

**DRAFT**  
**BOROUGH OF ROOSEVELT**  
**COUNCIL REGULAR MEETING AGENDA**  
**OCTOBER 28, 2019 @ 7:00 P.M.**

**TIME IN \_\_\_\_\_**

Adequate notice of this meeting, as required by Chapter 231, P.L. 1975, has been provided by a public notice on January 7, 2019 which was posted on the Bulletin Board at the Roosevelt Post Office, on the Bulletin Board in the Roosevelt Post Office and in the Borough Hall. The notice was published in The Times and Asbury Park Press.

**ROLL CALL**

- Councilmember Steven Bowen
- Councilmember Luke Dermody
- Councilmember Louis Esakoff
- Councilmember Michael Hamilton
- Councilmember Joseph Trammell
- Councilmember Chad Vroman
- Mayor Peggy Malkin

**MAYOR'S REPORT**

**PUBLIC COMMENT (Agenda items only)**

**APPROVAL OF MINUTES**

1. October 15, 2019 Regular Council Minutes

**CORRESPONDENCE**

1. Letter from NJ DEP dated October 17, 2019, Re: Notice of Capacity Assurance Program Threshold Exceedance
2. Letter from resident, Janet M. Ginest, received October 18, 2019
3. Monmouth County Clerk News Release dated October 18, 2019, Re: Student Video Contest to Commemorate Centennial of 19<sup>th</sup> Amendment
4. Letter from Roberts Engineering Group dated October 22, 2019, Re: Improvements to Nurko Road and Elm Court

**ORDINANCES**

**SECOND READING AND PUBLIC HEARING**

**ORDINANCE 19-05**

**AN ORDINANCE OF THE BOROUGH OF ROOSEVELT AUGMENTING THE BOROUGH CODE TO INCLUDE NEW SECTION 5-13: "PET WASTE" TO PROVIDE ENFORCEMENT MECHANISMS FOR THE PROPER DISPOSAL OF PET WASTE**

**M/Malkin opens the public hearing at \_\_\_\_\_**  
**M/Malkin closes the public hearing at \_\_\_\_\_**

**SECOND READING AND PUBLIC HEARING**

**ORDINANCE 19-06**

**AN ORDINANCE OF THE BOROUGH OF ROOSEVELT AUGMENTING THE BOROUGH CODE TO INCLUDE NEW CHAPTER 19: "TREE PROTECTION" TO REGULATE THE REMOVAL OF TREES FROM ALL LANDS WITHIN THE BOROUGH**

M/Malkin opens the public hearing at \_\_\_\_\_

M/Malkin closes the public hearing at \_\_\_\_\_

**RESOLUTIONS**

Resolution 19-109      Payment of Bills of October 28, 2019

**REPORTS OF COMMITTEE CHAIRS**

Councilmember Bowen	Public Works
Councilmember Esakoff	Administration
Councilmember Dermody	Community Dev/Code
Councilmember Hamilton	Finance
Councilmember Trammell	Utilities
Councilmember Vroman	Envi, Health & Safety

**REPORTS OF BOROUGH OFFICIALS (If requested by Mayor or Committee Chair)**

**OLD BUSINESS**

**NEW BUSINESS**

1. Use of Borough Hall: RAP Events scheduled on 11/2/19, 1/25/20, 2/8/20, 3/28/20, 4/25/20, 5/9/20 at 8PM.
2. Resolution from Borough of Tinton Falls Urging Voters to Support Referendum on the Election Ballot in November, so that Veterans or Widows Spouses of Veterans Who Reside in Continuing Care Retirement Communities(CCRC) will be Eligible for Property Tax Deduction

**PUBLIC COMMENT (Any item)**

**CLOSED SESSION**

Resolution 19-      Providing for a Private Executive Meeting that Excludes the Public

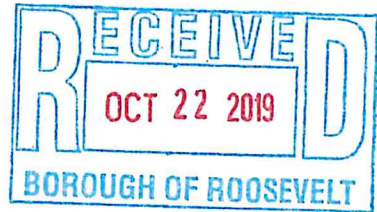
Time In: \_\_\_\_\_ Time Out: \_\_\_\_\_

**ADJOURNMENT**

**TIME OUT:** \_\_\_\_\_



State of New Jersey



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Water Quality  
Municipal Finance & Construction Element  
Bureau of Environmental, Engineering & Permitting  
Mail Code 401-03D  
PO Box 420  
Trenton, NJ 08625-0420  
Phone 609-633-1170  
Fax 609-633-8165

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

BOB MARTIN  
Commissioner

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

OCT 17 2019

7008 1140 0000 1428 7454

Toby Moore, Operations Manager  
Roosevelt Borough  
PO Box 128 – 33 N. Rochdale Avenue  
Roosevelt, NJ 08555

Re: Notice of Capacity Assurance Program (CAP) Threshold Exceedance  
NJPDES Permit No. NJ0022918  
Roosevelt Boro WTP  
Roosevelt Boro, Monmouth County

Dear Mr. Moore:

This is to inform you that it has been determined that the above referenced facility has reached or exceeded 95 percent of its permitted flow determined by a 12-consecutive month average (threshold). Consequently, pursuant to N.J.A.C. 7:14A-22.16(a), you are required to submit a capacity analysis report (checklist enclosed) that complies with the regulations to the Department within 180 days after reaching the threshold or before March, 24, 2020. In addition, you are required to submit a completed WQM007 Form to the Department beginning the last day of the month following the date the threshold was met and on a quarterly basis thereafter.

I thank you for your anticipated cooperation in this matter. If you have any questions concerning the above, please feel free to contact Nazia Mughis-Sohrawardy, by calling (609) 984-4429.

Sincerely,

Tracy L. Shevlin, P.E., Section Chief  
Bureau of Environmental, Engineering, and Permitting

Enclosure: CAR Checklist/WQM-007 Form

C: Janice Brogle, Director, DWQ

**CAPACITY ANALYSIS REPORT CHECKLIST**  
**(N.J.A.C.7:14A-22.16(c))**

- 1) An assessment of the treatment works, including:
  - i) Dry weather treatment capacity at the plant;
  - ii) Wet weather treatment capacity at the plant;
  - iii) Sources and extent of inflow and infiltration;
  - iv) Amount of flow for connections for which TWAs have been issued but are not yet in operation, and projected flows to accommodate growth within the service area over the next 20 year period;
  - v) Current operation and maintenance practices that maximize conveyance and treatment;
  - vi) Planned improvements to the treatment works;
  - vii) Pending applications for NJPDES permits and treatment works approvals related to the capacity of the treatment works; and
  - viii) Compliance status, including NJPDES permit violations and known sanitary sewer overflows.
  
- 2) An evaluation of alternative measures that would maximize conveyance and treatment of existing flows, reduce or maintain existing flows below permitted flow at the treatment plant and ensure adequate conveyance capacity, and/or increase the capacity of the treatment works. This evaluation shall include, at a minimum:
  - i) A review of current and proposed water conservation measures to reduce flow;
  - ii) Strategies to reduce infiltration;
  - iii) Strategies to reduce inflow from sanitary sewer lines, including disconnection of roof leaders, sump pumps, and other sources of inflow, and redirect the inflow to storm sewer lines to the extent feasible;
  - iv) Strategies to maximize current conveyance and treatment capacity including changes to current operation and maintenance practices or increases in permitted flow at the treatment plant; and
  - v) Capital improvements to expand existing conveyance or treatment capacity.
  
- 3) The identification of and justification for the measure(s) selected based on the evaluation of alternatives described at 2) above.
  
- 4) An implementation schedule for the selected alternative(s), including any necessary continued assessment of infiltration and inflow and changes to rules, ordinances, and sewer use agreements of the permittee, participating municipalities, and/or sewage authorities. The implementation schedule shall provide for the revision of relevant operation and maintenance and asset management plans to incorporate the selected alternative(s).
  
- 5) A description of the mechanisms to be used to finance the selected alternative(s); and
  
- 6) A certification signed in accordance with N.J.A.C. 7:14A-4.9 that the selected alternative(s) will be undertaken in accordance with the implementation schedule.

- **The CAR shall be submitted to the Department within 180 days after the last day of the final month of the 12-consecutive-month period.**
- **A completed WQM007 Form shall be submitted to the Department beginning the last day of the month following the date the threshold is met, and on a quarterly basis thereafter.**

**Both items shall be sent to the following address:**

**NJ DEP, Division of Water Quality  
Bureau of Environmental, Engineering & Permitting  
Mail Code: 401-03D, PO Box 420  
Trenton, New Jersey 08625-042  
Attention – Tracy Shevlin (TWA Program)**

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF WATER QUALITY  
MUNICIPAL FINANCE AND CONSTRUCTION ELEMENT  
BUREAU OF ENVIRONMENTAL, ENGINEERING AND PERMITTING

WASTEWATER FLOW SUMMARIZATION QUARTERLY REPORT

Period from \_\_\_\_\_ to \_\_\_\_\_

Name of Permittee \_\_\_\_\_

Sewage Treatment Plant \_\_\_\_\_

NJPDES Discharge Permit Number \_\_\_\_\_

Certification by Owner \_\_\_\_\_

(Signature and Date)

NJDEP-ISSUED TREATMENT WORKS APPROVAL ('TWA') PERMITS NOT YET IN OPERATION  
(Anticipated Flow Only)

Permit No.	Project Name	Date Issued	Permit Flow Allocation
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(A) Permitted Capacity*	_____	MGD
(B) Present 12-month Average Flow	_____	MGD
(C) Total Anticipated Flow	_____	MGD
(D) Total Flow [(B) + (C)]	_____	MGD
(E) Remaining Capacity [(A) - (D)]	_____	MGD

(F) Status of Improvements (from Department Approved CAR, if applicable)

(i) In compliance with approved schedule? \_\_\_\_\_ If No, please explain and provide updated schedule.

(ii) Percent completion? \_\_\_\_\_

\*Permitted Capacity means the average daily volume of wastewater, which a domestic treatment works was designed to treat in accordance with a TWA permit or the maximum permissible volume of flow to a domestic treatment works as established by a NJPDES permit, which permit or approval establishes the more stringent flow value.



October 10, 2019

Good afternoon Mayor Malkin and Council Members,



I am writing to share my thoughts regarding the possibility of Roosevelt adopting a tree ordinance.

Roosevelt has a long standing and admirable history of environmental stewardship. Through both policy and volunteerism Rooseveltians have successfully retained the communities' trails and protected woodland areas.

These protected woodland tracts and trails are one of the reasons that we decided in 2016 to purchase a home in Roosevelt. We also decided to cut down 2 trees on our property when we moved in. Why on earth would we decide to cut down trees on our property?? First, I'd like to share my opinion that homeowners want – and should have the basic right – to maintain their properties in a way that is pleasing to them. As long, of course, as it does not adversely affect their neighbors. And while opinions can obviously differ here, my opinion is that a person wanting to be able to bask in the sunshine in their own backyard, or wanting to be able to have enough sun shine in their yard to grow a vegetable garden does not in any way adversely affect their neighbors, or the existing tracts of woodlands or woodland trails. Discovering a clearing in the woods where there is a spot of clear sky and sunshine and a meadow with flowers is something that many people would find very pleasing. I

Another thing that attracted us to Roosevelt was the fact that it is a community where people are allowed to be themselves. If someone wants a huge pile of wood in front of their house, that is ok. If someone wants chickens in their yard, that is ok. If someone wants to store cars on their property, that is ok. We like this aspect of Roosevelt also – even though some argument could be made that these things could all affect your neighbor, or their property value.

But having a clearing in your own yard in no way intrudes on your neighbor, or your neighbor's property value or the existing beautiful tracts of protected woodlands that surround our lovely community.

I would also like to point out that one of the 2 trees we removed when we moved in was deemed by Allen's Tree Service as likely to damage the brand new \$15,000.00 roof we put on our house the week we moved in - and upkeeping the exterior of your home is something that some could argue does affect a neighborhood. Large trees very close to homes are actually not desirable for many reasons. I also would like to point out that while it is true that we removed 2 trees from the property when we moved in, we brought one tree with us and planted it in the middle of our front yard, and have since planted 2 more small trees on the edge of our property.

Lastly, I would like to respectfully point out that if the existing trees on a neighbor's property – or in the tract of woodlands between homes – is not taken care of this can cause significant harm to homeowners in Roosevelt. We had one neighbor who failed to maintain their ailing tree and it fell across our front lawn taking down JCP&L's lines and power to most of the neighborhood with it. Removal of the tree was a pretty big expense, and the front lawn was severely damaged with deep ruts from the impact of the falling tree. Our neighbor on the other side has pine trees that extend extensively onto our property making a huge mess of my roof, gutters, yard and causing damage to our vehicles and attracting, quite literally, hundreds of hornets which we had to pay an exterminator to help us deal with so that we could access our attic. We also had one of the trees in the protected woodlands behind our house fall and take out a section of our fence – another big expense and inconvenience. Several other trees in that tract of woodland have fallen since we moved in in 2016 and at least 2 more appear to be dead and could well fall and damage our fence once again this winter. It seems to me that when considering a tree ordinance, it might make sense to also include proper maintenance of existing trees – both on private property and Borough property, as these seem much more likely to cause harm.

I guess what I am trying to say is that "all things in moderation" would seem to apply when thinking about a balanced approach to trees on homeowners properties in Roosevelt.

I hope that my sharing this information is helpful to you.

Please do not hesitate to contact me if you have any questions, would like more information, or simply to chat about the issue.

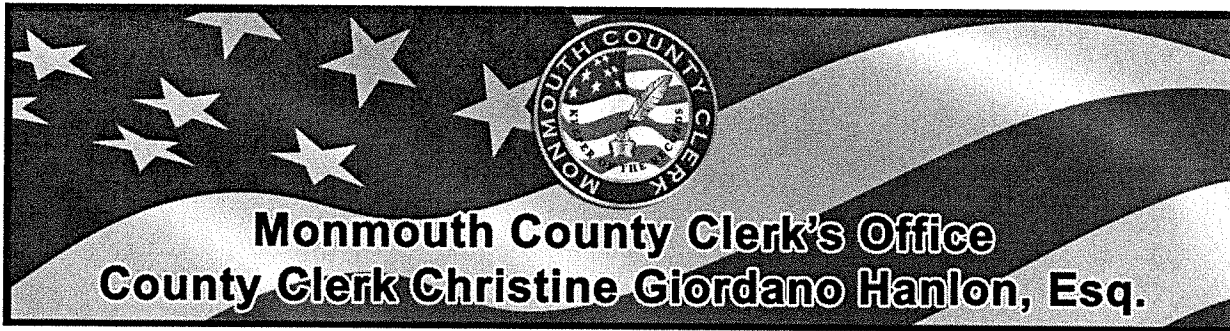
With my respect,

A handwritten signature in red ink that reads "Janet Ginest". The signature is written in a cursive style with a large initial 'J'.

Janet M. Ginest

[newfielassie@gmail.com](mailto:newfielassie@gmail.com)

(609) 658-3866



## NEWS RELEASE



FOR IMMEDIATE RELEASE:  
October 18, 2019

[www.MonmouthCountyClerk.com](http://www.MonmouthCountyClerk.com)

CONTACT: JENNIFER COLLINS  
PHONE: 732-431-7324, ext. 8735

### County Clerk Hanlon Hosts Student Video Contest to Commemorate Centennial of 19<sup>th</sup> Amendment

FREEHOLD, NJ – Monmouth County Clerk Christine Giordano Hanlon is inviting all Monmouth County high school students to enter the 2<sup>nd</sup> Annual Elections and Voting Video Contest, sponsored by the Monmouth County Clerk's Office.

Next year marks the 100<sup>th</sup> anniversary of the ratification of the 19<sup>th</sup> Amendment. In commemoration of this historic milestone, this year's contest asks students to reflect on what having the right to vote means to them, while encourage their peers to vote.

The Monmouth County Clerk's Elections Division has responsibility over sample ballots, vote by mail applications, candidate petitions, tabulation of totals, and the certification of results.

**High School Elections and Voting Video Contest**  
*Commemorating the Centennial of the 19th Amendment*

PRIZES:  
FIRST PLACE: \$150 GIFT CARD  
SECOND PLACE: \$100 GIFT CARD  
THIRD PLACE: \$75 GIFT CARD

• Create one video reflecting on what having the right to vote means to you, while encouraging your peers to vote  
• Can work in groups of one to three students  
• Top three winning videos will be used in the Monmouth County Clerk's Office voter outreach campaign  
• The contest deadline is the day before Election Day, Monday, November 4, 2019 at noon  
• For rules and eligibility, please visit [MonmouthCountyClerk.com](http://MonmouthCountyClerk.com) or email [ClerkContest@monmouth.nj.us](mailto:ClerkContest@monmouth.nj.us)

Sponsored by  
Monmouth County Clerk  
Christine Giordano Hanlon, Esq.



County Clerk Hanlon is working to increase voter participation among the youth through her high school ‘Your Vote Matters’ program, which stresses the importance of civic responsibility. She is continuing to build on that program by sponsoring the County Clerk’s 2<sup>nd</sup> Annual Elections and Voting Video contest for high school students, leading up to Election Day.

“We are very excited to announce this year’s high school student video contest, which we hope will engage young people in the voting process,” said Clerk Hanlon. “As we approach Election Day, it is the perfect time to remind young people that the right to vote is a right to be cherished and exercised regularly.”

The contest is open to high school students who reside in Monmouth County and/or attend a high school in Monmouth County. Students are allowed to form groups, of no more than three (3) members, and each group should enter an original video that highlights the importance of voting rights. Entrants are permitted to be creative with the usage of digital and/or traditional special effects. Videos with political or offensive content will not be considered.

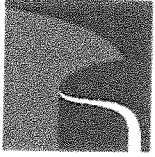
The top three (3) videos will be awarded gift card prizes by Clerk Hanlon and will be advertised via the County Clerk’s social media platforms and ‘Your Vote Matters’ program. Videos will remain the property of the County Clerk’s Office.

Entries will be accepted from October 18, 2019 until the deadline at noon EST on Monday, November 4, 2019, which is the day before Election Day. Entries will be accepted via email to [ClerkContest@co.monmouth.nj.us](mailto:ClerkContest@co.monmouth.nj.us) with the subject “2019 High School Video Contest.” Entrants must upload their video to YouTube and then email the direct link to the video to the Monmouth County Clerk’s Office.

Entries can also be mailed to the Monmouth County Clerk's Office, Attn: Voting Video Contest, Monmouth County Clerk, 33 Mechanic Street, Freehold, NJ 07728 with the video file enclosed on a flash drive or CD.

For full contest rules and eligibility, please visit the Monmouth County Clerk's Office website at [MonmouthCountyClerk.com](http://MonmouthCountyClerk.com), email [ClerkContest@co.monmouth.nj.us](mailto:ClerkContest@co.monmouth.nj.us), or call 732-431-7324, ext. 8735.

# # #



**Roberts**  
ENGINEERING GROUP LLC  
*Women Business Enterprise Certified*

1670 Whitehorse-Hamilton Square Rd.  
Hamilton, New Jersey 08690  
609-586-1141 fax 609-586-1143  
www.RobertsEngineeringGroup.com

October 22, 2019

Thomas Berryman  
NJ Department of Transportation  
Local Aid - District 3  
1035 Parkway Avenue  
PO Box 600  
Trenton NJ 08625-0600

Re: Improvements to Nurko Road and Elm Court  
Borough of Roosevelt, Monmouth County, New Jersey  
File No.: R4410

Dear Thomas,

Enclosed with this letter, please find the following for your review use:

1. One (1) copy of Borough of Roosevelt Resolution 19-104 dated October 15, 2019 authorizing Roberts Engineering Group to request a 6-month extension for award.
2. One (1) copy of a letter dated April 30, 2018 to the Borough outlining the need for new water mains at Elm Court.

As you know, the above referenced project was awarded \$350,000.00 on February 21, 2018 through the NJDOT Municipal Aid Program. The project is for improvements to Nurko Road and Elm Court. Per the NJDOT State Aid Handbook, "Municipal local aid agreements ... shall specify that a contract must be awarded by the municipality within 24-months from the date of grant notification."

The Borough has obtained funding from the NJ Infrastructure Bank (NJIB) to construct a new water main at Elm Court. The proposed water main is intended to enhance water quality and is a critical component of the Borough's overall water distribution system. Water mains must be installed prior to roadway improvements.

The water main construction contract is currently advertised and is anticipated to be awarded in November 2019. Construction is anticipated to start in early 2020.

By way of this letter, we are requesting a 6-month extension on behalf of the Borough of Roosevelt for award of the Improvements to Nurko Road and Elm Court project as required by the Municipal Aid grant.

Should you have any questions or concerns or require any additional information, please do not hesitate to contact this office.

Very truly yours,

Carmela Roberts, P.E., C.M.E.  
Borough Engineer

cc: Kathleen Hart, RMC, CMR, Borough Clerk  
Ana Debevec, Borough Treasurer  
George Lang, Borough CFO  
Tremaine Ward, NJDOT  
Cameron Corini, PE, CME, Roberts Engineering Group, LLC

BOROUGH OF ROOSEVELT  
COUNTY OF MONMOUTH  
STATE OF NEW JERSEY

RESOLUTION NO. 19-104  
MEETING DATE: 10-15-19

RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO REQUEST A  
SIX-MONTH EXTENSION FROM THE NEW JERSEY DEPARTMENT OF  
TRANSPORTATION IN CONNECTION WITH THE GRANT RECEIVED FOR THE  
REPLACEMENT OF NURKO ROAD AND ELM COURT

C/Hamilton offered the following resolution and moved its adoption, which was seconded by C/Trammell.

WHEREAS, on or about February 21, 2018, the New Jersey Department of Transportation ("NJDOT") awarded the Borough of Roosevelt, County of Monmouth, State of New Jersey (the "Borough") a municipal aid grant in the amount of \$350,000 for road improvements to Nurko Road and Elm Court (the "Road Replacement Project"); and

WHEREAS, under the terms of the municipal aid grant, the Borough is required to make an award of a contract to complete the Road Replacement Project on or before February 21, 2020; and

WHEREAS, the project has been delayed as a result of the water main improvements on Elm Court. The Elm Court water main project has not yet been awarded because of the extensive review process by the NJDEP and the Borough anticipates that the water main project will be awarded by November 2019 which will allow construction in early 2020; and

WHEREAS, Roadway improvements at Elm Court will not be able to take place until after the water main has been installed.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Roosevelt, County of Monmouth, State of New Jersey that the Borough Engineer, Roberts Engineering Group, LLC, is hereby authorized to request an extension from the New Jersey Department of Transportation in connection with the Borough's municipal aid grant in the amount of \$350,000 and dated February 21, 2018; and

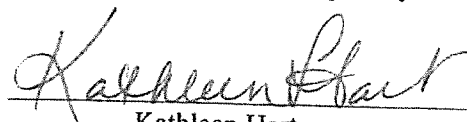
BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Mayor, Council-President, and Roberts Engineering Group, LLC.

ROLL CALL:

AYES: C/Bowen, C/Dermody, C/Esakoff, C/Hamilton, C/Trammell  
NAYS: None  
ABSTAIN: None  
ABSENT: C/Vroman

CERTIFICATION

I HEREBY CERTIFY the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 15, 2019.



Kathleen Hart  
Borough Clerk



# Roberts

ENGINEERING GROUP LLC  
Women Business Enterprise Certified

April 30, 2018

1670 Whitehorse-Hamilton Square Rd.  
Hamilton, New Jersey 08690  
609-586-1141 fax 609-586-1143  
www.RobertsEngineeringGroup.com

Mayor and Council  
Borough of Roosevelt  
P.O. Box 128  
33 North Rochdale Avenue  
Roosevelt, New Jersey 08555

Re: Water Main Replacements on Homestead Lane, Elm Court and Cedar Court  
Allentown Borough, Monmouth County, New Jersey  
Our File No.: R4653

Dear Mayor and Council:

As you may recall, the NJDOT has recently awarded the Borough two (2) grants. One grant is for Nurko Road and Elm Court, and the second grant is for Homestead Lane and Cedar Court. This letter is in regard to necessary water main improvements on these streets. As you know, Nurko Road does not contain any water service from the Borough and that is not included in this recommendation.

The Borough's water mains date back to 1940 and as is known, the water mains are severely tuberculated, which reduces the capacity of the water mains. They are coated with iron and the pipes are cast iron, which is susceptible to cracking. Therefore, we are not recommending that these pipes be cleaned, relined and reused. We are recommending that the water pipelines be replaced, and we recommend that as the Borough moves forward with its road improvements, that water mains are replaced prior to the paving. Additionally, we are recommending that any water system improvements be financed through the New Jersey Infrastructure Bank. This State revolving loan program offers the Borough up to 50% loan forgiveness through a program specifically aimed water systems in municipalities with small populations.

It is our recommendation that the Borough replace the water main on Homestead Lane in the area of the NJDOT Grant and that the 1 1/2-inch water mains on both Elm Court and Cedar Court be replaced with 6-inch pipelines to provide improved service to those areas.

Our estimated cost for construction of water mains on Homestead Lane, Elm Court and Cedar Court is \$573,200.00. Fifty percent (50%) loan forgiveness under the State Program would reduce the amount to \$286,600.00. Attached to this letter please find a detailed cost estimate of this work.

I recommend that the Borough move forward as quickly as possible in replacing these water mains so that the work of the water main replacement can be performed prior to the work of the NJDOT Roadway Improvements. The New Jersey Infrastructure Bank Program allows for submission of loan applications throughout the year. Should Council wish to move forward with this, we would be prepared to submit the preliminary documents within one (1) month of authorization.

Please let me know if you would wish to discuss further or have any questions.

Very truly yours,

Carmela Roberts, P.E., C.M.E.  
Borough Engineer

cc: Kathleen Hart, RMC, CMR, Borough Clerk  
Ana Debevec, Borough Treasurer  
George Lang, Borough CFO  
Cameron Corini, P.E., Roberts Engineering Group, LLC

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

**ORDINANCE 19-05  
INTRODUCTION DATE: 10-15-2019  
PUBLIC HEARING DATE: 10-28-2019**

**AN ORDINANCE OF THE BOROUGH OF ROOSEVELT AUGMENTING  
THE BOROUGH CODE TO INCLUDE NEW SECTION 5-13: "PET WASTE" TO  
PROVIDE ENFORCEMENT MECHANISMS FOR THE PROPER DISPOSAL OF PET WASTE**

C/Hamilton offered the following Ordinance and moved its introduction, which was seconded by C/Trammell.

**BE IT ORDAINED** by the Governing Body of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that the Borough's Revised General Ordinances are hereby amended to include new section 5-13: "Pet Waste" as follows:

**CHAPTER 5                    ANIMAL CONTROL**

**§ 5-13                    PET WASTE.**

This Section shall establish requirements for the proper disposal of pet solid waste in the Borough of Roosevelt to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**§ 5-13.1                Definitions.**

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein:

- A.     **Immediate** – shall mean that the pet solid waste is removed at once, without delay.
- B.     **Owner/Keeper** – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- C.     **Person** – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- D.     **Pet** - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- E.     **Pet solid waste** – waste matter expelled from the bowels of the pet; excrement.
- F.     **Proper disposal** – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

**§ 5-13.2                Requirement for Disposal.**

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.



**§ 5-13.3 Exemptions.**

- A. Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.
- B. Any owner or keeper who demonstrates by clear and convincing evidence that a disability or other physical or mental limitation prevented his or her compliance with this section shall be exempt from the provisions of this section.

**§ 5-13.4 Enforcement.**

The provisions of this Article shall be enforced by the Code Enforcement Official of the Borough.

**§ 5-13.5 Violations and Penalty.**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$50.00 for a first offense; \$100.00 for a second offense; \$250.00 for a third offense; and up to \$1,000.00 for a fourth or subsequent offense.

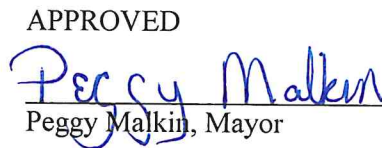
**BE IT FURTHER ORDAINED** that a copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies for their review and comment pursuant to applicable New Jersey Statutes.

**BE IT FURTHER ORDAINED** that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

**BE IT FURTHER ORDAINED** that, if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**BE IT FURTHER ORDAINED** that this ordinance shall be in full force and take effect immediately upon final passage and publication.

ATTEST:  
  
Kathleen Hart, Borough Clerk

APPROVED  
  
Peggy Malkin, Mayor

**PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that the foregoing Ordinance was introduced and passed on first reading on the 15th day of October 2019, at a meeting of the Mayor and Council of the Borough of Roosevelt and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Council of the Borough of Roosevelt to be held on the 28th day of October 2019 at the Municipal Building at 33 N. Rochdale Avenue, Roosevelt, New Jersey. Kathleen Hart, Borough Clerk

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

**ORDINANCE 19-06  
INTRODUCTION DATE: 10-15-2019  
PUBLIC HEARING DATE: 10-28-2019**

**AN ORDINANCE OF THE BOROUGH OF ROOSEVELT AUGMENTING  
THE BOROUGH CODE TO INCLUDE NEW CHAPTER 19: "TREE PROTECTION" TO  
REGULATE THE REMOVAL OF TREES FROM ALL LANDS WITHIN THE BOROUGH**

C/Hamilton offered the following Ordinance and moved its introduction, which was seconded by C/Trammell.

**BE IT ORDAINED** by the Governing Body of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that the Borough's Revised General Ordinances are hereby amended to include new Chapter 19: "Protection of Trees" as follows:

**CHAPTER 19            TREE PROTECTION**

**§ 19-1            Title.**

This Chapter shall be known as and may be cited as the "Environmental Tree Protection Ordinance of the Borough of Roosevelt."

**§ 19-2            Purpose.**

The purpose of this chapter is to preserve trees and woodlands throughout the Borough of Roosevelt, and to restrict the removal of trees, thereby maintaining the beauty and character of the Borough, preventing erosion, and restricting any action that could create a hazard to persons or properties.

**§ 19-3            Definitions.**

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**Applicant** shall mean any person making application to the Tree Conservation Officer for a Tree Protection Permit.

**Clear cutting** shall mean the removal of more than twenty (20%) percent of the total number of trees, six (6) inches in caliper or greater of any type of trees within an area on a lot and located outside of the necessary footprint as defined below.

**Diameter at breast height (DBH)** shall mean the diameter of a tree measured at breast height, which is approximately four and one-half (4 1/2) feet above the ground. The diameter of a multi-trunked tree shall be two-thirds (2/3) of the sum of the diameters of all trunks but not less than the diameter of the largest trunk. Diameter shall be calculated to be one-third (1/3) of the circumference for the purpose of this definition.

**Emergency** shall mean any unforeseen circumstance or occurrence, the existence of which constitutes a clear and immediate danger or hazard to person or property.

**Mitigation plan** shall mean a plan prepared by a qualified person acceptable to the Tree Conservation Officer showing the planting of replacement trees on the property on which tree removal activity is taking place or on other properties within the Borough. Said plan must depict, in a manner acceptable to the Tree Conservation Officer, a reasonable scheme for the ultimate full replacement of trees removed.

**Necessary footprint** shall mean the portion of the lot located within a line drawn fifteen (15) feet outside the limits of any existing principal structure or any proposed principal structure for which site plan approval has been granted or a valid building permit or other necessary municipal approval exists; and within five (5) feet outside the limit of any existing accessory structure or any proposed accessory building and/or accessory structure for which site plan approval has been granted or a valid building permit or other necessary municipal approval exists.

**Ornamental tree** - *See Tree, ornamental.*

**Permittee** shall mean any person who has been issued a permit pursuant to the terms and conditions of this section and who is obligated to fulfill all the terms of this section.

**Person** shall mean any person, firm, partnership, association, corporation, company, or public or private organization of any kind other than those exempted from the provisions of this section.

**Specimen tree or significant specimen tree** shall mean any tree or ornamental tree with a diameter at breast height (DBH) exceeding sixty (60%) percent of that of the largest similar tree listed in either of these references: Monmouth County's Largest Trees, prepared and updated annually by the Monmouth County Shade Tree Commission of New Jersey's Big Trees, prepared and updated biannually by the Division of Parks and Forestry of the New Jersey Department of Environmental Protection.

**Street tree** - *See Tree, street.*

**Thinning** shall mean the removal of undesirable, competitive, diseased or damaged trees so as to improve the development of the remaining trees on a lot.

**Tree** shall mean any living deciduous or coniferous (evergreen) tree which is six (6) inches in caliper or greater, with a normally anticipated mature height of twenty (20) feet or greater.

**Tree Conservation Officer** shall mean the person designated by resolution of the Borough Council to administer and enforce this section. If no such person is designated, the Borough Clerk or the Clerk's designee shall act as Tree Conservation Officer.

**Tree expert** shall mean a specialist in trees or tree care whose qualifications are acceptable to the Tree Conservation Officer.

**Tree, ornamental** shall mean any living Dogwood, American Holly, Native Laurel and any other small decorative tree with a normally anticipated mature height of six (6) feet or greater (including, but not limited to: Birch, Japanese Maple, Cherry, Crabapple, and Magnolia).

**Tree, street** shall mean any deciduous hardwood shade tree whose center point at ground level is located within the Borough or County right-of-way.

#### § 19-4 **Prohibited Activity.**

The activities described in this Chapter and any substantially similar activity are prohibited activities:

- a. Removing, causing or permitting the removal of any significant specimen tree as defined in Section 19-3 above without first obtaining variance relief.

1. Removing, causing or permitting the removal of any tree having a trunk diameter of six (6) inches DBH or larger without first obtaining a tree removal permit.
2. Removing, causing or permitting the removal of any ornamental tree having a size as follows:
  - (a) One (1) inch DBH or larger for any Dogwood (*Cornus Florida*) or American Holly (*Illex Opaca*);
  - (b) Two and one-half (2 ½) inches DBH or larger for any other ornamental tree.
3. Clear cutting or the removal of more than twenty (20%) percent of the total number of trees, six (6) inches in caliper or greater of any size or type of trees within an area on a lot and located outside of the necessary footprint as defined in Section 19-3 or removal of twenty (20%) percent of the trees on slopes steeper than fifteen (15%) percent.
  - b. Undertaking, causing or permitting any activities including occupancy, demolition or construction on, or adjacent to, any lot which may damage; or otherwise causing or permitting any damage, injury or disfigurement to any tree or ornamental tree described in paragraph a. above.
  - c. Removing or damaging any street tree without authorization from the Borough of Roosevelt.

**§ 19-5 Permit Required.**

- a. No person shall engage in, nor allow, permit or direct any person to engage in, the removal of any tree six (6) inches in caliper or greater unless a tree protection permit is first obtained from the Tree Conservation Officer.
- b. No person shall engage in, nor allow, permit or direct any person to engage in, any prohibited activity as defined in Section 19-4 above unless a variance is first obtained from the Planning Board or Zoning Board of Adjustment and a tree protection permit is subsequently obtained from the Tree Conservation Officer.

**§ 19-6 Permit Application Requirements.**

- a. Application for a tree protection permit shall consist of:
  1. A fully and accurately completed application form provided by the Borough.
  2. A plan showing the location of all existing trees six (6) inches in caliper and greater within ten (10) feet of the proposed limits of disturbance (including all trees located within the necessary footprint) and all proposed tree removal in sufficient detail to identify the nature and limits of the proposed tree removal, including but not limited to the location, species and diameter of all tree removals and the limits of all existing and proposed principal structure's accessory structures in relation to any removals and any proposed grade changes. All trees described in subsection 19-4a,1 or 2 shall be shown on a plan if construction or any disturbance is proposed within ten (10) feet of the canopy line of such trees. For removals of five (5) or fewer trees on a lot where the principal use is an existing single-family dwelling, the plan may be provided using a legible sketch, detailed narrative, a tax map reproduction, a copy of an existing survey or similar drawing with field measurements and dimensions provided by the property owner or the owner's agent. For other removals, the plan shall be prepared by a qualified professional, acceptable to the Tree Conservation Officer.
  3. A narrative description of the property owner's reasons for removing the trees, including a description of any alternates considered.

4. A signed evaluation and recommendation from a tree expert, whose qualifications are acceptable to the Tree Conservation Officer, shall be provided if the reasons for the removal include the removal of dead or diseased trees or a horticulturally advantageous thinning or overgrown area.

5. A tree protection permit application fee:

(a) For applications on a lot containing an existing single-family dwelling, not subject to a contract to sell, an option or agreement to buy or a similar agreement, and where no change of title has taken place within the prior calendar year:

- (1) Ten (\$10.00) dollars for removal of five (5) or fewer trees; or
- (2) Fifty (\$50.00) dollars for removal of between six (6) and ten (10) trees; or
- (3) One hundred (\$100.00) dollars for removal of between eleven (11) and twenty (20) trees; or
- (4) One hundred fifty (\$150.00) dollars for removal of over twenty (20) trees; or

(b) For all other applications:

- (1) One hundred fifty (\$150.00) dollars for removal of five (5) or fewer trees; or
- (2) One hundred fifty (\$150.00) dollars, plus twenty-five (\$25.00) dollars for each tree removed over five (5) trees.

(c) Fees may be waived or modified by the Borough Council for charitable, public or quasi-public agencies or for eleemosynary institutions or in unusual and exceptional circumstances.

(d) Cost for the Borough's Independent Expert evaluation shall be borne by the applicant.

b. The applicant will place or cause to be placed, in a highly visible manner, a one (1) inch wide yellow paint dot that is marked on the trunk of each tree proposed for removal, to aid the Borough in evaluating the proposed removals.

c. The Tree Conservation Officer may seek the advice of such Borough officials, agencies, committees, boards, commissions, and independent Borough Tree Expert, as the Officer may believe necessary in evaluating a permit application.

d. After evaluation of an application, the Tree Conservation Officer will take one (1) of the following actions within the time set forth:

1. If the Officer determines that the permit application is incomplete, unclear, inaccurate or otherwise deficient, the Officer shall so advise the applicant and return the permit application within ten (10) days of the date of application. The applicant may revise, supplement and/or resubmit the application, which will then be treated as a new application except no additional fee is required.

2. If the Officer determines that the proposed activity is permitted by the standards set forth in Section 19-7, a permit shall be, respectively, issued within thirty (30) days of the date of application.

3. If the Officer determines that the proposed activity is prohibited by the standards set forth in subsection 19-4, the application may be referred to the Planning Board or Zoning Board of

Adjustment (if in conjunction with an application under the jurisdiction of the Zoning Board of Adjustment) for review and recommendation pursuant to N.J.S.A. 40:55D-25b(3) within sixty (60) days of the date of application. The Officer shall issue or deny a permit for a prohibited activity within ninety (90) days of the application.

4. In issuing permits under this section, the Officer and or Planning Board or Zoning Board of Adjustment may impose reasonable permit conditions necessary to effectuate the purposes of this section.

e. Any applicant aggrieved by any decision taken by the Tree Conservation Officer in the administration and/or enforcement of this section may, within ten (10) days of the date of action of the Officer, appeal to the Planning Board. The Planning Board may establish procedures to hear such appeals and shall render a decision affirming, reversing and/or modifying the decision or action of the Tree Conservation Officer within ninety (90) days of the date of appeal. In hearing such appeals, the Planning Board may seek the opinion of the Shade Tree Committee, the Environmental Commission or any other State, County or municipal agency or official.

#### **§ 19-7 Review of Applications.**

a. When reviewing applications, the Tree Conservation Officer will, after inspecting and evaluating the conditions on the site and adjacent properties and consulting with such other officials, agencies, committees, boards and commissions as the Officer deems appropriate, determine if the activity proposed is prohibited, or permitted in accordance with this section.

1. Prohibited activities include:

- (a) Clear cutting as defined by Section 19-4 of this chapter.
- (b) Removal of a significant specimen tree.
- (c) Any action which will substantially increase the potential of erosion as defined by the applicable Soil Conservation District Standards.
- (d) Any action inconsistent with other land use approvals or regulations affecting the site.
- (e) Any action which would create a potential hazard to persons or properties.

2. Permitted activities include:

- (a) Removal and or thinning of any trees less than six (6) inches in caliper.
- (b) Tree removal within the necessary footprint as defined in Section 19-3.
- (c) Any action, including tree removals, required or permitted pursuant to subdivision, site plan and/or variance approval granted by a municipal agency acting under the Municipal Land Use Law and local ordinances.
- (d) Removal of dead, dying or diseased trees or which constitutes a horticulturally advantageous thinning of an existing overgrown area with the approval of the Borough's Tree Conservation Officer.

3. Restricted activities include:

- (a) All tree removal activities, which are not permitted, are prohibited. Applications may propose a combination of prohibited, and permitted activities. In such cases,



the Tree Conservation Officer may segregate the activities proposed and take the appropriate action on each type of activity.

- (b) Applications for restricted activities shall be referred to the Planning Board or Zoning Board in conjunction with applications under the jurisdiction of the Zoning Board of Adjustment for recommendation to the Tree Conservation Officer.

b. The Planning Board or Zoning Board of Adjustment shall consider these factors in making a recommendation to the Tree Conservation Officer concerning a restricted activity:

1. Whether the proposed cutting or removal would impair the growth and redevelopment of the remaining trees on the applicant's property or adjacent property.
2. Whether the proposed cutting or removal would change existing drainage patterns.
3. Whether the proposed removal would allow soil erosion or increase dust.
4. Whether the proposed removal would constitute a significant change in the screening between existing or proposed buildings on contiguous lots or the aspect of the lot as viewed from the adjacent public road.
5. The overall effect of removal of such tree(s) on the physical and aesthetic value of the property and the neighborhood.
6. Whether proposed changes in the topography of the area where such tree(s) are located will have a land configuration which shall be deemed injurious to the trees or other trees located nearby so as to require welling, construction of an aerification system, or tree removal or replacement.
7. Whether the proposed changes in topography are required to comply with the minimum Base Flood Elevation as shown on the FEMA Flood Insurance Rate Maps.
8. Whether a mitigation plan is required. The purpose of such a plan shall be the ultimate replacement on the property of the trees being removed, giving due consideration to a reasonable maturity period for new plantings, and the maintenance at all times of at least twenty (20%) percent of the existing trees (outside of the necessary footprint) on a lot in the existing state.
9. Whether alternative plans, which eliminate or reduce undesirable impacts, but provide reasonable use of the property are possible, technically practicable and financially feasible. In particular, the Board will consider if the removal of any trees is unavoidable and whether tree removal in excess of twenty (20%) percent is unavoidable.
10. Whether reasonable application of the standards of this section creates a substantial hardship for the applicant, prohibiting reasonable use of the property consistent with the Planning and Development Regulations, and whether, therefore, one (1) or more of the standards should be waived.
11. In appropriate circumstances, an applicant may be required to post performance guarantees, performance cash bonds and/or maintenance guarantees assuring compliance with the provisions of any tree protection permit and this section and assuring provision of replacement plantings required by any mitigation plan or damaged or removed contrary to the terms of any tree protection permit or this section.

c. The Tree Conservation Officer shall give due deference to the recommendations of the Planning Board or Zoning Board of Adjustment with regard to an application for a permit to allow a restricted activity. The Officer may only act contrary to, or significantly modify, the recommendations of the Planning Board or Zoning Board of Adjustment if the Officer finds that the recommendations are based on incomplete or inaccurate information, are unreasonable or impracticable or would produce results contrary to the intent of this section. The Officer shall provide the Planning Board or Zoning Board of Adjustment with a copy of the Officer's final action on all permits for a restricted activity for their approval.

**§ 19-8 Tree Mitigation Requirements.**

a. Not more than the number of tree(s) as set forth in Exhibit A shall be removed on any lot unless the tree(s) are replaced with tree(s) the total DBH of which is equal to at least thirty (30%) percent of the total DBH inches of the tree(s) removed.

**Exhibit A**

**MAXIMUM NUMBER OF TREES THAT CAN BE REMOVED WITHOUT TREE MITIGATION**

R-1 Zone	Eight (8) Trees or Less
R-2 Zone	Six (6) Trees or Less
R-3 Zone	Four (4) Trees or Less
R-4 Zone	Three (3) Trees or Less
R-5 Zone	Two (2) Trees or Less
R-6 Zone	One (1) Tree

b. No replacement tree shall have a DBH less than two (2) inches.

c. All replacement trees shall be installed on the subject site. If in the opinion of the Tree Conservation Officer, sufficient space is not available on the subject property, the trees may be installed on an alternate site within the Borough, acceptable to the Tree Conservation Officer; however, the Tree Conservation Officer may waive this requirement when in its opinion it is in the best interest of the Borough, subject to the applicant posting a contribution in the amount of five hundred (\$500.00) dollars per tree. Funds collected by the Borough from applicants as a result of waivers shall be maintained in a shade tree account, the proceeds of which shall be available to install and maintain shade trees throughout the Borough.

d. Tree replacement and/or tree mitigation shall be shown on a landscape plan or other document shall be prepared by a qualified professional, acceptable to the Tree Conservation Officer.

e. The Tree Conservation Officer shall seek the advice of such Borough officials, agencies, committees, boards, commissions, or independent Borough Tree Experts, as the Officer may believe necessary in evaluating the mitigation plan.

f. An applicant shall be required to post performance cash and maintenance guarantees to assure compliance with the provisions of any tree protection permit and this section and assuring provision of replacement plantings required by any mitigation plan or trees damaged or trees removed contrary to the terms of any tree protection permit or this section.

**§ 19-9 Protection of Existing Trees and Street Trees.**

In connection with any construction, subsequent to tree clearing but prior to the start of other construction, snow fencing or other protective barrier acceptable to the Construction Official and/or Tree Conservation Officer, shall be placed around trees and street trees that are not to be removed. The protective barrier shall be placed at the drip line (or canopy line) of any tree and shall remain in place until all construction activity is terminated. No equipment, chemicals, soil deposits or construction material shall be placed within any areas so protected by barriers. Any landscaping or utility activities subsequent to the removal of the barriers shall be accomplished with light machinery or hand labor. Tree protection measures shall be in place prior to the issuance of any tree removal permit or building permit.

**§ 19-10 Emergency Action.**

In the event of an emergency, any person, otherwise subject to this section, having responsibility, jurisdiction and/or authority to cure, remedy or mitigate dangerous, hazardous, inconvenient, unhealthy or obnoxious conditions resulting from the emergency may, without first applying for and obtaining a permit under this section, take any lawful action which is otherwise a tree removal activity. However, such person, or the agent or designee of such person shall apply for a tree protection permit not later than the end of the second succeeding business day after any tree removal activity takes place and may not proceed with non-emergency work including restoration until a permit is obtained.

**§ 19-11 Persons Exempt.**

This Chapter shall not apply to prohibited activities by:

- a. The Borough or those acting under the control and direction of the Borough including any person acting pursuant to a specific agreement or contract approved by the Borough Council.
- b. Federal, State or County agencies or those acting under their control and direction.
- c. Entities, having by their charters and the Laws of the State, authority to engage in a prohibited activity without the consent of the Borough but only insofar as the purpose to which such authority extends; in all other respects, such entities shall comply with this section.
- d. Commercial nurseries and similar established legally operating uses.
- e. Properties operating under a silviculture or forestry management plan approved by the State of New Jersey.
- f. Utility companies with public rights-of-way when such companies are operating under the jurisdiction of the public agency controlling the rights-of-way.

**§ 19-12 Violations and Penalties.**

a. Any person(s), firm(s), or corporation(s) who violates any provision of this section shall, upon conviction thereof in Municipal Court, be punished by imposition of the penalties set forth in Chapter 1, Section 1-5 and replacement of the tree, consistent with the chapter requirements. Each instance of engaging in a separate tree removal activity, in violation of this section, including specifically each tree removed, shall be deemed a separate offense.

b. In addition, the Borough may institute civil action for injunctive or other relief to enforce the provisions of this section including requiring the replacement of all trees illegally removed and/or, at the option of the Borough, the payment of a contribution to allow equivalent mitigation on public land.

**BE IT FURTHER ORDAINED** that a copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies for their review and comment pursuant to applicable New Jersey Statutes.

**BE IT FURTHER ORDAINED** that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

**BE IT FURTHER ORDAINED** that, if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**BE IT FURTHER ORDAINED** that this ordinance shall be in full force and take effect immediately upon final passage and publication.

ATTEST:

  
Kathleen Hart, Borough Clerk

APPROVED

  
Peggy Malkin, Mayor

**PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that the foregoing Ordinance was introduced and passed on first reading on the 15th day of October 2019, at a meeting of the Mayor and Council of the Borough of Roosevelt and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Council of the Borough of Roosevelt to be held on the 28th day of October 2019 at the Municipal Building at 33 N. Rochdale Avenue, Roosevelt, New Jersey. Kathleen Hart, Borough Clerk

**RESOLUTION NO. 19-109  
MEETING DATE: 10-28-19**

**PAYMENT OF BILLS FOR OCTOBER 28, 2019**

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C/ \_\_\_\_\_ offered the following resolution and moved its adoption, which was second by C/ \_\_\_\_\_.

**WHEREAS**, the attached list of bills have been submitted to the Council for payment approval; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for the payment of bills.

**NOW, THEREFORE, BE IT RESOLVED** that the bills on the attached bill list be paid.

**ROLL CALL:**

**AYES:**

**NAYS:**

**ABSTAIN:**

**ABSENT:**

**CERTIFICATION**

**I HEREBY CERTIFY** the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 28, 2019.

---

Kathleen Hart  
Borough Clerk

October 24, 2019  
02:17 PM

BOROUGH OF ROOSEVELT  
Bill List By Vendor Name

Page No: 1

# 10-28-19 BILL LIST

P.O. Type: All  
Range: First  
Format: Condensed

to Last

Open: N    Paid: N    Void: N  
Rcvd: Y    Held: Y    Aprv: N  
Bid: Y    State: Y    Other: Y    Exempt: Y

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BOARD005 BOARD OF FIRE COMMISSIONERS OF	19-00707	10/24/19	2019 FIRE SERVICES:4/Q/2019	Open	7,500.00	0.00		
BRIMA005 BRIMAR INDUSTRIES, INC.	19-00596	09/10/19	VARIOUS SIGNS FOR BOTH PLANTS	Open	157.39	0.00		
BURNE005 BURNETTE, JOHNATHON & ERICA	19-00679	10/18/19	TAX REFUND B3/L12	Open	138.53	0.00		
CENTR005 CENTRAL JERSEY WASTE &	19-00016	01/11/19	2019 RECYCLING CONTRACT	Open	2,097.24	0.00		B
DERMO005 DERMODY, LUKE	19-00683	10/21/19	REIMB:10/24/19 CORE SESSION	Open	150.00	0.00		
DONAT005 DONATO, ESQ., MICHELE	19-00687	10/21/19	PLANNING BOARD 7/17-9/10/19	Open	598.75	0.00		
FELON005 FELONG, KIMBERLY	19-00684	10/21/19	REIMB:10/18/19 RUTGERS COURSE	Open	150.00	0.00		
GANNE005 GANNETT NJ NEWSPAPERS	19-00698	10/23/19	SEP 2019 NOTICES	Open	55.68	0.00		
GROEN005 GROENDYKE, EARL	19-00647	10/01/19	REPLACE 50' CRACKED SIDEWALK	Open	3,550.00	0.00		
JCPL0005 JCP & L	19-00705	10/24/19	SEP 2019 ELECTRIC SERVICE	Open	1,004.30	0.00		
KYOCE005 KYOCERA DOCUMENT SOLUTIONS AME	19-00682	10/18/19	KYOCERA COPIER PYM 12 OF 60	Open	201.67	0.00		
LYONS005 LYONS ENVIRONMENTAL SERV, LLC	19-00704	10/23/19	SEWER PLANT SERVICES:10/4-10/5	Open	3,306.40	0.00		
MAINP005 MAIN POOL & CHEMICAL CO., INC.	19-00662	10/07/19	SEWER-4/23/19 DELIVERY	Open	3,447.00	0.00		
	19-00663	10/07/19	SEWER-6/20/19 DELIVERY	Open	<u>3,791.70</u>	0.00		
					7,238.70			
MGLF0005 MGL FORMS-SYSTEMS, LLC	19-00414	06/19/19	2020 DOG LICENSES	Open	340.00	0.00		
MONMO005 MONMOUTH COUNTY BOARD OF	19-00688	10/21/19	2019 RECORDS ACCESS FEE	Open	500.00	0.00		
MONMO010 MONMOUTH COUNTY SCAT	19-00691	10/21/19	SCAT SERVICES:3/Q/2019	Open	2,015.00	0.00		



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
MONMO025 MONMOUTH COUNTY-COUNTY TAX	19-00708	10/24/19	4/Q/2019 COUNTY TAXES	Open	52,269.68	0.00		
MONMO035 MONMOUTH COUNTY-HEALTH TAX	19-00710	10/24/19	4/Q/2019 HEALTH TAXES	Open	1,068.71	0.00		
MONMO030 MONMOUTH COUNTY-LIBRARY TAX	19-00709	10/24/19	4/Q/2019 LIBRARY TAXES	Open	3,774.78	0.00		
MONMO040 MONMOUTH COUNTY-OPEN SPACE TAX	19-00711	10/24/19	4/Q/2019 OPEN SPACE TAXES	Open	6,277.04	0.00		
NJADV005 NJ ADVANCE MEDIA	19-00695	10/22/19	LEGAL NOTICES-9/27/19	Open	8.12	0.00		
	19-00696	10/22/19	LEGAL NOTICES-9/27/19	Open	<u>35.96</u>	0.00		
					44.08			
ONECA005 ONE CALL CONCEPTS, INC.	19-00700	10/23/19	3/Q/2019 "CALL BEFORE YOU DIG"	Open	50.84	0.00		
OSWAL005 OSWALD ENTERPRISES, INC.	19-00676	10/17/19	EMERGENCY-CLEAR BLOCKAGE 10/5	Open	750.00	0.00		
PASSA005 PASSAIC VALLEY SEWERAGE	19-00690	10/21/19	SLUDGE DISPOSAL-SEP 2019	Open	1,546.30	0.00		
PETTY005 PETTY CASH	19-00680	10/18/19	REIMBURSE PETTY CASH	Open	16.40	0.00		
	19-00697	10/23/19	REIMBURSE PETTY CASH	Open	<u>45.17</u>	0.00		
					61.57			
PSEGC005 PSE & G CO.	19-00678	10/17/19	SEP 2019 GAS SERVICE	Open	37.11	0.00		
ROOSE020 ROOSEVELT PUBLIC SCHOOL	19-00686	10/21/19	CLEAN COMM-LITTER PICKUP	Open	500.00	0.00		
RUSSE005 RUSSELL REID, INC.	19-00111	02/11/19	2019 SLUDGE REMOVAL	Open	1,931.23	0.00		B
SSWOR005 S & S WORLDWIDE, INC.	19-00623	09/19/19	RECREATION-SUMMER CAMP SUPPL	Open	146.83	0.00		
	19-00639	09/26/19	RECREATION-OPEN GYM SUPPLIES	Open	<u>76.78</u>	0.00		
					223.61			
SCHUB005 SCHUBIGER, ERIC	19-00675	10/17/19	REIMB:FALL 2019 CONCERT	Open	375.75	0.00		
STAPL005 STAPLES BUSINESS ADVANTAGE	19-00660	10/04/19	OFFICE & JANITORIAL SUPPLIES	Open	103.77	0.00		
SUTPH005 SUTPHEN MEMORIAL, INC.	19-00508	07/29/19	2019 CEMETERY MANAGEMENT	Open	775.00	0.00		B

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
<b>THEH0010 THE HOME DEPOT</b>								
	19-00677	10/17/19	CAULKING	Open	5.80	0.00		
	19-00681	10/18/19	MUMS FOR BOROUGH HALL	Open	90.90	0.00		
	19-00689	10/21/19	BATTERIES FOR BARRICADES	Open	<u>83.84</u>	0.00		
					180.54			
<b>TULL0005 TULLOSS, MARY</b>								
	19-00699	10/23/19	REIMB:11/1/19 CONFERENCE	Open	35.00	0.00		
<b>USBAN010 U.S. BANK OPERATIONS CENTER</b>								
	19-00712	10/24/19	2012 MCIA-PRIN & INTEREST	Open	52,375.00	0.00		
	19-00713	10/24/19	2011 MCIA-PRIN & INTEREST	Open	<u>107,575.00</u>	0.00		
					159,950.00			
<b>ULINE005 ULINE</b>								
	19-00665	10/08/19	RTK SAFETY SUPPLIES	Open	194.51	0.00		
<b>VERIZ005 VERIZON</b>								
	19-00701	10/23/19	609-448-0539 SEPT 2019	Open	246.37	0.00		
	19-00702	10/23/19	609-443-1440 SEP 2019	Open	<u>99.40</u>	0.00		
					345.77			
<b>VERIZ010 VERIZON FIOS</b>								
	19-00703	10/23/19	INTERNET:BORO HALL-10/1 BILL	Open	149.99	0.00		
<b>WRNEU005 W.R. NEUMANN COMPANY, INC.</b>								
	19-00054	01/18/19	SEWER-2019 CHEMICAL CONTRACT	Open	1,753.70	0.00		B
	19-00131	02/26/19	WATER-2019 CHEMICAL CONTRACT	Open	<u>180.85</u>	0.00		B
					1,934.55			
<b>WATER005 WATER WORKS SUPPLY COMPANY, INC</b>								
	19-00600	09/11/19	MUELLER HYDRANTS (4)	Open	10,139.24	0.00		
<b>WEBHA005 WEB HAULING &amp; DISTRIBUTION, INC</b>								
	19-00645	10/01/19	PUMP LAKE DR PUMP PIT 9/26/19	Open	222.03	0.00		
	19-00646	10/01/19	PUMP PIPE LINE AT SEWER PLANT	Open	<u>300.00</u>	0.00		
					522.03			
<b>Total Purchase Orders:</b>					51	<b>Total P.O. Line Items:</b>		0
<b>Total List Amount:</b>					272,244.76	<b>Total Void Amount:</b>		0.00



TOTAL CARRIED FORWARD FROM BILL LIST

272,244.76

MANUAL CHECKS

CK# 10510      VERIZON FIOS

149.99      149.99

GRAND TOTAL OF 10/28/19 BILL LIST

272,394.75

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
	9-01	105,823.79	0.00	105,823.79	0.00	0.00	105,823.79
	9-09	<u>165,920.97</u>	<u>0.00</u>	<u>165,920.97</u>	<u>0.00</u>	<u>0.00</u>	<u>165,920.97</u>
Year Total:		271,744.76	0.00	271,744.76	0.00	0.00	271,744.76
	G-02	500.00	0.00	500.00	0.00	0.00	500.00
Total of All Funds:		<u>272,244.76</u>	<u>0.00</u>	<u>272,244.76</u>	<u>0.00</u>	<u>0.00</u>	<u>272,244.76</u>

*cc: Mayor  
Council*



Borough of  
Tinton Falls  
New Jersey

COUNCIL MEMBER

MUNICIPAL CENTER  
556 TINTON AVENUE  
TINTON FALLS, NJ 07724-3298  
732-542-3400 EXT. 260  
732-460-9115 FAX

September 10, 2019

**TO: ALL MAYORS AND GOVERNING BODIES OF THE STATE OF NEW JERSEY**

**RE: R-19-149 RESOLUTION TO URGE VOTERS TO SUPPORT THE REFERENDUM ON THE ELECTION BALLOT IN NOVEMBER, SO THAT VETERANS OR WIDOWED SPOUSES OF VETERANS WHO RESIDE IN CONTINUING CARE RETIREMENT COMMUNITIES (CCRC) WILL BE ELIGIBLE FOR PROPERTY TAX DEDUCTION**

Dear Mayors and Governing Bodies

Tinton Falls is one of the 24 municipalities in the State which has a Continuing Care Retirement Community (CCRC) within its boundries. The Retirement Community houses a significant number of veterans or widowed spouses of veterans who qualified for this small tax break prior to moving into the CCRC. They are denied this deduction if they sold their previous home and moved to the CCRC. Veterans residing in the independent living portion of these facilities typically pay the property taxes on the unit in which they reside; however, the property is not deeded in the veteran's name. Therefore he/she does not qualify for the tax break.

Enclosed is a copy of Resolution R-19-149 adopted by the Borough of Tinton Falls on September 3, 2019 in support of the upcoming referendum and urges all citizens to vote YES for the public question on the November 2019 ballot. The Borough of Tinton Falls Council urges you to consider adopting a similar resolution in support of the upcoming referendum vote.

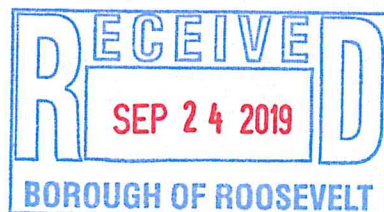
Please show your support for our proud veterans and their families.

Sincerely,

*Gary A. Baldwin*

Gary A. Baldwin  
Council President  
Borough of Tinton Falls

enclosure



**RESOLUTION TO URGE VOTERS TO SUPPORT THE REFERENDUM ON THE ELECTION BALLOT IN NOVEMBER, SO THAT VETERANS OR WIDOWED SPOUSES OF VETERANS WHO RESIDE IN CONTINUING CARE RETIREMENT COMMUNITIES (CCRC) WILL BE ELIGIBLE FOR PROPERTY TAX DEDUCTION**

WHEREAS, the State Constitution for New Jersey authorizes veterans and widowed spouses of veterans who served in active duty during war and other times of emergency to receive a property tax deduction, in the amount of \$250 per year, in well-deserved recognition of their service to our country; and

WHEREAS, veterans and widowed spouses of veterans who reside in Continuing Care Retirement Communities (CCRC) have been unfairly denied eligibility for the \$250 property tax deduction because they do not own their units, even though they instead contribute to property taxes through a monthly payment, and even though they have made the same sacrifices as all veterans in our great country; and

WHEREAS, there are twenty-five CCRCs in the State which collectively house approximately 2,500 veterans or widowed spouses who are being denied the property tax deduction, including Seabrook Village in Tinton Falls; and

WHEREAS, Senator Vin Gopal has sponsored legislation (S1331), that has been approved by the Senate and General Assembly, to extend the deduction to veterans and their widowed spouses in CCRCs;

WHEREAS, the extension of the deduction, because it requires an amendment to the State Constitution, must be approved by the voters at the ballot in November before it will become valid and effective; and

WHEREAS, the Mayor and Borough Council now desire to memorialize their support of the referendum on the ballot in November, and to urge the voters of this State to vote in favor of the property tax deduction for veterans and widowed spouses of veterans who reside in CCRCs;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of Tinton Falls urges voters to support the referendum on the ballot in November 2019, so that veterans and widowed spouses of veterans who reside in Continuing Care Retirement Communities ("CCRC") will be eligible for the \$250 property tax deduction.

BE IT FURTHER RESOLVED that the Borough Council believes that this small benefit to our veterans and widowed spouses of veterans who reside CCRCs is a proper and warranted acknowledgment of the tremendous sacrifices that veterans have given to protect and serve our great nation.

*Gary Baldwin*  
GARY A. BALDWIN, COUNCIL PRESIDENT

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Ms. Fama			X			
Mr. Manginelli			X			
Mr. Pak		X	X			
Mr. Siebert	X		X			
Mr. Baldwin			X			

CERTIFICATION

I, Melissa A. Hesler, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held September 3, 2019.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 3rd day of September, 2019

*Melissa A. Hesler*  
Melissa A. Hesler  
Borough Clerk

