OF MINUTES:

- **June 20, 2022 – Regular Council 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

ORDINACES:

PUBLIC HEARING AND SECOND READING

ORDINANCE 2022-07 Calendar Year 2022 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 Ordinance 2022-07 on second reading, with a second offered by
C/Hamilton.

M/Malkin opens the public comment at 7:09pm
No Public Comment
M/Malkin closes the public comment at 7:10pm

C/Hamilton states this is standard procedures and the ordinance is done every year.

Roll Call:

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

FIRST READING

ORDINANCE 2022-08 An Ordinance Amending Section 5-7: “Impounding and Destruction of
Certain Dogs” of Article I: “Dogs” of Chapter 5: “Animal Control” to
Clarify Certain Regulations to Comport with the Borough’s New
Animal Control Contract and Implement Certain Administrative Fees
for the Return of an Impounded Dog.

C/Esakoff made a motion to adopt on first reading Ordinance 2022-08, 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

Public Hearing to be held on (Tuesday) August 2, 2022 at 7:00 p.m. at the Borough of Roosevelt, 33 N.
Rochdale Avenue, Roosevelt, NJ 08555.

CONSENT AGENDA RESOLUTIONS:

Resolution 22-75 Payment of Bills for July 18, 2022

C/Esakoff made a motion, with a second offered by C/Herrstrom, to adopt the Consent Agenda
Resolution 22-75.

Roll Call:

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

C/Hamilton states that we received correspondence from the State, that towns that have not adopted
their budgets will have to do an amendment to the budget to allow municipal relief funds to the 2022
budget to be put in the budget as anticipated revenue before the adoption of the budget. C/Hamilton
will contact the CFO to discuss doing an amendment prior to the adoption of the budget.

REPORTS OF COMMITTEE CHAIRS:

Environmental, Health & Safety: No report

Administration: No report

Finance: C/Hamilton reports the adoption of the municipal budget needs a 2/3 vote and reminds everyone that the vote will take place at the meeting on Tuesday, August 2, 2022.

Community Development/Code Enforcement: No report

Public Works: No Report

Utilities: No Report

REPORTS OF BOROUGH OFFICIALS: None

UNFINISHED BUSINESS:

1. Robin Middleman requesting relief from size of headstone per Borough Code 16-9. – this will be discussed in Executive Session.

NEW BUSINESS:

1. Transportation set aside program: M/Malkin asks the Council that the Borough Engineer would like to know how we would feel about having a pre-application meeting regarding the amphitheater. This way she would have a better idea of whether she thinks we would be awarded this grant. Her fee for this would be \$1,000.00. C/Hamilton states that he was approached by Kate John-Alder, a landscape architect and is at Rutgers along with Gail Hutton would like to talk to the Council about their idea for the amphitheater before we move forward. Applications are due November 3rd. Council agrees it's a good idea to meet with them first and the present their design to the Borough Engineer. C/Herrstrom will set up a meeting with the Community Development committee.
2. Use of Borough Hall – RAP Event on August 26 and August 27, 2022 from 10am – 4pm for the Schlinski Exhibit & Auction. C/Trammell made a motion to approve, with a second offered by C/Esakoff, with an All in Favor.

PUBLIC COMMENT: (Any item)

M/Malkin opens the public comment at 7:26pm

No Public Comment.

M/Malkin closes the public comment at 7:26pm

CLOSED SESSION:

Resolution 22-76 Providing for a Private Executive Meeting that Excludes the Public

C/Esakoff made a motion, with a second offered by C/Atwood, to adopt Closed Session Resolution

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 – Green Acres Encroachment

- c. Potential Contract – Animal Control
- d. Items Falling Under Attorney/Client Privilege – Interpretation of Ordinance

- 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: 7:30pm; Time Out: 8:43pm

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

ADJOURNMENT:

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

Time Out: 8:44pm

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

Respectfully Submitted,

Kathleen Hart, Borough Clerk

Adopted Date: August 2, 2022