

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

Mayor and Council
Regular Meeting Minutes of October 21, 2024

Mayor Malkin opened the meeting at 7:09 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 Tina Kaufman-Marut</i>	✓		
<i>Councilmember Steven Macher</i>	✓		
<i>Councilmember Joe Trammell</i>		✓	
<i>Mayor Peggy Malkin</i>	✓		

Also in attendance: Greg Cannon, Esq., Maria Dellasala, Deputy Borough Clerk

MAYOR’S REPORT: None

PUBLIC COMMENT: (Agenda items only)

M/Malkin opened the meeting to Public Comment for agenda items only at 7:09pm.

1. Maureen Parrott, 2 Tamara Drive – Ms. Parrott speaks about her letter which is under correspondence tonight regarding the Amphitheater and Referendum, she attended a meeting a couple of Monday’s ago and was allowed to listen to the meeting but not participate. That is very undemocratic.
2. Nona Sherak, 4 Maple Court – asks about Ordinance 2024-11 and asks for an explanation. M/Malkin and Attorney Greg Cannon, explain an issue came up before the Zoning Officer with regards to attached houses and attached garages. (What kind of structures can be built in the Zone).
3. Judith Goetzmann, 8 School Lane – states there is also a place to add to the confusion where there are 2 garages and no houses.

M/Malkin closed the Public Comment for agenda items at 7:27pm.

MINUTES: None

CORRESPONDENCE:

1. Letter, dated October 2, 2024 to the Committee for Petition for Referendum on Ordinance 2024-09 certifying that the petition received was in compliance with R.S. 40:49-27.
2. Email from Hilary Wilder, dated October 4, 2024 offering input on as a volunteer to assist AlphaDog in developing the website.
3. Email from Environmental Commission Chairperson, Ellen Silverman, dated October 8, 2024 inviting the Council and residents to attend the Environmental Commission meeting on November 20, 2024 at 7pm for a presentation by Susan Briston, The Watershed Institute.
4. Email from Environmental Commission Chairperson, Ellen Silverman, dated October 8, 2024, requesting the Council to authorize a representative from Roberts Engineering, Inc. to attend the Environmental Commission meeting on November 20, 2024.

5. Letter from New Jersey Historic Preservation Office regarding the Franklin Delano Roosevelt Memorial Amphitheater Reconstruction, dated September 25, 2024.
6. Email received from Planning Board Secretary, dated October 15, 2024, regarding the Planning Board review of Ordinance 2024-11 and recommends the Council to not adopt until the ordinance and master plan be reviewed by the Planning Board to determine if changes should be made to either the land use ordinance, master plan or both.
7. Email received from Planning Board Secretary, dated October 15, 2024, regarding the Planning Board review of the letter from Roberts Engineering Group, LLC, dated August 22, 2024 and recommends that the governing body amend the stormwater ordinance to incorporate the recommendations from Roberts Engineering Group, LLC.
8. Letter received from Maureen Parrott, dated October 16, 2024 regarding the amphitheater project. C/Hamilton adds on items 3 and 4, that is a special meeting jointly between the Environmental Commission for Roosevelt Borough and Millstone Township along with the Watershed Institute. The Roosevelt Borough Environmental Commission was asking the Mayor and Council members to attend the meeting if possible.

ORDINANCES:

SECOND READING

ORDINANCE 2024-11

AN ORDINANCE AMENDING THE ZONING ORDINANCES OF THE BOROUGH CODE TO CLARIFY SINGLE-FAMILY DETACHED DWELLINGS AS PRINCIPAL PERMITTED USES IN THE BOROUGH'S R-40 AND R-100 ZONES

M/Malkin opens the public comment at 7:31pm.

No Public Comment.

M/Malkin closes the public comment at 7:31pm.

C/Esakoff made a motion to adopt Ordinance 2024-11 on second reading, with a second offered by C/Hamilton.

Roll Call:

AYES: None

NAYS: C/Esakoff, C/Hamilton, C/Herrstrom, C/Kaufman-Marut, C/Macher

ABSTAIN: None ABSENT: C/Trammell

Ordinance 2024-11 was not adopted.

CONSENT AGENDA RESOLUTIONS:

Resolution 24-110 Payment of Bills – October 21, 2024

Resolution 24-111 Resolution Authorizing Return of Escrow Funds

Resolution 24-112 A Resolution of the Borough Council of the Borough of Roosevelt Accepting the 2022 Audit Report

Resolution 24-113 Resolution Appointing Part-Time Chief Financial Officer for the Borough of Roosevelt

Resolution 24-114 Authorizing the Extension of the Due Date for the 3rd Quarter 2024 Tax Payments

C/Esakoff made a motion to adopt the Consent Agenda Resolution's 24-110 through 24-114, with a Second from C/Hamilton by the following roll call vote:

Roll Call:

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

NAYS: None ABSTAIN: None ABSENT: None

Council discusses Roberts Engineering to come to the Environmental Commission meeting of November 20, 2024. Council will adopt a resolution at its next meeting along with a certification of funds from the CFO.

REPORTS OF COMMITTEE CHAIRS:

Administration: No Report.

Finance: C/Hamilton states a new CFO has been hired. Also, some people have misinterpreted the August tax payment, not realizing that the budget has not been adopted they think their taxes have gone up due to the amount that is due in November. The information is on the Borough home page; taxes have just been deferred.

Community Dev/Code: C/Herrstrom reports the Senior Group went to Holland Ridge Farms in Upper Freehold on October 1, 2024 and then to LaPiazza in Allentown for lunch. Also 8 seniors went to the Jewish Heritage Museum where there was a portion dedicated to Roosevelt. On November 6, 2024 we will be going to the BAPS Hindu Temple in Robbinsville. Ms. Herrstrom responds to Maureen Parrots letter, as follows:

How the FDR Amphitheatre Committee was formed:

Every year each Council member is assigned committee responsibilities. This is memorialized in a resolution each year that must be voted on by the Council. When a Council member leaves before completing their term, the mayor finds a person who will assume that position, and that person is installed and takes over the previous Council member responsibilities until an election is held.

When an opportunity arose to apply for a grant for the Amphitheater project, after a council discussion, some members of the Council, including the mayor, suggested that the Community Development Committee Chair would be the appropriate person to take on this project responsibility. This grant is for a 50% matching and did not include funds for development or design (soft) costs, only project construction costs. Therefore, the non-profit Fund for Roosevelt (FFR) organization stepped up and offered \$50K (subsequently increased to \$83K+) for these costs. Without the FFR dollars, there would be no way to move forward with the grant proposal for this project. Given the money they are providing, FFR is responsible for the oversight of the money that they are providing, and they will continue to provide support through the completion of this project.

A project agreement was signed between the Roosevelt Borough Council and the Fund for Roosevelt with the stipulation that FFR would provide support in this grant process. Two members from the FFR, Gail Huton and Alan Mallach, were the main contributors from the FFR on the Amphitheatre Committee. (Also from FFR providing guidance from time to time was Kate Johnalder, who provided her expertise as a former Landscape Architect and Rutgers professor.) Besides these representatives, the group included from the Council the Community Development Chair, Constance Herrstrom, as well as Mike Hamilton, Finance Chair, and Peggy Malkin, Mayor. This group chose stakeholders from other community organizations as well as the original designer of the amphitheater and a family member of the creator of the FDR head to give input for this project.

Clarity on keeping the Council informed:

Status reports were presented to the Council in Council meetings.

The Request for Proposal (RFP) was reviewed by the Council and sent out from Ana Debevec, the contact point for receipt of the proposals, following the standard protocols in January 2023. Three proposals were received back in February 2023. These were all made available to the Amphitheater Committee and reviewed. A selection was made and references were contacted. A contract was awarded to ETM Associates, LLC after a resolution was passed by the Council. Concept designs were provided according to the stipulations provided in the RFP. A public meeting was held on June 19, 2023. The final grant proposal received approval from the Council (Resolution 23-73) to

submit to the Monmouth County Board of Commissioners for the Municipal Open Space Trust Fund, which was sent out by Ana Debevec in early July 2023.

We then waited for the decision on whether Roosevelt would receive the grant.

We received the approval for a \$330,000 matching grant in October, 2023. Since this was less than what we expected to receive (\$500,000) and the grant had included the cost of \$826,553, we needed to cut costs on the project. Several passes were made to reduce costs to the final amount for ETM, Associates of \$671,929. (This amount included a 10% Construction Contingency and a 10% Unforeseen Conditions Contingency During Construction amounts.) In addition, Roberts Engineering Group will be providing the Front-end specifications and advertisement for the project construction bidding of \$4,000 that the Council already approved under Resolution 24-69 in May 2024. The CFO prepared a Bond Ordinance No 2024-09 for \$676,000 that then included the \$34,000 for the cost of the bonding process for a total of \$710,000. The Council passed the bond ordinance on both the first and second reading, taking comments from the public for both meetings as well as a lengthy meeting on August 5, 2024. The September 5 meeting provided a rendering of the site and a presentation by the Consultant on the project, Dave Sitler for further clarification for all before the second vote.

Current status:

As specified in the Consultant's contract, ETM is charged with making sure that the design can pass the NJ Historic Preservation Office. The project must meet their requirements. Dave Sitler is in that process which is not yet complete. We have had the first response from NJHPO that shows an encroachment which could be adjudicated by the Historic Council. We have chosen to pull (pause) the project and have been taken off the Historic Council meeting scheduled for December and to modify the current design. The Bluestone will be removed and Dave Sitler will continue to work with our current contact to resolve any other issues before preparing plans that are in accordance with and will receive approval from NJHPO. We need to be patient and not make assumptions about what will or will not be approved. NJSPO will have the final say.

In the meantime, a referendum has been requested. The Council will need to work out the details and timing of this.

Since this project has its own funding source, design and approvals will continue to be on-going during the referendum process.

Environmental, Health & Safety: No Report.

Public Works: No Report.

Utilities: No Report

REPORTS OF BOROUGH OFFICIALS:

Michael Ticktin, 37 N. Valley Road – Mentions again the Environmental Commission meeting of November 20, 2024 and invites all members of the governing body to attend. It will very informative regarding MS4.

OLD BUSINESS:

1. Branch Pickup – 11/11/24
2. Free Rabies Clinic – 11/12/24 from 6-7pm
3. Free Mobile Health Clinic – 11/19/24 from 10am – 1pm

NEW BUSINESS:

1. Discussion regarding Petition received under the NJ Local Bond Law – The petition has been certified by the Municipal Clerk, the Council now needs to decide when they want to hold a special election, a date needs to be picked. If the Council decides not to have a special election, the referendum would be on the next general election (November 2025). C/Herrstrom responds that it would be too late to get the \$330,000 from the County if we wait until November 2025. C/Hamilton suggests we wait until we have a full Council, discuss at the November 18, 2024 meeting. Attorney, Greg Cannon states things that you should know that it is a specifically prescribed question with the Ordinance number (should it be ratified). Same as what was done in the past on the Fire House. C/Hamilton states that people have asked to see the petition – it is a public document and they can file an OPRA with the Municipal Clerk.
2. Environmental Commission request Roberts Engineer, LLC to attend the Environmental Commission meeting on November 20, 2024.

PUBLIC COMMENT: (Any item)

M/Malkin opens the public comment at 8:03pm.

1. Michael Ticktin, 37 N. Valley Road – Issue with the 3rd. quarter taxes that are due November 12 and says nothing about the 4th quarter. Both 3rd and 4th quarter taxes are due November 12 due to the grace period.
2. Maureen Parrott, 2 Tamara Drive – On the referendum the statute states a special election has to be done in the same way as a general election, early voting, mail in voting and in person voting – it's going to be a longer process. An interpretive statement is not necessary, which can tip the scale, which then can be subject to a law suit.

M/Malkin closes the public comment at 8:09pm.

GOOD AND WELFARE:

1. C/Esakoff speaks about the cost the shelter charges on feral cats.
2. Attorney, Greg Cannon mentions #7 under correspondence - email from the Planning Board Secretary regarding Stormwater Management, due to timing this will not be able to be completed in 2024 therefore we will move forward in 2025.
3. Michael Ticktin, 37 N. Valley Road – His son has experienced the cost of \$250 for cats that were left behind on a foreclosed home on Farm Lane.

ADJOURNMENT:

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

Time Out: 8:16 p.m.

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

Respectfully Submitted,

Maria Dellasala, Deputy Borough Clerk

Adopted Date: February 18, 2025