

**Meeting Minutes
Roosevelt Borough Council
Regular Meeting
February 8, 2016**

The meeting was called to order by Mayor Ellentuck at 7:00 pm and he read the Open Public Meetings 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 November 27, 2015, 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.

	PRESENT	ABSENT
<i>Councilmember Bonna</i>	✓	
<i>Councilmember Impellizzeri</i>	✓	
<i>Councilmember Lipoti</i>	✓	
<i>Councilmember Malkin</i>	✓	
<i>Councilmember Ticktin</i>	✓	
<i>Vacancy</i>		
<i>Mayor Ellentuck</i>	✓	

Also in attendance: Debra Sopronyi, Borough Clerk; and Richard Shaklee, Borough Attorney.

Councilmember Ticktin moved the minutes of December 28, 2015; January 4, 2016 Reorganization; January 4, 2016; and January 14, 2016 Special meetings for approval, Councilmember Lipoti seconded.

Council members Bonna, Impellizzeri, Lipoti, Malkin, and Ticktin voted yes.

Minutes approved 5-0.

Mayor Ellentuck opened the public comment period on the consent agenda, there being no comments the public comment period was closed.

Consent Agenda:

Councilmember Ticktin moved resolutions 16-27, 16-28, 16-29, 16-30, 16-31, 16-32, 16-33, 16-34, and 16-35 as the consent agenda for approval, Councilmember Lipoti seconded.

Council members Bonna, Impellizzeri, Lipoti, Malkin, and Ticktin voted yes.

Consent Agenda adopted 5-0.

Resolution 16-27: Designating Signers of Checks for the Borough of Roosevelt

Resolution 16-28: Requesting Legislation Qualifying the Borough of Roosevelt for State Assistance under the “Depressed Rural Centers Aid Act” and P.L. 1997, C. 125

Resolution 16-29: Authorizing Execution of Consulting Services Agreement for Forestry Management Plan

Resolution 16-30: Authorizing Grant Agreement between Borough of Roosevelt and the State of New Jersey by and February 8, 2016

for the Department of Environmental Protection

Resolution 16-31: Authorize the County of Monmouth Mosquito Control Division to Conduct Aerial Mosquito Control Operations within Roosevelt Borough

Resolution 16-32: Authorize a Refund of Taxes for a Veteran Deduction

Resolution 16-33: Authorizing Removal of a Butterfly Valve

Resolution 16-34: Authorizing Appropriations Reserve Transfer

Resolution 16-35: Authorizing Temporary Emergency Appropriations

Payment of Bills

Resolution 16-19: Appointment of a Representative and an Alternate Representative to the Monmouth County Community Development Block Grant (CDBG)

There was discussion.

Councilmember Lipoti moved resolution 16-19 with the names of Councilmember Michael Ticktin as the CDBG representative and Councilmember Stacey Bonna as the alternate representative, Councilmember Impellizzeri seconded.

Council members Bonna, Impellizzeri, Lipoti, Malkin, and Ticktin voted yes.

Resolution adopted 5-0.

Resolution 16-18: Appointing Councilmembers to Serve as Representatives to the Various Boards and Committees of the Borough

There was discussion. No representatives were determined for the Board of Education or the Senior Organization.

Councilmember Lipoti moved resolution 16-19 with the names of Councilmember Stacey Bonna as the representative to the Environmental Commission and Councilmember Peggy Malkin as the representative to the Recreation Department, Councilmember Ticktin seconded.

Council members Bonna, Impellizzeri, Lipoti, Malkin, and Ticktin voted yes.

Resolution adopted 5-0.

Ordinances

2016-001 Final Reading and Public Hearing: An Ordinance of the Borough of Roosevelt Adopting a Retail Food Establishment and Food and Beverage Vending Machine Code

Councilmember Ticktin moved ordinance 2016-001 for adoption, Councilmember Impellizzeri seconded.

Mayor Ellentuck opened the public hearing on ordinance 2016-001. There being no public comments, the hearing was closed.

Council members Bonna, Impellizzeri, Lipoti, Malkin, and Ticktin voted yes.

ORDINANCE 16-001

*BOROUGH OF ROOSEVELT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY*

AN ORDINANCE OF THE BOROUGH OF ROOSEVELT ADOPTING A RETAIL FOOD ESTABLISHMENT AND FOOD AND BEVERAGE VENDING MACHINE CODE

BE IT ORDAINED by the Mayor and Council of the Borough of Roosevelt as follows:

Section 1. Adoption of Retail Food Establishment Code.

A. Adoption By Reference. A Code regulating retail food establishments and food and beverage vending machines and fixing penalties for violations is hereby established. In accordance with N.J.S. 26:3-69.1 et seq. a copy of the Code is incorporated herein and made a part hereof without the inclusion of its text.

B. Title of Code. The Code established and adopted by this chapter, by reference, is described and commonly known as "The New Jersey State Sanitary Code, Chapter XII, Retail Food Establishments and Food and Beverage Vending Machines" (1993) as hereafter may be amended by the State of New Jersey. The Code is set forth in the New Jersey Administrative Code and is cited as follows: N.J.A.C. 8:24-1.1 et seq. The Code is also commonly referred to as Chapter XII of the State Sanitary Code or as the "Retail Food Establishments and Food and Beverage Vending Machines Code".

C. Public Record. Three (3) copies of Chapter XII of the New Jersey State Sanitary Code have been placed on file in the Office of Borough Clerk and will remain on file for the use and examination of the public.

Section 2. Retail Food Establishment.

A. License Required; Issuance of License. No person shall operate a retail food establishment without a license from the Borough. The license shall be prominently displayed in the place of business. Applications for licenses shall be submitted at Borough Hall, together with the fee set forth in Section 4 of this Ordinance. Applications shall be submitted as follows:

1. Temporary Food Establishments. Not less than twenty (20) days prior to the proposed date of operation.
2. All Other Applications. On or before January 1 of the year for which the application is made.
3. New applications may be made at any time during the year upon payment of the full annual fee.
4. All licenses issued under paragraphs 2. and 3. shall expire on January 1 of the year following the year of issuance, or upon transfer of ownership or operation of a licensed premises, whichever comes first.

B. Suspension and Revocation of License.

1. A license issued under the terms and provisions of this section may be suspended or revoked by the Health Officer for a violation by the licensee of any State Sanitary Code which is by its terms applicable thereto or for a violation of any law of the United States, the State of New Jersey, or any Ordinance of the Borough.
2. A license issued under this section shall not be revoked, cancelled or suspended until a hearing is held by the Health Officer. Written notice of the time and place of the hearing shall be served on the licensee

at least ten (10) days prior to the date set for the hearing. The notice shall contain a brief statement of the grounds to be relied upon for revoking, canceling or suspending the license. Service shall be deemed effected either upon personal delivery to the person to be notified, or upon deposit in the United States Post Office in a sealed envelope, postage prepaid, addressed to the person to be notified at the business address appearing on the license. At the hearing before the Health Officer, the person aggrieved shall have an opportunity to answer and thereafter be heard, and upon due consideration and deliberation by the Health Officer, the complaint may be dismissed; or if the Health Officer concludes that the charges have been sustained and substantiated, the Health Officer may revoke, cancel or suspend the license in question.

3. Following such hearing by the Health Officer, the license holder shall have the right of appeal to the Governing Body. An appeal shall be taken by filing written notice with the Health Officer within five (5) days after the receipt of a written order following a hearing by the Health Officer.
4. The Governing Body shall hear such appeal de novo within thirty (30) days from the date of filing the notice of appeal.

Section 3. Requirement for Food Service Employee's Educational Course.

As a condition to the issuance of a license and as a condition to the renewal of any such license, the applicant or licensee shall be required to establish, by written certification, that the person in charge of the retail food establishment has attended a Food Service Employee's Education Course. New establishments may be granted a six (6) month grace period in which to comply with the requirement at the discretion of the Health Officer.

"Person in charge" means the proprietor, manager, assistant manager or other person with authority and responsibility for the daily operation of a retail food establishment. In the event of a personnel change resulting in the employment of a new "person in charge", it shall be the responsibility of the licensee to immediately notify the Board and make appropriate arrangements for attendance at an approved course, or to produce satisfactory certification of prior attendance at an approved course.

- a. Retail food establishments which handle only pre-packaged, non-potentially hazardous foods as defined in Chapter XII of the State Sanitary Code will be exempt from the requirement to attend said course at the discretion of the Health Officer.

Section 4. Fees for Licensing Retail Food Establishments.

The fees for the review and licensing of food establishments and business are hereby fixed as follows:

- a. Retail food establishments including restaurants.

<u>Square Feet</u>	<u>Annual Fee</u>
0-3,500	\$175.00
3,501-5,000	\$225.00
5,001-10,000	\$375.00
over 10,000	\$475.00
b. Agricultural establishments	\$75.00
c. Pre-packaged products only	\$50.00

- d. Itinerant food vendor \$75.00
- e. Liquor stores \$75.00
- f. Temporary food establishment (per day) \$35.00
- g. Plan review fee for new or renovated retail food establishments

<u>Square Feet of New or Renovated Areas</u>	<u>Plan Review Fee</u>
0-400	\$75.00
401 – 800	\$150.00
over 800	\$250.00

Section 5. Food and Beverage Vending Machines.

A. License Required. It shall be unlawful for any person, whether as principal or agent, clerk or employee either individually or for any other person, or for any corporation or entity to engage in the operation of or maintain or permit on or in any location in the Borough one or more machines or devices offered for public use which, upon insertion of a coin, coins or token, or by other means dispenses unit servings of food or beverages, either in bulk or package, without the necessity of replenishing the devices between each vending operation, without first having applied to and procured a permit from the Borough and displaying the permit in a prominent location and without complying with any and all of the provisions of Chapter XII of the State Sanitary Code as adopted or amended.

B. Fees and Licensing for Food and Beverage Vending Machines.

1. The license fee for each food and beverage vending machine shall be forty (\$40.00) dollars per year.
2. All license and permit fees for food and beverage vending machines shall be paid on or before July 1st of each year.
3. All permits and licenses issued under this chapter shall expire on June 30th of each year.
4. Fees shall not be required for any food or beverage vending machines owned and operated by any public school, church or other religious organization, or any other nonprofit corporation or association operating within the Borough. Proof of nonprofit (i.e., proof of federal designation as a 501 (c)(3) organization) status may be required prior to issuance of a license and permit.
5. New or additional food or beverage vending machines installed during the year shall require payment of the full annual fee.

C. Applicability of Chapter XII of the State Sanitary Code. All procedures in connection with the issuance of licenses shall be made in conformity with the provisions of Chapter XII of the State Sanitary Code, as adopted or amended. Licenses and permits are non-transferable.

D. Suspension of Vending Machine License. Licenses issued under authority of this Ordinance may be suspended, revoked, or reinstated by the Borough pursuant to the provisions of Chapter XII of the State Sanitary Code as adopted or amended by the Borough.

E. Inspections by Board of Health. The Health Officer shall supervise and arrange such inspections of vending machines and maintain such records as are required by Chapter XII of the State Sanitary Code and any other applicable law or regulation.

Section 6. Approval by Borough of license application after revocation.

If any license shall have been revoked, neither the holder thereof nor any person acting for him, directly or indirectly, shall be entitled to another license to carry on the same business within the Borough unless the application for such license shall be approved by the Governing Body.

Section 7. Payment of taxes.

No license for a retail food establishment shall be issued until the Borough Clerk is in receipt of a certification from the Tax Collector that all real property taxes and assessments pertaining to the property on which the retail food establishment is located are current and that no such taxes or assessments are then due and owing.

Section 8. All Ordinances and parts thereof which are inconsistent with any of the provisions of this Ordinance shall be and the same are hereby repealed to the extent of such inconsistency.

Section 9. This Ordinance shall take effect upon adoption and publication as required by law.

Section 10. The provisions of this Ordinance are declared to be severable. Any invalidation of any provision of this Ordinance by a Court of law shall not be deemed to affect the validity of the remaining provisions.

2016-002 First Reading and Introduction: An Ordinance Amending Chapter 23 “Redevelopment Plan” of the Code of the Borough of Roosevelt

Councilmember Ticktin moved ordinance 2016-002 for introduction, Councilmember Lipoti seconded.

The Borough Attorney explained that this ordinance re-designates the uses, requirements, and zoning for the gas station property known as the gateway to Roosevelt Borough.

Councilmember Malkin inquired as to whether this property will still be eligible for use as a Fire Department alternative. The Borough Attorney stated that it would not.

Mayor Ellentuck noted that this change is required so RFP’s could be sent out for the development of the property.

Council members Bonna, Impellizzeri, Lipoti, Malkin, and Ticktin voted yes.

Ordinance introduced 5-0.

ORDINANCE 16-002

*BOROUGH OF ROOSEVELT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING CHAPTER 23 “REDEVELOPMENT PLAN” OF THE CODE OF THE
BOROUGH OF ROOSEVELT**

WHEREAS, on November 10, 2003, the Mayor and Council of the Borough of Roosevelt, acting upon the recommendation of the Planning Board, adopted Ordinance No. 205, entitled "The Redevelopment Plan of the Borough of Roosevelt"(The Redevelopment Plan or the Ordinance), which designated certain properties within the Borough of Roosevelt as "areas in need of redevelopment," as defined in N.J.S.A. 40A:12A-3; and

WHEREAS, the Mayor and Council wish to amend the Redevelopment Plan regarding provisions dealing with Lots 4.01 and 4.03 in Block 2, commonly known as the "Garage Site"; and

WHEREAS, the Mayor and Council referred for review to the Planning Board a proposed amendment to the Redevelopment Plan for the Roosevelt Gateway Redevelopment Area (the Gateway Redevelopment Area Plan), attached here as Exhibit A, regarding the "Garage Site", prepared by Alan Mallach, P.P., F.A.I.C.P. dated November 2015, by way of resolution 15-112; and

WHEREAS, on December 17, 2015, the Planning Board responded with recommendations.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Roosevelt as follows:

1. Section 23-4, subsection 5, of the Roosevelt Borough Code is amended to read as follows:

Former Service Station Property - Block 2, Lots 4.01 (40 North Rochdale Avenue) & 4.03 (44 North Rochdale Avenue)

The Borough instituted legal action to foreclose the tax liens that it held on this property. The Borough obtained a judgment for foreclosure and, on June 30, 2003, obtained title to the property at the Sheriff's sale.

The property at the time of judgment for foreclosure was Block 2, Lot 4.01, a 2.92-acre parcel that surrounded Block 2, Lot 4.02 (a residential lot) on three sides. The land south of Lot 4.02 consisted of the former service station and land used in association with it. This land was on the New Jersey Department of Environmental Protection list of contaminated sites, due to leakage of gasoline from underground tanks, and would have to be remediated in order to be returned to productive use. The land to the west and north of Lot 4.02 is undeveloped, though the land to the west has two commercial trailers and other automotive debris that will have to be removed.

Subsequent to Judgment, based on recommendation of the Planning Board the Council subdivided the property into two separate lots so that different municipal objectives could be addressed. The subdivision line was an extension to the westerly line of Lot 4.01 of the northerly line of Lot 4.02.

The southern portion, Lot 4.01, including the former service station site will hereafter be referred to as Part A.

The northern portion, Lot. 4.03, will hereafter be referred to as Part B.

The Redevelopment Plan for the Roosevelt Gateway Redevelopment Area (The Gateway Redevelopment Area Plan), prepared by Alan Mallach, P.P., F.A.I.C.P., dated November 2015 is hereby adopted as the Redevelopment Plan for Lots 4.01 and 4.03 of Block 2. The entire contents of the Gateway Redevelopment Area Plan shall be incorporated as an appendix to this Code of the Borough.

2. Permitted uses in the Gateway Redevelopment Area Plan are modified so as to specifically exclude child care facilities as a permitted use. No child care facilities will be permitted in the Gateway Redevelopment Area.

3. This Ordinance shall be referred to the Planning Board for review and recommendations pursuant to N.J.S.A. 40A:12A-7e.

4. The Roosevelt Gateway Redevelopment Area Plan shall supersede any provision of the Zoning Ordinance of the Borough of Roosevelt inconsistent with the provisions of the Roosevelt Gateway Redevelopment Area Plan.

5. The Zoning Map of the Borough of Roosevelt dated October 10, 2005, be and the same is hereby amended to incorporate Block 2, Lots 4.01 and 4.03 in the Roosevelt Gateway Redevelopment Area Plan into a Zoning Map district entitled, "Roosevelt Gateway Area," and all such properties shall be removed from any prior Zoning Map designation. New zoning for the Roosevelt Gateway Area is shown on a map attached as Exhibit B.

6. Section 23-9a3, which stated: "New Lot 4.03 in Block 2, as described in b, above, is hereby designated as the Affordable Housing (AH) Zoning District. The only permitted use in such a district shall a group home for adults with developmental disability having at least three (3), and no more than six (6) bedrooms, or a building containing three (3) to six (6) rental apartments having a bedroom distribution approved by the Council on Affordable Housing, that shall be afforded to, and rented exclusively to, person of low or moderate income, as defined in the "Fair Housing Act," P.L. 1985, c.222 (N.J.S.A. 52:27d-301 et seq.). Development using a well and/or septic system shall be permitted in the Affordable Housing Zoning District." is repealed in its entirety.

7. Section 23-9a-4, which stated: "The minimum lot size in the C-40 Zoning District and in the AH Zoning District shall be one (1) acre." is repealed in its entirety.

8. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

9. If any section, subsection, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portions of this Ordinance.

* Exhibit to Ordinance 16-002 is attached to these minutes and made a part thereof.

The Borough Attorney advised that this ordinance must be returned to the Planning Board for review of compliance with the Master Plan of the Borough.

#16-003: First Reading and Introduction – Bond Ordinance Providing for the Rehabilitation of an Elevated Water Tower and Appropriating \$210,000 Therefor and Authorizing the issuance of \$200,000 Bonds and Notes to Finance a Portion of the Costs Thereof, Authorized in and by the Borough of Roosevelt, in the County of Monmouth, New Jersey

Councilmember Lipoti explained the bid history of the water tower and that the improvements are needed to meet DEP and PEOSHA requirements.

Councilmember Lipoti moved ordinance 16-003 for introduction, Councilmember Ticktin seconded;

Council members Bonna, Impellizzeri, Lipoti, Malkin, and Ticktin voted yes.

Ordinance introduced 5-0, Public Hearing February 22, 2016.

ORDINANCE 16-003

*BOROUGH OF ROOSEVELT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY*

BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF AN ELEVATED WATER TOWER AND APPROPRIATING \$210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000

BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ROOSEVELT, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF ROOSEVELT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Roosevelt, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$210,000, said sum being inclusive of all appropriations heretofore made therefore, including the sum of \$10,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets. This bond ordinance authorizes projects intended to be funded through the New Jersey Environmental Infrastructure Trust Financing Program.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$200,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken provide for the rehabilitation of an elevated water tower, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$200,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$210,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$210,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$10,000 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is (twenty) 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$200,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$34,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Reports/Meetings of Council Committees:

Councilmember Impellizzeri: advised that Kelly and KTK did a great job of plowing during the recent snowstorms; it was a big effort to get the word out about the water emergency and he got thanks from residents for the quick response and notification; apologized to those who received notifications and are on a well; the electrician will be on site Wednesday to hook the electrical wiring up to the trailer, then JCP&L will come out and hook up the power; he received a report that hunters are getting too close to homes and the Rangers are addressing it.

Mr. Rob Masterson of 62 Pine Drive then addressed Council, giving details of the issues and confrontations with hunters near his property. He suggested that the area be made a no parking zone so hunters cannot park there, this may eliminate the problem.

There was discussion regarding parking permits, an ordinance to enforce no parking; the possibility of applying such an ordinance town-wide.

Councilmember Impellizzeri advised that the DEP storm sewer permit renewal is due. He noted that he spoke with the Health Inspector and there has been no more movement on the opening of the deli, and they have tenants paying rent and the apartment should only be inhabited by employees of the deli; there should be a deadline to open, this property should be benefitting the community.

After discussion, Councilmember Impellizzeri moved that the owner of the deli be given 60 days to open or evict the tenants. There was no second as the Borough Attorney suggested that giving approval of any kind for the tenants is making it a valid rental, which it is not. There was discussion and it was decided that zoning will be notified to give the owner of the property notice that he has an illegal rental.

Councilmember Ticktin: noted that he will speak to zoning regarding the deli and the vacant property list; there was an organizational meeting of the advisory committee on Sunday and they are in the process of getting Fire, First Aid, Borough Hall and Public Works needs. There was discussion regarding records, digitizing and storage.

Mayor Ellentuck noted that OEM will need a desk and file cabinet, a separate building for an office is not required. He stated that the group will also resume discussions with Millstone. There was discussion regarding fire districts and prioritizing service.

Councilmember Malkin: noted that there are parking issues in front of the synagogue and the synagogue is trying to resolve them. The residents on the street want the area to be no parking so they can properly back out of their driveways. There was discussion regarding a possible ordinance, narrow streets, and sending a letter to the synagogue.

Councilmember Malkin advised that she attended the B&B court hearing and it was adjourned for two weeks so their Attorney could review the Borough's ordinance. There was discussion regarding the violation cited and the possibility of doing an ordinance which provides for limitations on the duration of rentals. The Borough Attorney was directed to research a possible ordinance.

Councilmember Lipoti: reviewed the chlorine incident of February 2nd, noting that the chlorine injection system had a leak resulting in no chlorine residual in the lines to residences. An emergency was declared and everyone banded together to get the word out. The back-up system was running, but residents still had to boil water for consumption until the water could be sampled and tested. The contractor that did the water plant improvements fixed the leak with pvc, it was repaired under warranty.

She noted that the new Engineer toured the plants and requires certain information from the plant operator to perform an evaluation for a plan of action; the butterfly valve is restricting flow and hopefully removing it will resolve the backwash issue; the water hammer issue is being evaluated by the Engineer so a fix can be determined; the NJEIT applications have been submitted as approved by Council, but the Engineer suggests deferring the projects until he can perform diagnostics on the system, so she is trying to get a one year deferral to evaluate needs; 18 beavers were captured and logs were removed, the water is flowing better but Assunpink may install a Beaver Deceiver; Glenn Barnes is coming to Roosevelt Thursday morning regarding the affordability analysis he has done.

Old Business

Roosevelt Fire Dept. Chief Appointment

Mayor Ellentuck advised that he met with Chief Archer and was told that Mr. Archer will remain as Chief, but not with that building. Chris Suk is presently acting as Chief and continuing to run drills and meetings. It appears Dan Archer is not participating as Chief based on the required criteria and he does not recommend his re-appointment to the Chief title. He then inquired of Council as to how they would like to proceed.

There was discussion regarding the split in the Fire Department; the temporary trailer that is in place; the requirement that Council approve the appointment; concern that Mr. Archer may not stay as Chief and may encourage dissolution of the Department; and that Chris Suk may be willing to take the position.

Mr. Tim Curry of Pine Drive addressed Council and noted that Chris Suk is not qualified to be Chief pursuant to New Jersey law; that Archer wanted solutions to the issues and he is active in the Fire Department.

There was discussion and concern regarding Dan Archer's lack of attendance at Council meetings when this is being discussed; certification requirements; and possible conditional reinstatement requirements for Mr. Archer. It was also noted that being the Chief takes leadership and working with the public. There was discussion regarding the required maturity level and leadership skills necessary to be Chief and whether Dan Archer is the best Chief for the Fire Department. Councilmembers Impellizzeri and Ticktin thought he was, while the other Councilmembers were not so sure.

It was decided that Mr. Archer would be sent a request to attend the next meeting and discuss this matter.

Jewish American Society for Historic Preservation Marker

Councilmember Ticktin reviewed the request to put a historical marker near the monument at no cost to the Borough. There was discussion regarding the requirements that Council review the marker before it is installed and whether the County will be concerned with the installation.

Councilmember Lipoti moved to move forward with the marker and have them present a proof for Council review, Councilmember Ticktin seconded. All ayes.

Councilmember Malkin inquired as to why the last meeting was cancelled. Mayor Ellentuck responded that he was unsure if there would be a quorum or if the roads would be clear of snow. Councilmember Malkin commented that the roads had been cleared and there was a quorum for the meeting to be held.

New Business

Mayor Ellentuck appointed Councilmember Ticktin as the alternate to the Environmental Commission; and advised that an interview for a new Zoning Official will be held tomorrow.

Mayor Ellentuck advised that there has been a problem with peddlers and asked the Borough Attorney to review the ordinance for an amendment; he noted that they should have to register and are being forceful with the residents.

Mayor Ellentuck thanked public works for the great snow plowing job and the teamwork during the chlorine emergency.

Mayor Ellentuck then read Councilmember Curry's resignation letter aloud for the record:

Dear Borough Clerk, Mayor, and Council,

I want to thank the past members of the town council, municipal staff members, and the town's professionals whom I have served with over the last six and one half years. During this period we have together dealt with many important issues from the successful outcome of the many violations and law suits of a private school to the successful management of multiple blizzards and hurricanes. Over this period we have been able to correct year's worth of neglected infrastructure and facilities. We rebuilt Pine, Homestead, Oscar, Nurko, and South Valley Roads. We refurbished and or replaced major portions of our original eighty year old water plant, water tower, and sewage treatment plant. We worked together to make many responsible and well thought out improvements to our community.

While surrounding towns watched their tax rates soar we saved tax dollars through shared services and sound financial decisions. Despite spending millions on our neglected infrastructure we were able to keep a stable municipal tax rate. I am proud to have served our community during this period.

I have been fortunate to obtain a new opportunity and will no longer be able to serve. I am therefore regretfully resigning my council position effective today.

Roosevelt is fortunate to have such quality volunteer Council members, Board members and Fire and Rescue volunteers. I am hopeful that the town's new council members will continue to improve and rebuild the aging infrastructure of our wonderful little town. I thank you and wish you good luck.

Use of Borough Hall

Councilmember Lipoti moved to approve the requested uses of Borough Hall by various groups, Councilmember Ticktin seconded. All ayes.

Temporary Trailer Electric Service

Mayor Ellentuck advised that electric will be installed to the trailer in an expedient manner thanks to Gerry Riccardi, the Borough's JCP&L representative.

Chapter 71 – Responsibility for snow removal from fire hydrants

Mayor Ellentuck suggested that the Borough should designate responsibility for the clearing of snow from the fire hydrants. He suggested that the Fire Department be responsible for clearing the hydrants of snow and requested that the Borough Attorney prepare an ordinance designating this responsibility.

Disorderly Persons Ordinance 188

The Borough Attorney advised that ordinance 188 is in the computer system at the court, but was not included in the codification of the ordinances; the ordinance needs to be re-adopted so it can be enforced. There was discussion regarding updating the language; whether there is a need for the ordinance as there are state laws covering this; enforcing officers; adding graffiti as a violation; and modernizing the ordinance.

The Borough Attorney was directed to prepare a draft ordinance which addresses Council concerns and bring it back to Council.

Purchase of AED

Mayor Ellentuck advised that the Borough should purchase an AED unit at the suggestion of the First Aid and JIF. There should be a unit at Borough Hall; especially since the Tai Chi, seniors and children utilize the hall.

Councilmember Lipoti moved that the Borough purchase an AED for Borough Hall, Councilmember Bonna seconded. All ayes.

17 Lake Drive Sidewalk Request

Mayor Ellentuck reviewed the request from the resident at 17 Lake Drive to install a sidewalk, noting that the turn-around is legal and approved, but the resident wants a sidewalk.

There was discussion regarding the turn-around being part of the resident's lot and not public property; and that the resident knew of the turn-around when he bought the lot but has issues now that he has a small child. Council decided that they do oppose the resident installing a sidewalk, but the Borough will not install a sidewalk for him.

Councilmember Lipoti noted that JCP&L will hold an open house regarding storm response on February 25th at 2:00pm.

Mayor Ellentuck opened the public comment period and the following individuals spoke:

Eitan Grunwald, 5 Eleanor Lane – noted that he was impressed by the notification that took place regarding the need to boil the water, it was impressive; if there is an urgent need for water he will make his well available. Joe Trammel is monitoring the creek due to discoloration and contacted DEP who concluded that it was not toxic, just additional run-off. The Assunpink folks have been great at assisting with the beavers.

Tim Curry, Pine Drive – inquired as to the outcome of the Chief appointment. Mayor Ellentuck advised that Mr. Archer will be asked to attend the next meeting to talk to Council.

There being no further comments, the public comment period was closed.

Resolution 16-36: Resolution Providing for a Private Executive Meeting

The Borough Attorney read resolution 16-36 aloud.

Councilmember Lipoti moved resolution 16-36, Councilmember Ticktin seconded. All ayes.

Council adjourned into executive session.

Council reconvened into open session at 9:50pm.

There was discussion regarding the Borough Council vacancy and that the time for an appointment has expired. The Borough Attorney advised that the seat will remain vacant until the general election.

Councilmember Ticktin moved to adjourn at 9:50pm, Councilmember Bonna seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC

February 8, 2016

Borough Clerk

February 8, 2016

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