

**Meeting Minutes  
Roosevelt Borough Council  
Regular Meeting  
May 9, 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.

	<b>PRESENT</b>	<b>ABSENT</b>
<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.

Mayor Ellentuck read the Mayor’s Monarch Butterfly Pledge aloud:

**PROCLAMATION OF THE MAYOR  
OF THE BOROUGH OF ROOSEVELT, NEW JERSEY**

WHEREAS, the North American monarch population has declined by more than 90 percent in the past two decades; and

WHEREAS, the National Wildlife Federation believes that actions by local governments and their citizens can help to save the Monarch Butterfly; and

WHEREAS, the citizens of the Borough of Roosevelt have long expressed a desire to help save the Monarch Butterfly and the teachers and students at the Roosevelt Public School have led the local efforts;

NOW, THEREFORE, I, JEFF ELLENTUCK, Mayor of the Borough of Roosevelt, do hereby:

Proclaim the Month of July, 2016, as Monarch Butterfly Month in the Borough.

Appoint Dr. Jill Lipoti as the Monarch Ambassador of the Borough of Roosevelt.

Call upon the Borough Environmental Commission to assist in restoring Monarch habitats and educating residents as to how they can help in this endeavor.

Challenge our residents to create habitats for the monarch butterfly on their respective properties.

Direct our Public Works staff to plant a monarch-friendly garden in front of the Borough Hall in the area between the front and side parking lots.

Direct our Public Works and Utilities staffs to identify opportunities for revised mowing programs and locations suitable for milkweed planting.

Direct our Administrative Staff to obtain and make available to the public a supply of milkweed seeds.

Direct those persons involved in invasive species removal programs funded by or under the direction of the Borough to use their best efforts to make it possible to re-establish native milkweed and nectar plants to the cleared landscape and to plant milkweed in said landscape when feasible.

Thank the teachers and staff of the Roosevelt Public School for their past efforts in raising public awareness of the threats to the Monarch butterfly.

Thank the students and staff of the Roosevelt Public School for their efforts in planting native milkweeds and nectar plants in a school gardens.

IN WITNESS WHEREOF I have hereunto set my hand this 9<sup>th</sup> day of May, 2016.

Mayor Ellentuck then presented Councilmember Lipoti with the Monarch Butterfly Ambassador necklace and net. Councilmember Lipoti presented the Mayor with a Monarch Butterfly necklace, wand and milkweed plant. After the presentations, the Mayor announced that Kelly had baked butterfly cupcakes for everyone.

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

Bert Ellentuck inquired as to the additional funding for the Utility Engineer. Councilmember Lipoti explained the need for the additional funding.

Councilmember Malkin inquired as to whether Mr. McGrath is replacing Mr. Kirkland, to which the Mayor responded that he is.

**Consent Agenda:**

Councilmember Ticktin moved resolutions 16-57, 16-58, 16-59, 16-60, 16-61, 16-62 and the payment of bills as the consent agenda for approval, Councilmember Impellizzeri seconded.

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

Consent Agenda adopted 5-0.

Resolution 16-57: Authorize Issuance of a Raffle License

Resolution 16-58: Authorize Issuance of a Raffle License

Resolution 16-59: Appointing Acting Deputy Clerk

Resolution 16-60: Authorizing Additional Funding for the Use of Professional Engineering Services of Michael J. Samuel, P.E. of R3M Engineering, Inc. as Special Utility Engineer during the Year 2016

Resolution 16-61: Appointing Joe McGrath as Code Enforcement Officer

Resolution 16-62: Authorizing Temporary Emergency Appropriations

Payment of Bills

**Ordinances:**

**16-006 First Reading and Introduction-** An Ordinance Amending Section 10-22 and 20-3.4 of the Borough Code and Setting Fees for Licenses and Certificates of Occupancies

May 9, 2016

Councilmember Lipoti moved ordinance 16-006 for introduction, Councilmember Ticktin seconded.

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

Ordinance introduced 5-0, public hearing to be held on May 23, 2016.

ORDINANCE NO. 16-006

BOROUGH OF ROOSEVELT  
COUNTY OF MONMOUTH  
STATE OF NEW JERSEY

**AN ORDINANCE AMENDING SECTION 10-2.2 AND 20-3.4 OF THE BOROUGH CODE AND SETTING FEES FOR LICENSES AND CERTIFICATES OF OCCUPANCIES.**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Roosevelt that the Borough Code is amended as follows:

**Section 1.** Section 10-2.2 is amended to read as follows:

Application Fee

All applications for a Certificate of Occupancy shall be obtained by contacting the Housing Inspector. A charge of one-hundred (\$100.00) dollars to cover the cost in connection with such application and one (1) inspection, shall be paid to the Borough of Roosevelt at the time the application is filed. Additionally, there shall be paid a filing fee of fifteen (\$15.00) dollars.

Any and all reinspections shall be at a charge of ten (\$10.00) dollars each.

**Section 2.** Section 10-3.4 is amended to read as follows:

License Fee

Each license application shall be accompanied by a filing fee in the amount of one-hundred (\$100.00) dollars.

**Section 3.** All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

**Section 4.** If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held invalid, such decision shall not invalidate the remaining portions of this Ordinance.

**Section 5.** This Ordinance shall take effect upon adoption and publication according to law.

**16-007 First Reading and Introduction – An Ordinance Amending Chapter 23 “Redevelopment Plan “Of the Code of the Borough of Roosevelt**

The Borough Attorney explained that while Council did a resolution on this matter, the reason for adopting the amendment to the redevelopment plan, even though it is not consistent with the Master Plan, must be in the ordinance.

Councilmember Ticktin moved ordinance 16-007 for introduction, Councilmember Lipoti seconded.

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

Ordinance introduced 5-0. This ordinance will be sent to the Planning Board for review and comment; the public hearing date will be noticed at a later date.

**ORDINANCE NO. 16-007**

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 amended the Redevelopment Plan regarding provisions dealing with Lots 4.01 and 4.03 in Block 2, commonly known as the “Garage Site” by way of Ordinance 16-002, adopted on April 25, 2016; and

**WHEREAS**, that amendment established standards for zoning designation for the Roosevelt Gateway Redevelopment Area; and

**WHEREAS**, that amendment to the Redevelopment Plan contained inconsistencies with the Master Plan; and

**WHEREAS**, the Planning Board, by way of Resolution of April 5, 2016, had recommended adoption of the Amendment for reasons stated therein; and

**WHEREAS**, the Governing Body approved such recommendations regarding inconsistencies with the Master Plan and adopted them as its own in a “Reasons Resolution” on April 25, 2016, and

**WHEREAS**, N.J.S.A. 40A:12A-7d provides that the reasons for adopting an amendment to a Redevelopment Plan despite inconsistencies with the Master Plan must be set forth in the Redevelopment Plan itself.

**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.

The Gateway Redevelopment Area Plan is being adopted despite inconsistencies with the Master Plan for the following reasons:

a. The 2001 Master Plan designated the tract, without the nonconforming residential use in the center, Lot 4.02, for public use. As the Planning Board found, for the reasons set forth below, the public use designation is no longer appropriate.

b. The 2007 Re-examination Report identifies this site as one of the areas to be redeveloped with commercial uses and encourages commercial and office uses for this property.

c. The site was partially zoned as commercial and now is zoned as the Roosevelt Gateway Area, which includes commercial and office uses.

d. The property is located on the major Borough thoroughfare and can be attractive to potential investors for commercial purposes that will allow the Borough to recover costs that it incurred in site clean-up. Given the financial limitations of the Borough, a third-party incentive partner is needed.

e. There is a need for commercial uses to serve Borough residents, particularly now that the delicatessen is not operating.

f. The proposed Redevelopment Plan is appropriate for the area.

g. The Redevelopment Plan will not be an overlay zone but is intended to be the only land use regulation governing the properties. Therefore, the Redevelopment Plan will be designated on the zoning map.

2. The Gateway Redevelopment Area Plan is hereby amended to read as shown on Exhibit A to this Ordinance.

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

4. 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 A

### REDEVELOPMENT GATEWAY REDEVELOPMENT PLAN

#### 1. PERMITTED USES

- A. Retail sales of goods to the public, such as bakeries, clothing stores, pharmacies, etc.; but excluding material, equipment, landscaping, stone and gravel or similar supply facilities requiring extensive outdoor space.
- B. Retail services, including but not limited to restaurants, cafes, brewpubs, performance spaces, banks and real estate agencies; but excluding fast food establishments, drive in food or financial institutions or taverns.
- C. Offices for executive, administrative, business, medical educational or professional use.

#### 2. LOT AND BUILDING REQUIREMENTS

- A. (1) Buildings and parking areas on Part A shall set back a minimum 30' from all property lines, except as provided in 3.C below.  
  
(2) Buildings and parking areas on Part B shall be set back a minimum 100' from the front property line and a minimum 50' from all other property lines.
- B. Buildings may contain two stories and may have a maximum 25' height.

#### 3. LANDSCAPE AND SITING REQUIREMENTS

- A. All land in Part B within setback lines shall remain in its current wooded state, except that along the frontage, a single driveway is permitted, along with a single sign, and cutting of existing vegetation to provide adequate sight lines for vehicles exiting the property in accordance with Monmouth County Development Regulations Design Standards, Volume II for driveway sight triangles.
- B. A fenced and landscaped buffer shall be provided between Part A and the adjacent single family house.
- C. Impervious pavement or other cover in the form of outdoor seating or display area, or parking, is permitted within the front setback area of Part A.
- D. No more than two separate principal structures can be provided on each part of the property.

#### 4. PARKING

- A. Parking spaces shall be provided according to the schedule on the following page. The Borough will consider proposals that provide fewer parking spaces where clear justification is provided by the developer for the reduction.
- B. The parking requirements for structures on Part A may be met by parking spaces in Part B of the property except for handicapped-accessible spaces that shall be provided adjacent to the structures.
- C. No parking shall be provided in any setback area except as provided in Section 3C of these standards.

5. ACCESS

- A. A single access to County Route 571 for both ingress and egress may be provided on Part B of the property.
- B. Either a single access or two one-way access points to County Route 571 may be provided on Part A of the property.
- C. Driveways accessing County Route 571 shall conform to the Monmouth County Development Regulations Design Standards, Volume II for driveways, sight triangles, construction details and other applicable requirements.

MINIMUM PARKING REQUIREMENTS SCHEDULE

USE	NUMBER OF SPACES PER 1,000 SF
	USABLE FLOOR AREA
General retail	2.5
Restaurant, brewpub or similar facility	3
General office	2.5
Medical or dental office	4

**Reports/Meetings of Council Committees:**

Councilmember Impellizzeri: Noted that branch pick-up went well; bulk pick-up will take place on Monday, May 16<sup>th</sup>; advised that Mr. Eitan Grunwald generously donated a big flat screen TV to the Borough that will be installed in Borough Hall. The Borough Council thanked Eitan for his generous donation.

Councilmember Ticktin: noted that Roosevelt was on the itinerary for the Monmouth History Tour and there were visitors to the mural and artifact display; he attended the CDBG meeting and there is a new regulation which provides for a 15% set-aside for qualified non-profits; Since Roosevelt has no low income area, the Borough is not eligible for funding.

Councilmember Bonna: Advised that she is now a Beaver Deceiver Believer. Mr. Grunwald noted that the priority with the beavers is the rising water in the creeks and Assunpink assisted with the Beaver Deceiver program and it appears to be effective, and the program is meant to be a permanent solution to the beaver problem. Councilmember Bonna noted that the tape system is working fine.

Councilmember Malkin: advised that the Finance Committee met with the CFO to work on the budget in May; noted that she has spoken to the CFO regarding the purchase of a grill for the July 4<sup>th</sup> celebration, at an approximate cost of \$400.00 and would like permission to purchase the grill.

There was discussion regarding cleaning, storage and maintenance of the grill; providing the petting zoo and other activities at no cost to residents; and the budget for the July 4<sup>th</sup> celebration.

Councilmember Lipoti moved to increase the budget for the July 4<sup>th</sup> celebration to \$2,000.00, Councilmember Ticktin seconded. All Ayes. Motion approved.

Councilmember Malkin noted that she did not attend the Planning Board meeting.

Councilmember Ticktin: noted that the sign for Solar Village has been approved.

Councilmember Lipoti: advised that the ad for a part-time utility operator has been placed on the websites of the AEA and NJWEA, and the AEA inquired about Roosevelt becoming a member; noted that she met with East Windsor MUA regarding a shared services agreement for maintenance and repairs and there will be more information forthcoming; she suggested possibly joining AEA next year as they are looking to develop a purchasing cooperative which could save money; the litter pick-up was held on May 1<sup>st</sup> and the school has received their \$500.00 on tonight's bills list, RAP should be paid at the next meeting.

Councilmember Lipoti then noted that RAP will be holding an open meeting on May 15<sup>th</sup> at 10am for project proposals and then the Board will work on the proposals at their 11am meeting. Councilmember Malkin suggested that a mural for the Borough Hall meeting room be proposed. Councilmember Lipoti noted that a mural at the water plant will also be proposed.

### **New Business**

#### **AEA Membership**

Councilmember Lipoti advised that the membership fee for the AEA is \$1,300.00 per year, noting that it may be worth it if they get the purchasing cooperative up and running.

There was discussion regarding membership benefits, the education provided through their conference, and the technical assistance available to members. It was noted that Toby presently participates in the NJWEA and that the AEA does the lobbying. Councilmember Lipoti suggested that membership be re-evaluated for next year.

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

Bert Ellentuck – inquired as to whether a lifeguard is needed for the dunk tank at the July 4<sup>th</sup> celebration to which the Borough Attorney noted that the school sponsors the dunk tank and it would be their responsibility to insure and take proper safety measures for the dunk tank.

Mary Tulloss – inquired as to what the helicopter with search lights that was flying low last night was all about. Mayor Ellentuck responded that the Borough does not know.

April Suk- inquired if she has the authority to use the Fire Company's Sam's Club card to buy the grill for the July 4<sup>th</sup> celebration. Mayor Ellentuck advised that Councilmember Malkin and the Recreation Director will make that decision.

Ms. Suk then inquired if there were any limitations on the number for fire departments that can be invited to participate in the parade as she needs to send out the invitations. Councilmember Malkin noted that it was suggested that it be limited to three additional fire departments so it does not appear to be a fire department parade instead of a Roosevelt parade.

There was discussion regarding sending out the same number of invitations as in the past, but limiting the number of apparatus that participate from each. Council agreed that each invitee should be limited to one piece of equipment per fire department.

Councilmember Ticktin noted that the historic marker should be arriving in time for it to be dedicated at the July 4<sup>th</sup> celebration. Councilmember Lipoti suggested that the water plant open house that was discussed in the past also be conducted during the celebration.



Bob Kragen – advised that the new Zoning Officer is enforcing the laws regarding his trailers and he would like the Council to give him some slack because the trailers contain his collections that he cannot dispose of. Mayor Ellentuck advised that the Council cannot give him slack, but that he will follow up with the Zoning Officer to find out what the issues are.

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

Councilmember Ticktin moved to adjourn at 8:00pm, Councilmember Bonna seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC  
Borough Clerk