

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

Mayor and Council
Regular Meeting Minutes of May 5, 2025

Mayor Malkin opened the meeting at 7:12pm 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 6, 2025 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 Danelle Feigenbaum</i> | ✓ | | |
| <i>Councilmember Constance Herrstrom</i> | ✓ | | |
| <i>Councilmember Claudia Luongo</i> | | ✓ | |
| <i>Councilmember Tina Kaufman-Marut</i> | ✓ | | |
| <i>Councilmember Ralph Warnick</i> | ✓ | | |
| <i>Mayor Peggy Malkin</i> | ✓ | | |

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

MAYOR’S REPORT: M/Malkin reports on the bird issue: all current chickens and roosters will be grandfathered in; no one will have to get rid any. Going forward due to attrition everyone will be held to the standard of 10 chickens and no roosters. This issue came up about a year ago and assured bird owners that we were not taking their birds away and we still are not. The noise level did have to adhere to the state noise ordinance and that Animal Control handles that, Western Monmouth Animal Control – that is who we contract with for Animal Control Services. Many more residents are asking and keeping chickens. However, there are new residents wanting very large number of chickens, not only for eggs, they want to slaughter them for consumption. So at this time we need to set parameters. We are not the only town dealing with this and many towns have bird ordinances. We are limiting the amount of chickens to 10, with guidance on coups and health conditions and no roosters going forward and no slaughtering. There are people who are pleased with the decision and people who are disappointed and angry. It’s never easy for the council and myself, it’s what is best for the majority. Some of our new ordinances are being put in place because they are state mandated, for example, the branch pick up and feeding of wildlife.

PUBLIC COMMENT: (Agenda items only)

M/Malkin opened the meeting to Public Comment for agenda items only at 7:18pm.

1. Maureen Parrott, 2 Tamara Drive – Asks the Council to table Ordinance 25-09, Wildlife Feeding, and reads the section of feeding of songbirds and backyards and believes this should be reviewed by the Environmental Commission. All birdfeeders will attract rodents. M/Malkin states that we are mandated by the State to pass this came directly from the Stormwater Regulations. This was adopted last year; this is a new section. Attorney, Greg Cannon responds the original model ordinance was adopted last year, this one is in regards to private property. Last year it was public property this adds private property. Attorney, Greg Cannon states that this relates to that the Borough has been paying to trap feral cats, because we have people on private property feeding wildlife and feral cats and that is the newest amendment. Maureen Parrott asks what is the citation that is requiring this ordinance. A lengthy discussion takes places regarding bird feeders,

- the feeding of wildlife and the cost to the borough for picking up the feral cats by animal control. Ms. Parrott believes this should be forwarded to the Environmental Commission to review.
2. Lucy Craig, 39 N. Valley Road – Asks also for 2025-09 to be tabled. Ms. Craig, discusses the feral cats and TNR Programs. Ms. Craig volunteers with a TNR organization in Jackson and there are many organizations that can help with TNR programs and she would be happy to volunteer.
 3. Michael Ticktin, 37 N. Valley Road – Also believes that the ordinance should be forwarded to the Environmental Commission for review.
 4. Katarin Stupakova, 26 Farm Lane – States this is about her rooster, and whoever wrote this ordinance has never meet a chicken in their life. Some of the points she can understand why they are there but some are absolutely out of hand. She had never planned to have a rooster and found out later on that hers was not a chicken but a rooster – he is very friendly. She has 16 birds and thanks you for grandfathering them in. I keep the chickens for eggs and is upset that they have to be fenced in, she free ranges her chickens. They are locked in my backyard by a 6-foot fence. She would love to meet with the person who wrote the ordinance and have then learn what I had to learn in class. Chickens do not sleep where they eat, proposes a change - if backyard is fully fenced that should be enough.
 5. Natalie Warner, 28 Farm Lane – She feels roosters should be allowed. Attorney, Greg Cannon replies that the ordinance came from a Planner, it's a zoning ordinance, it can be amended. Chickens currently are not permitted at this time (only farmers can have chickens) and this ordinance allows them with restrictions. This will also create a permit for chickens.
 6. Diane Hewlwt-Lowrie, 15 Lake Drive – Chickens are very good for pest control, this ordinance is very strict and restrictive and needs t be re-written maybe with residents that have chickens. The Wildlife ordinance – feeding Song Birds (part C) if squirrels are coming to your birdfeeder then you cannot do anymore – it also needs to be re-written.
 7. Ira Krendal, 38 N. Rochdale Ave – His property is not affected by this since his property is agricultural, residents have too much time on their hands, you need to work it out with your neighbor. He understands that cats can be a problem, but it seems there is only 1 person who has a cat problem. C/Warnick spoke about free range chickens and how in the past a bear came. Mr. Krendal freedom is being taken away from the citizens and objects to all the restrictions that are put on us and our property. Too many regulations.
 8. Christine DiGiovanni, 9 School Lane – Questions the lot size of the ordinance, supports fully fenced in yard, that should be sufficient. Roosters protect other chickens and keep foxes and other predators away. Believes that the noise ordinance should be sufficient to keep control of the noise. M/Malkin adds there is now a whole new layer once someone came to us about slaughtering chickens. Discussion takes place regarding the misinformation on Facebook about the town taking residents birds away. We are not taking anyone's roosters away from them, they just cannot get any new roosters. C/Warnick states that he and his neighbor had a conversation about the neighbor's chickens and that C/Warnick has no problem with the chickens. However, once the chickens staring waking us up the neighbor got rid of the chickens and C/Warnick said he would do the same if a neighbor's dog or cat was bothering him. C/Feigenbaum states she doesn't think of it that way, we live in the country and its ok for roosters to crow at 6 am in the morning, we debate it up here and come up with what is best for the community. M/Malkin states no matter what decision we make there are going to be some residents that are disappointed and some residents who will be happy.
 9. Maureen Parrott, 2 Tamara Drive – Agrees with everyone here, the birds wake me up not the roosters, are you now going to prohibit birds. But I like the birds that wake me up. We have a noise ordinance and don't need another one. M/Malkin responds the new law is to limit the number of chickens, to prohibit roosters and have some parameters and some control over the people who have chickens in backyards. Ms. Parrott states where are the people who want this and we are here voicing our opinion. M/Malkin states that doesn't mean that their voices don't count and we are listening to your voices. Ms. Parrott states the thing that bothers here is her neighbors that use weed whackers and leaf blowers that are extremely loud, we should only

require the use of electric whackers and blowers – that’s more of an issue than roosters. Ms. Parrott states she will do a OPRA to see who is complaining.

10. Shannon Archer, 42 N. Rochdale Ave – States she has had birds for 20 years – I know how to take care of my birds and roosters are not the problem. A year and a half ago I got thrown into it when someone else who lives in the middle of town. Why? Because 1 person complained and I get thrown into it. Yes, I walked town for 2 days with a petition to save her birds. M/Malkin responds it was under false assumption that the council was going to take away your birds. Ms. Archer said she got a door tag from Monmouth County. M/Malkin states that had to do with the noise ordinance. Ms. Archer states that dogs make more noise than her birds, they bark for hours. The dogs (2 of them) behind me, bark all night long and wants to know what this ordinance means for her birds. M/Malkin responds everyone will be limited to 10. Ms. Archer states she has never had less than 20 chickens. I need my roosters for my hens to lay eggs and hatch chicks so that she can continue with her egg production and my bird production. M/Malkin responds roosters are causing aggravation to people.
11. Trace Archer, 42 N. Rochdale Ave – Couple questions- electric fence? M/Malkin states that is not what was written, if states if you want electricity in your coops you would need a permit. Mr. Archer why is free roam a problem? M/Malkin states that will be amended. Mr. Archer then asks about the number of chickens; they don’t travel very far. Attorney, Greg Cannon explains that no one has any preference, the issue is that technically any structures that are accessory structures for chickens in the town are technically illegal, this is strictly a zoning issue. People are bringing plans to build structures in their yards and the zoning officer and he doesn’t have guidelines to follow, and when that happens it’s supposed to be prohibited. This ordinance has all the parameters you would put in a sub-division community, and throughout the evening we have been pulling things off. We are trying to figure out what’s best for everyone. Mr. Archer asks how do you get to the number, was it random? Attorney, Greg Cannon replies that this was created by a planner, not especially an expert when it comes to animals, if it’s ridiculous tell us, this is a first draft. Mr. Archer understands that 50 is a lot on a small lot but if you have a farm and you have way more land? Attorney, Greg Cannon states people want to slaughter for consumption. It’s very complicated. M/Malkin asks Mr. Archer what his number would be? Mr. Archer responds maximum of 20. C/Feigenbaum states that a compromise was the fence. Mr. Trace states that if a bear wants to get in he’ll get in. Attorney, Greg Cannon states that the fence is to keep the chickens from going onto the neighbor’s property, to keep the chicken on their property.

M/Malkin closed the Public Comment for agenda items at 8:43pm.

Mayor Malkin reads Arbor Day 2025 Proclamation:

Whereas, In 1872, J. Sterling Morton Proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean air, produce oxygen and provide habitat for wildlife

Whereas, trees are renewable resource giving us paper, wood for building homes, fuel for fires and countless wood products, and

Whereas, trees in our Borough increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees greatly enhance the lives of our residents.

Now, Therefore, I, Peggy Malkin, Mayor of the Borough of Roosevelt, Monmouth County, New Jersey, do hereby proclaim April 25, 2025 as Arbor Day in the Borough of Roosevelt

Further, I encourage all our residents to plant a tree and celebrate Arbor Day.

CORRESPONDENCE:

- 1. Letter received from Roberts Engineering Group, LLC, dated May 1, 2025, regarding the NJDOT Application for Municipal Aid Grant FY2026.

MINUTES:

- 1. Closed Meeting Minutes – September 16, 2024
On a motion by C/Esakoff to accept the minutes, with a second offered by C/Warnick the minutes were approved by the following roll call vote:

Roll Call:

AYES: C/Esakoff, C/Herrstrom, C/Kaufman-Marut
 NAYS: None ABSTAIN: C/Feignbaum, C/Warnick ABSENT: C/Luongo

- 2. Closed Meeting Minutes – October 7, 2024
On a motion by C/Esakoff to accept the minutes, with a second offered by C/Kaufman-Marut the minutes were approved by the following roll call vote:

Roll Call:

AYES: C/Herrstrom, C/Kaufman-Marut, C/Esakoff
 NAYS: None ABSTAIN: C/Feignbaum, C/Warnick ABSENT: C/Luongo

- 3. Closed Meeting Minutes – October 15, 2024
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/Herrstrom, C/Kaufman-Marut, C/Esakoff
 NAYS: None ABSTAIN: C/Feignbaum, C/Warnick ABSENT: C/Luongo

- 4. Regular Council Meeting Minutes – March 3, 2025
On a motion by C/Esakoff to accept the minutes, with a second offered by C/Warnick the minutes were approved by the following roll call vote:

Roll Call:

AYES: C/Kaufman-Marut, C/Esakoff, C/Feignbaum, C/Herrstrom,
 NAYS: None ABSTAIN: C/Warnick ABSENT: C/Luongo

- 5. Regular Meeting Minutes – March 17, 2025
On a motion by C/Esakoff to accept the minutes, with a second offered by C/Warnick the minutes were approved by the following roll call vote:

Roll Call:

AYES: C/Kaufman-Marut, C/Warnick, C/Esakoff, C/Feignbaum, C/Herrstrom,
 NAYS: None ABSTAIN: None ABSENT: C/Luongo

ORDINACES:

Second Reading and Public Hearing:

Ordinance 2025-08 An Ordinance Setting the Salary Range and Compensation of Certain Officials, Positions and Employees in the Borough of Roosevelt, County of Monmouth, State of New Jersey.

M/Malkin opens the public comment at 8:48pm.
 No Public Comment.

M/Malkin closes the public comment at 8:49pm.

C/Esakoff made a motion to adopt Ordinance 2025-08 on second reading, with a second offered by C/Warnick.

Roll Call:

AYES: C/Warnick, C/Kaufman-Marut, C/Esakoff, C/Feigenbaum, C/Herrstrom
NAYS: None ABSTAIN: None ABSENT: C/Luongo

First Reading:

Ordinance 2025-09 An Ordinance of the Borough of Roosevelt Amending Chapter 5: “Animal Control” to Update the Borough’s Wildlife Feeding Prohibitions and Regulations.

C/Herrstrom made a motion to table on first reading Ordinance 2025-09 and send to the Environmental Commission to review, with a second offered by C/Warnick.

Roll Call:

AYES: C/Esakoff, C/Feigenbaum, C/Herrstrom, C/Kaufman-Marut, C/Warnick
NAYS: None ABSTAIN: None ABSENT: C/Luongo

Ordinance 2025-09 is tabled.

First Reading:

Ordinance 2025-10 An Ordinance Amending the Zoning Ordinances of the Borough Code to Enact Regulations Permitting the Keeping of Chickens on Residential Lots

C/Esakoff made a motion to table on first reading Ordinance 2025-10 and send to the Planning Board to discuss at their meeting, with a second offered by C/Warnick.

Roll Call:

AYES: C/Herrstrom, C/Kaufman-Marut, C/Warnick, C/Esakoff, C/Feigenbaum
NAYS: None ABSTAIN: None ABSENT: C/Luongo

Ordinance 2025-10 is tabled.

CONSENT AGENDA RESOLUTIONS:

- Resolution 25-66 Resolution Authorizing Temporary Emergency Appropriations #2
- Resolution 25-67 Payment of Bills for May 5, 2025
- Resolution 25-68 Resolution Ratifying Emergency Contract for the Repair of the Borough’s Wastewater Clarifier
- Resolution 25-69 Adopting the Municipal Emergency Operations Plan and Authorizing Continual Participation in the Monmouth County Intra-County Mutual Aid and Assistance Agreement

C/Esakoff made a motion to adopt the Consent Agenda Resolution’s 25-66 through 25-69, with a second from C/Warnick, by the following roll call vote:

Roll Call:

AYES: C/Herrstrom, C/Kaufman-Marut, C/Warnick, C/Esakoff, C/Feigenbaum,
NAYS: None ABSTAIN: None ABSENT: C/Luongo

REPORTS OF COMMITTEE CHAIRS:

Administration: No Report at this time.

Community Dev/Code: C/Herrstrom states that there were 13 attendees to the Senior trip to Holland Tree Farm. No report on the Amphitheater.

Environmental, Health & Safety: No report at this time.

Finance: No report at this time.

Public Works: No report at this time.

Utilities: No report at this time.

REPORTS OF BOROUGH OFFICIALS:

C/Warnick reports that the Environmental Commission has a question on the Stormwater Permit? M/Malkin responds that the Engineer handles that. C/Warnick states that the Green Team did a great job on the Woodland Trail and the triangle to the school. C/Warnick also reports on the Board of Education has adopted their budget and there are some issues with the building such as cables that are no longer needed. They are looking into what is best and prioritizing what is needed.

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Pine Drive from Maple Court and Tamara Drive – The New Jersey Department of Transportation has announced that it will be accepting applications for the Municipal Aid, Transit Village, Bikeway, and Safe Streets to Transit grant Programs. Applications must be submitted on or before July 1, 2025. The engineer has reviewed the grant programs and recommend the Borough make an application under the Municipal Aid Program this year. This year, I am recommending that a grant application be submitted for the improvements to Pine Drive, Phase II. Improvements to Pine Drive would include milling and paving with pavement repairs as necessary, any needed curb repairs, and improvements to the existing stormwater system. The existing stormwater crossings will be replaced as necessary, and the existing inlets will be upgraded to meet NJDOT Bicycle Safe Grate Standards and NJDEP Stormwater Requirements. Limits include Pine Drive from Maple Court and Tamara Drive to the Borough Wastewater Treatment Plant. This application is an extension of the improvements to Pine Drive and Tamara Drive projects. We do not anticipate any water main improvements for Pine Drive. However, sewer main improvements may be required. I am prepared to move forward with the preparation of an application for Municipal Aid and request authorization at your next available Council Meeting. Our cost to prepare the application will be at a cost not to exceed \$4,500.00

C/Warnick makes a motion to approve with a second from C/Kaufman-Marut, by the following roll call vote:

AYES: C/Kaufman-Marut, C/Warnick, C/Esakoff, C/Feigenbaum, C/Herrstrom
 NAYS: None ABSTAIN: None ABSENT: C/Luongo

A resolution memorializing approval will be placed on the next agenda.

PUBLIC COMMENT (Any item)

M/Malkin opens the public comment at 9:11pm.

1. Natalie Warner, 28 Farm Lane – Suggestion on roosters – maybe a breeding season, January – April.
2. Diane Hewlett-Lowrie, 15 Lake Drive – Thanks everyone for listening and asks how many complaints? M/Malkin states we do not document phone calls with complaints. You can call Ana and she may be able to give you an approximate number.

3. Christine DiGiovanni, 9 School Lane - Suggests a sidewalk around the school so you can get to the post office without going through the school playground. Rochdale is County property and we have no say on what goes on the property.
4. Maureen Parrott, 2 Tamara Drive – States it is prohibited to walk on school property, signs say the public is prohibited from being on school property during school hours. C/Warnick will check into the signs. Michael Ticktin will also ask about the signs at the next school board meeting.
5. Ira Krandal, 38 N. Rochdale Ave – Asks if camera’s can also be put on the roads. M/Malkin states again it’s a County Road and it is up to the County. Asks if it constitutional that the town can tell me what I can do on my property? Attorney, Greg Cannon answers yes. We have a County Board of Health and they have many restrictions regarding the health and welfare of the town. There are many different ways of living throughout the state of New Jersey. M/Malkin states that Roosevelt is not as restrictive as other towns. A lengthy discussion takes place regarding trees, and State, County and Town rules and regulations.
6. Eleanor Wallner, 29 Tamara Drive – States she loves chickens and doesn’t own any and loves when her neighbor’s chickens come on her property. She has also stopped eating chickens. I’m totally for chickens and roosters. Ms. Wallner is putting an addition on her property and has questions regarding the permit, it’s a kennel run for the dogs. What is her process? Jeremy said it would not get approved due to the fence being in the 50foot set back. The response is once it is denied you appeal to the Planning Board.

M/Malkin closes the public comment at 9:44pm.

CLOSED SESSION:

Resolution 25- 70 Providing for a Private Executive Meeting that Excludes the Public

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

The Municipal Clerk reads the resolution into the record:

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
 - i. FFR Funding/Bond Petition/Amphitheater Issue
 - ii. Cannabis Zoning Ordinance
 - iii. Bond Referendum Question
- 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 VOTE:

AYES: C/Herrstrom, C/Kaufman-Marut, C/Warnick, C/Esakoff, C/Feigenbaum
NAYS: None ABSTAIN: None ABSENT: C/Luongo

ADJOURN CLOSE SESSION:

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

Time In: 9:47pm Time Out: 11:05pm.

ADJOURNMENT:

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

Time Out: 11:06pm.

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

Respectfully Submitted,

Kathleen Hart, Borough Clerk

Adopted Date: June 16, 2025