

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

DRAFT

COUNCIL MEETING AGENDA
MARCH 9, 2020 @ 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 6, 2020 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

PUBLIC COMMENT (Agenda items only)

APPROVAL OF MINUTES

1. Regular Meeting Minutes – February 24, 2020

CORRESPONDENCE

ORDINANCES:

FIRST READING

ORDINANCE 20-01

AN ORDINANCE AMENDING CHAPTER 15: "WATER AND SEWER" OF THE BOROUGH CODE AT SECTION 15-4 TO CLARIFY THE OBLIGATIONS OF THE BOROUGH AND PROPERTY OWNERS AS TO THE REPAIR, REPLACEMENT, AND MAINTENANCE OF WATER TAPS AND SERVICE CONNECTIONS

Public Hearing to be held on March 23, 2020 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555

FIRST READING

ORDINANCE 20-02

AN ORDINANCE AMENDING ORDINANCE NO. (60), LOCATED IN THE BOROUGH'S 1961 MINUTE BOOK AT PAGE 1459 TO PROVIDE AN AUTOMATIC RENEWAL PROVISION TO THE BOROUGH'S 99-YEAR LEASE WITH THE BOARD OF EDUCATION FOR A FRANKLIN D. ROOSEVELT MEMORIAL

Public Hearing to be held on March 23, 2020 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555

**FIRST READING
ORDINANCE 20-03**

AN ORDINANCE AUGMENTING CHAPTER 12: "PROPERTY MAINTENANCE" OF THE BOROUGH CODE TO INCLUDE NEW SECTION 12-6: "BAMBOO" TO PROHIBIT THE FUTURE PLANTING AND REGULATE THE EXISTING RUNNING BAMBOO WITHIN THE LIMITS OF THE BOROUGH

Public Hearing to be held on March 23, 2020 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555

RESOLUTIONS

Resolution 20-44	Payment of Bills of March 9, 2020
Resolution 20-45	Resolution Authorizing Lyons Environmental Services, LLC of Neptune, New Jersey to Televisе and Inspect the Sewer Mains Under School Lane and Farm Lane and to Provide the Borough Engineer with a Report Regarding Same

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

PUBLIC COMMENT (Any item)

M/Malkin opens the public comment at _____
M/Malkin closes the public comment at _____

CLOSED SESSION

Resolution 20- Providing for a Private Executive Meeting that Excludes the Public

Time In: _____ Time Out: _____

ADJOURNMENT

TIME OUT _____

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

**ORDINANCE 2020-02
INTRODUCTION DATE: 03-09-2020
PUBLIC HEARING DATE: 03-23-2020**

**AN ORDINANCE AMENDING ORDINANCE NO. (60), LOCATED IN THE
BOROUGH'S 1961 MINUTE BOOK AT PAGE 1459 TO PROVIDE AN AUTOMATIC
RENEWAL PROVISION TO THE BOROUGH'S 99-YEAR LEASE WITH THE
BOARD OF EDUCATION FOR A FRANKLIN D. ROOSEVELT MEMORIAL**

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

WHEREAS, on June 14, 1961, the Borough of Roosevelt, County of Monmouth, State of New Jersey (the "Borough") entered into a 99-year lease agreement (the "Lease") with the Borough of Roosevelt Board of Education (the "BOE") for the use of certain land owned by the BOE for the purposes of erection and maintenance by the Borough of a memorial to President Franklin D. Roosevelt; and

WHEREAS, the terms and conditions of said Lease are set forth in Ordinance No. (60), located in the Borough's 1961 Minute Book at Page 1459 and attached hereto as Exhibit A, and provide that the Borough shall pay rent of \$1.00 per year to the BOE; and

WHEREAS, the Borough and BOE acknowledge that, as of the date of this Ordinance, all rent due under the Lease has been paid and satisfied; and

WHEREAS, the Lease does not contain any automatic renewal provision therein, and the BOE and the Borough are concerned about the potential expiration of same without notice to either party in 2060;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that Ordinance No. (60), located in the Borough's 1961 Minute Book at Page 1459, is hereby amended to provide that the aforementioned Lease shall automatically renew for additional successive terms of twenty (20) years, unless the Borough or the BOE provides written notice to the other party at least 180 days prior to the expiration of the then-current term; and

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only; and

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

BE IT FURTHER ORDAINED that a copy of this ordinance shall be provided to the Borough CFO, Borough Clerk, and the Board of Education.

ATTEST:

APPROVED

Kathleen Hart, Borough Clerk

Peggy Malkin, Mayor

PUBLIC NOTICE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the ____ day of _____, 2020, 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 scheduled meeting of the Mayor and Council of the Borough of Roosevelt to be held on the ____ day of _____, 2020 at the Municipal Building 33 N. Rochdale Avenue, Roosevelt, New Jersey.

Kathleen Hart, Borough Clerk

ORDINANCE 2020-03
INTRODUCTION DATE: 03-09-2020
PUBLIC HEARING DATE: 03-23-2020

**AN ORDINANCE AUGMENTING CHAPTER 12: "PROPERTY MAINTENANCE" OF
THE BOROUGH CODE TO INCLUDE NEW SECTION 12-6: "BAMBOO" TO
PROHIBIT THE FUTURE PLANTING AND REGULATE THE EXISTING RUNNING
BAMBOO WITHIN THE LIMITS OF THE BOROUGH**

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

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, Chapter 12:
"Property Maintenance" is hereby amended to include new Section 12-6: "Bamboo" as follows:

CHAPTER 12 PROPERTY MAINTENANCE

* * *

§ 12-6 BAMBOO.

* * *

§ 12-6.1 Purpose and Intent.

The purpose of this Ordinance is to preserve and protect private and public property from the
damaging spread of running bamboo grasses and to protect indigenous plants and the wildlife
they support from the invasive spread of such bamboo from any neighboring property line.

§ 12-6.2 Definitions.

- A. *Running Bamboo* – Any monopodial (running) woody grass from the genera of
bamboos including, but not limited to, *Bambusa*, *Phyllostachys* and *Pseudosasa*, as
well as common bamboo, golden bamboo and arrow bamboo.
- B. *Running Bamboo Property Owner(s)* – Any property owner(s) or tenant(s) who, or
which, have Running Bamboo on their property, even if the Bamboo has spread onto
their property from an adjoining property.
- C. *Buffer Zone* – A distance of at least five (5) feet from any lane, street or road,
whether public or private, or from any neighboring property, whichever is more
restrictive for the Running Bamboo Property Owner.
- D. *Borough* – The Borough of Roosevelt, Monmouth County, New Jersey.

- E. *Notice* – Any written notice by, from or on behalf of the Borough, notifying the Running Bamboo Property Owner(s) that they are in violation of this Ordinance and directing them to cure or fix the violation. Such Notice shall be sent by certified mail, return receipt requested, addressed to the owner(s) listed on the current tax address on file with the Borough. A copy may also be posted on the property in question.
- F. *Receipt of Notice* – Receipt of the Notice required herein shall be the date of mailing said Notice, or, if applicable, posting of the Notice on the property in question, whichever is earlier.

§ 12-6.3 No Planting of Running Bamboo.

- A. The planting of Running Bamboo is prohibited within the Borough.
- B. Any existing Running Bamboo may not be replanted or replaced after any such existing Running Bamboo has died or been removed.
- C. Any person who plants or replants Running Bamboo within the Borough limits after the effective date of this Ordinance shall be in violation of this Ordinance and shall be subject to the penalties set forth herein, subject to the following exceptions:
 - 1. The root system of such Running Bamboo is entirely contained within an above ground planter and located so as to entirely prevent the spread or growth of the bamboo plants' root system beyond the container in which it is planted; or
 - 2. The root system is contained within a barrier, constructed in accordance with the following specifications:
 - a. The barrier itself shall be composed of a high density polypropylene or polyethylene, with a minimum thickness of 40 mm;
 - b. Each portion of the barrier shall be joined together by the use of stainless steel strips or clamps;
 - c. The barrier shall be a minimum of 30 inches deep, with 2-3 inches of the barrier protruding above ground level around the entire perimeter of the bamboo;
 - d. When installed, the barrier shall slant outward from the bottom to top.
 - 3. Whether planted or growing in a container, as described herein, all bamboo plants shall be located, trimmed and maintained so that no part of the plant shall be closer than five (5) feet from any property line.

§ 12-6.4 Regulation of Existing Running Bamboo.

- A. Any Running Bamboo already in existence on any property within the Borough limits as of the effective date of this Ordinance, may remain on such property, provided that Running Bamboo shall not be permitted within any Buffer Zone.

- B. Running Bamboo Property Owner(s) shall take all necessary measures to ensure that any Running Bamboo on their property does not exist within any Buffer Zone. Such measure shall include, but are not limited to, cutting down Running Bamboo existing in the Buffer Zone and physically removing or poisoning the rhizomes or spraying any regrowth for several years until the Running Bamboo is dead and, if Running Bamboo is permitted to remain outside the Buffer Zone, installing sheathing comprised of metal or other impenetrable material and placed no less than five (5) feet from the property line at a sufficient depth to prevent any growth of Running Bamboo within any Buffer Zone.
- C. This Ordinance shall not be deemed to alter any rights at common law or otherwise that any property owner may have to recover the cost of removal of Running Bamboo on their own property from another property owner from whose property the Running Bamboo has spread.

§ 12-6.5 Removal of Running Bamboo.

If Running Bamboo on any property grows in or into any Buffer Zone, the Borough shall give Notice to the Running Bamboo Property Owner(s), as required by this Ordinance, that the said Property Owner(s) are responsible for the extermination or removal of such Running Bamboo from the Buffer Zone.

§ 12-6.6 Inspection.

All premises within the Borough shall be subject to inspection by the Code Enforcement Officer to determine compliance with this Ordinance as provided by law.

§ 12-6.7 Violations and Penalties.

- A. Whenever Running Bamboo as defined by this section is found planted in the ground on any plot of land, lot or any other premises or place, a notice of violation shall be given to the Running Bamboo Property Owner, in writing, giving said owner thirty (30) days to remove or abate the same.
- B. The cost of the abatement shall be borne by the Running Bamboo Property Owner.
- C. If the Running Bamboo Property Owner fails to comply with such notice, the Code Enforcement Officer may remove or otherwise control the invasive plant species and the Borough may thereafter recover the cost of such removal from the Running Bamboo Property Owner and place a lien on the property to recover the cost of the removal.
- D. Any person violating this Ordinance who fails to abate the violation after notice shall be subject to a fine, not to exceed \$500.00, plus court costs, for each day on which a violation has occurred, and for which the property owner has been found guilty. Each day on which the violation occurs shall constitute a separate offense under this Ordinance.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only; and

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

ATTEST:

APPROVED

Kathleen Hart, Borough Clerk

Peggy Malkin, Mayor

PUBLIC NOTICE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the ____ day of _____, 2020, 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 scheduled meeting of the Mayor and Council of the Borough of Roosevelt to be held on the ____ day of _____, 2020 at the Municipal Building 33 N. Rochdale Avenue, Roosevelt, New Jersey.

Kathleen Hart, Borough Clerk

RESOLUTION NO. 20-44
MEETING DATE: 03-09-2020

PAYMENT OF BILLS FOR MARCH 9, 2020

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 March 9, 2020.

Kathleen Hart
Borough Clerk

March 5, 2020
01:21 PM

BOROUGH OF ROOSEVELT
Bill List By Vendor Name

Page No: 1

3-9-20 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

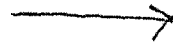
Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ANJEC005 ANJEC								
	20-00141	02/20/20	ENVIRONMENTAL COMM-2020 DUES	Open	375.00	0.00		
CENTR005 CENTRAL JERSEY WASTE &								
	20-00030	01/21/20	2020 RECYCLING CONTRACT	Open	2,970.00	0.00		B
CMRSF005 CMRS-FP								
	20-00152	02/26/20	POSTAGE FOR POSTAGE METER	Open	405.00	0.00		
DERMO010 DERMODY, ROBERT								
	20-00146	02/24/20	REIMB:BULLETIN BOARD MATERIALS	Open	285.14	0.00		
DONAT005 DONATO, ESQ., MICHELE								
	20-00160	03/04/20	NAZAROV APPLIC RVW 10/7-1/31	Open	338.75	0.00		
	20-00161	03/04/20	PLANNING BOARD 10/31 & 1/6/20	Open	401.00	0.00		
					<u>739.75</u>			
EDMUN005 EDMUNDS & ASSOCIATES, INC.								
	19-00568	08/22/19	2019 TAX BILLS	Open	504.00	0.00		
HOLDE005 HOLDEN, JOHN B.								
	20-00083	02/03/20	2020 WATER PLANT MANAGEMENT	Open	5,075.00	0.00		B
	20-00157	03/04/20	WATER PLANT SERVICES-FEB2020	Open	150.00	0.00		
					<u>5,225.00</u>			
JCPL0005 JCP & L								
	20-00162	03/04/20	w/s-FEB 2020 ELECTRIC SERVICE	Open	3,612.93	0.00		
KYOCE005 KYOCERA DOCUMENT SOLUTIONS AME								
	20-00159	03/04/20	KYOCERA COPIER PYMT 17 OF 60	Open	193.10	0.00		
LYONS005 LYONS ENVIRONMENTAL SERV, LLC								
	20-00087	02/05/20	2020 SEWER PLANT MANAGEMENT	Open	9,075.00	0.00		B
	20-00142	02/21/20	WATER TESTING-1/9-1/24/20	Open	490.00	0.00		
	20-00164	03/04/20	WATER TESTING-2/5/20	Open	40.00	0.00		
	20-00165	03/04/20	WATER TESTING-2/27/20	Open	980.00	0.00		
	20-00166	03/04/20	SEWER PLANT SERV 2/1-2/26/20	Open	945.00	0.00		
					<u>11,530.00</u>			
NJDEP005 NJ DEPARTMENT OF HEALTH								
	20-00148	02/25/20	DOG REPORT:JAN 2020	Open	63.60	0.00		
PETTY005 PETTY CASH								
	20-00147	02/25/20	REIMBURSE PETTY CASH	Open	8.25	0.00		
PUMPI005 PUMPING SERVICES, INC.								
	20-00089	02/05/20	EMERGENCY:REPAIR INFLUENT PUMP	Open	7,799.85	0.00		

March 5, 2020
01:21 PM

BOROUGH OF ROOSEVELT
Bill List By Vendor Name

Page No: 2

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
PYRZW005 PYRZ WATER SUPPLY CO., INC.								
	20-00099	02/07/20	CAUSTIC FEED ACCESSORIES	Open	498.60	0.00		
ROBER005 ROBERTS ENGINEERING GROUP, LLC								
	18-00693	10/02/18	ROAD IMPROV:HOMESTEAD & CEDAR	Open	2,013.50	0.00		B
	19-00076	01/30/19	WATER MAIN REPLACEMENT	Open	984.00	0.00		B
	20-00088	02/05/20	2019 CERT STORMWATER PERMIT	Open	252.00	0.00		B
	20-00170	03/05/20	GENERAL SEWER 2/3-2/14/20	Open	508.75	0.00		
	20-00171	03/05/20	MISC ENGINEERING 2/10-2/21/20	Open	818.00	0.00		
					4,576.25			
ROOSE005 ROOSEVELT BOARD OF EDUCATION								
	20-00145	02/24/20	MAR 2020 SCHOOL TAXES	Open	142,346.00	0.00		
STAPL005 STAPLES BUSINESS ADVANTAGE								
	20-00133	02/19/20	FILE CART AND SUPPLIES	Open	213.33	0.00		
THEH0010 THE HOME DEPOT								
	20-00150	02/25/20	SUPPLIES FOR EYEWASH STATION	Open	61.52	0.00		
UNIVA005 UNIVAR USA, INC.								
	20-00124	02/18/20	SEWER-DELTA FLOC 2/13/20	Open	2,855.64	0.00		
VERIZ005 VERIZON								
	20-00158	03/04/20	INTERNET/PHONE-W/P-2/24 BILL	Open	165.52	0.00		
WRNEU005 W.R. NEUMANN COMPANY, INC.								
	20-00061	01/28/20	WATER-2020 CHEMICAL CONTRACT	Open	246.49	0.00		B
WEBHA005 WEB HAULING & DISTRIBUTION, INC								
	20-00143	02/21/20	PUMP PIPE LINE AT SEWER PLANT	Open	400.00	0.00		
WEBOU005 WEB OUTBACK								
	20-00103	02/11/20	RESTROOM RENTAL-JAN 2020	Open	110.00	0.00		
<hr/>								
Total Purchase Orders:	33	Total P.O. Line Items:	0	Total List Amount:	185,184.97	Total Void Amount:		0.00



TOTAL CARRIED FORWARD FROM BILL LIST	185,184.97
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MANUAL CHECKS

CK# 10766	POSTMASTER	<u>71.43</u>
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GRAND TOTAL OF 3/9/20 BILL LIST	<u><u>185,256.40</u></u>
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Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description	Fund						
	0-01	148,135.82	0.00	148,135.82	0.00	0.00	148,135.82
	0-09	33,144.30	0.00	33,144.30	0.00	0.00	33,144.30
Year Total:		181,280.12	0.00	181,280.12	0.00	0.00	181,280.12
	9-01	505.00	0.00	505.00	0.00	0.00	505.00
	C-04	2,013.50	0.00	2,013.50	0.00	0.00	2,013.50
	C-08	984.00	0.00	984.00	0.00	0.00	984.00
Year Total:		2,997.50	0.00	2,997.50	0.00	0.00	2,997.50
	T-12	338.75	0.00	338.75	0.00	0.00	338.75
ANIMAL CONTROL	T-13	63.60	0.00	63.60	0.00	0.00	63.60
Year Total:		402.35	0.00	402.35	0.00	0.00	402.35
Total of All Funds:		185,184.97	0.00	185,184.97	0.00	0.00	185,184.97

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

**RESOLUTION NO. 20-45
MEETING DATE: 03-09-2020**

**RESOLUTION AUTHORIZING LYONS ENVIRONMENTAL SERVICES, LLC OF NEPTUNE,
NEW JERSEY TO TELEWISE AND INSPECT THE SEWER MAINS UNDER SCHOOL LANE
AND FARM LANE AND TO PROVIDE THE
BOROUGH ENGINEER WITH A REPORT REGARDING SAME**

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

WHEREAS, the Borough of Roosevelt, County of Monmouth, State of New Jersey (the "Borough") has been awarded municipal aid grants totaling \$495,000 for road improvements to School Lane and Farm Lane (the "Road Replacement Project"); and

WHEREAS, after inspection of the water and sewer pipes under School Lane and Farm Lane, the Borough Engineer has recommended that the water pipes under said roadways be replaced as part of the Road Replacement Project for reasons of economy and efficiency in the Borough's long-term capital plan; and

WHEREAS, the Borough Engineer has recommended that the sewer pipes under School Lane and Farm Lane be further inspected to determine the economy and efficiency of potentially replacing the sewer pipes as part of the Road Replacement Project; and

WHEREAS, the Borough's Chief Financial Officer has certified the availability of funds in the amount not to exceed \$9,150.00.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Roosevelt, County of Monmouth, State of New Jersey that Lyons Environmental Services, LLC is hereby authorized to televise and inspect the sewer pipes under School Lane and Farm Lane and to provide the Borough Engineer with a report regarding same in an amount not to exceed \$9,150.00.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Chief Financial Officer, Purchasing Agent, Lyons Environmental Services, LLC, and Roberts Engineering Group, LLC.

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 March 9, 2020.

Kathleen Hart
Borough Clerk