

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

**COUNCIL MEETING AGENDA**  
**JUNE 22, 2020 @ 7:00 P.M.**

DUE TO THE CORONAVIRUS AND THE NEED FOR SOCIAL DISTANCING, THIS MEETING WILL BE HELD REMOTELY AND AVAILABLE TO THE PUBLIC IN A LIVE FEED. TO ACCESS THE MEETING PLEASE FOLLOW THE INSTRUCTIONS BELOW:

ROOSEVELT BOROUGH is inviting you to a scheduled Zoom meeting.

Topic: ROOSEVELT BOROUGH's Zoom Meeting  
Time: June 22, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

Topic: ROOSEVELT BOROUGH's Zoom Meeting COUNCIL MEETING 06/22/2020 7PM  
Time: June 22, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/3251865085?pwd=L1RWNlhPYTZZZdUZ5R3piT0NZWHhuUT09>  
Meeting ID: 325 186 5085

Password: 968068

One tap mobile

+16465588656,,3251865085#,,1#,968068# US (New York)

+13017158592,,3251865085#,,1#,968068# US (Germantown)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

**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 – June 8, 2020

**CORRESPONDENCE:**

1. Letter from Jean Shahn in support of Ordinance 2020-08.

**ORDINANCES:**

**PUBLIC HEARING AND SECOND READING**

**ORDINANCE 20-07**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE ZONING ORDINANCES OF THE BOROUGH CODE TO REGULATE THE PLACEMENT AND USE OF PORTABLE ON-DEMAND STORAGE CONTAINERS IN RESIDENTIAL ZONES**

EXPLANATORY STATEMENT: An Ordinance to regulate the placement and use of portable on-demand storage containers in residential zones.

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

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

**PUBLIC HEARING AND SECOND READING**

**ORDINANCE 20-08**

**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**

EXPLANATORY STATEMENT: Preserve trees and woodlands throughout the historic 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.

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

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

**FIRST READING AND INTRODUCTION**

**ORDINANCE 20-09**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12: "PROPERTY MAINTENANCE" OF THE BOROUGH CODE TO CLARIFY SECTION 12-2 REGARDING BOROUGH OFFICIALS' RESPECTIVE DUTIES FOR PROCESSING LIENS FOR REMEDIATION OF DELINQUENT PROPERTIES**

EXPLANATORY STATEMENT: This ordinance amends Borough Officials respective duties for processing liens on delinquent properties.

**Public Hearing to be held on July 13, 2020 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555**

**RESOLUTIONS:**

Resolution 20-67      Payment of Bills of June 22, 2020  
Resolution 20-68      Authorizing a Shared Services Agreement with the Millstone Township Board of  
Education for Electric, HVAC and Mechanic Services

**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. Structural Analysis Peer Review Report from TIC, dated June 15, 2020

**PUBLIC COMMENT: (Any item)**

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

**CLOSED SESSION:**

Resolution 20-69      Providing for a Private Executive Meeting that Excludes the Public

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

**ADJOURNMENT**

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



CC: M+C  
K. Hart

Jean Shahn  
18 Tamara Drive  
Roosevelt, NJ 08555

To the Roosevelt Borough Council:

Dear Friends,

I am writing in support of Ordinance 2020-08 which I urge the Council to pass. Our town has always been active in protecting the environment and now is in urgent need of tree protection, as recently so many of our trees have been cut down, some of them truly majestic, and all important for the environment. Of course there are trees that are a danger to people and property, but their removal should require the consideration of and approval of the town.

Thank you for your consideration,

A handwritten signature in blue ink that reads "Jean Shahn". The signature is fluid and cursive.

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

**ORDINANCE NO. 20-07  
INTRODUCTION DATE: 05-26-2020  
PUBLIC HEARING DATE: 06-22-2020**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE ZONING ORDINANCES  
OF THE BOROUGH CODE TO REGULATE THE PLACEMENT AND USE OF  
PORTABLE ON-DEMAND STORAGE CONTAINERS IN RESIDENTIAL ZONES**

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

**WHEREAS**, there has been an increase in the use of Portable On-Demand Storage Containers (“PODS”) and similar temporary storage containers on residential properties within the Borough of Roosevelt, County of Monmouth, State of New Jersey (the “Borough”); and

**WHEREAS**, the Borough’s Planning/ Zoning Board has recommended that the Borough adopt regulations addressing such storage containers or PODS;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that the Zoning Ordinances of the Borough Code shall be amended and supplemented as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

**4.400 GENERAL REGULATIONS.**

**4.410. Water and Sewer Requirements.**

No construction of a building or structure used for a principal use in any zoning district, other than the R-AG district, shall be undertaken in the Borough of Roosevelt unless provision has been made for said building or structure to be connected to the Borough public water and sewerage systems. Buildings or structures in the R-AG zoning district on tracts of land conforming to the standards of that district may utilize on-site water and sewerage systems.

**4.420. Cross References.**

- a. All uses require off-street parking as noted in Section 6.200.
- b. All uses must comply with site plan review, Section 6.100.
- c. All conditional uses are governed by regulations set forth for the particular use in Article VII. Where no regulation comparable to those contained in this schedule is established in Article VII for a particular use the regulations for permitted uses in this schedule shall govern.

- d. Front, rear and side yard requirements may vary under special circumstances noted in Article V.
- e. Definitions of terms are contained in Article II.

#### **4.430. Short Term Rentals in Residential Zones.**

- a. Rentals Less than 30 Days Prohibited. All rentals of residential structures, in whole or part, or individual residences, in whole or part, in the R-40, R-100 and the R-AG 400 Districts for periods of less than thirty (30) days are prohibited.
- b. Other Provisions of the Code Applicable. All other provisions of the Roosevelt Borough Code, including, but not limited to the requirements for a Certificate of Occupancy found in Section 10-2 and Residential Rental Property License found in Section 10-3 remain unaffected by this Section.
- c. Enforcement. Any person, firm or corporation who shall violate any of the provisions of this Section, in addition to any other penalties for violations of other applicable Code provisions, shall, upon conviction, be punished in accordance with Section 11.700.

#### **4.440. Portable On-Demand Storage Containers in Residential Zones.**

- a. Definitions. "Portable Storage Container" refers to any portable temporary storage container ("POD"), trailer, storage unit, or portable structure; with or without axles or wheels; without a foundation; designed and used for storage.
- b. Placement. In the R-40, R-100 and the R-AG 400 Districts, a Portable Storage Container may only be placed on an existing off-street driveway, at the location furthest from the street as practicable. The Portable Storage Container may not be placed in the front yard, except on a driveway or on the public right-of-way. The Portable Storage Container must be in good repair and must be kept weed-free around its perimeter. In the event that the driveway does not accommodate a Portable Storage Container of any size available, the Zoning Officer may approve a location contiguous to the driveway or in another location as far from the street as practicable.
- c. Permitted Size. No Portable Storage Container may exceed a maximum height of 10 feet or maximum width of 8 feet or maximum length of 20 feet.
- d. Fees and Permits. To place a Portable Storage Container in the R-40, R-100 or R-AG 400 Districts, an application form must be completed before the Portable Storage Container can be placed. A fee of \$25 must be paid, with an additional \$25 due if the permit is renewed for an additional 30 days. For Portable Storage Containers used in conjunction with active construction, the fee is \$25 for the 6-month term, with an additional \$25 paid for a one-month extension.
- e. Time. Once the application for a zoning permit is filed and the fee is paid, the Portable Storage Container may be in place for 30 days, unless such Portable Storage Container is in conjunction with a building permit for the principal building. Its placement can be renewed for an additional 30 days with the approval of the Zoning Officer. Portable Storage Containers

used in conjunction with an active building permit may be placed for 6 months, with a possible renewal of one additional month with approval of the Zoning Officer.

f. Enforcement. Any person, firm or corporation who shall violate any of the provisions of this Section, in addition to any other penalties for violations of other applicable Code provisions, shall, upon conviction, be punished in accordance with Section 11.700.

**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, after introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning/Zoning Board of the Borough of Roosevelt for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough's Mayor & Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate; and

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16; 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.

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 26th day of May, 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 22nd day of June, 2020 at the Municipal Building 33 N. Rochdale Avenue, Roosevelt, New Jersey.

\_\_\_\_\_  
Kathleen Hart, Borough Clerk

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

**ORDINANCE 20-08  
INTRODUCTION DATE: 06-08-2020  
PUBLIC HEARING DATE: 06-22-2020**

**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 LANDS WITHIN 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 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  
Removal Permit.

**Clear cutting** shall mean the removal of more than twenty (20%) percent of the total number of  
trees, six (6) inches in DBH or greater of any type of trees 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 DBH 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.
- b. 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.
- c. Removing, causing or permitting the removal of any ornamental tree having a size as follows:
  1. Three (3) inches DBH or larger for any Dogwood (*Cornus Florida*) or American Holly (*Illex Opaca*);
  2. Four (4) inches DBH or larger for any other ornamental tree.
- d. Clear cutting or the removal of more than twenty (20%) percent of the total number of trees, six (6) inches in DBH 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.
- e. 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.
- f. 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 DBH or greater unless a tree removal 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 and a tree removal permit is subsequently obtained from the Tree Conservation Officer.

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

- a. Application for a tree removal 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 DBH 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 removal 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 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 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 trees and ornamental trees smaller than those identified in Section 19-4(b) and Section 19-4(c).
- (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 for recommendation to the Tree Conservation Officer.

b. The Planning Board 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 result in 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 removal 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 removal permit or this section.

c. The Tree Conservation Officer shall give due deference to the recommendations of the Planning Board 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 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 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-40 Residential District	One (1) Tree
R-AG 400 Residential/Agricultural District	Three (3) Trees or Less
R-100 Residential Conservation District	Two (2) Trees or Less
AH Affordable Housing	Two (2) Trees or Less
C-40 Retail Business District	One (1) Tree
I-80 Industrial District	Two (2) Trees or Less

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 removal 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 removal 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 removal 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 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 upon final passage and publication, according to law.

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 8th day of June 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 regularly scheduled meeting of the Mayor and Council of the Borough of Roosevelt to be held on the 22nd day of June 2020 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 20-09**  
**INTRODUCTION DATE: 06-22-2020**  
**PUBLIC HEARING DATE: 07-13-2020**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12: "PROPERTY MAINTENANCE" OF THE BOROUGH CODE TO CLARIFY SECTION 12-2 REGARDING BOROUGH OFFICIALS' RESPECTIVE DUTIES FOR PROCESSING LIENS FOR REMEDIATION OF DELINQUENT PROPERTIES**

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

**BE IT ORDAINED** by the Mayor and Council of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that Chapter 12: "Property Maintenance" of the Borough Code shall be amended and supplemented as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

**§ 12-2            HEIGHT OF BRUSH, HEDGES AND PLANTS NEAR STREETS.**

**§ 12-2.1        Height Limits; Notice to Comply.**

The owner or tenant of any lands lying within the limits of the Borough of Roosevelt shall keep all brush, hedges and other plant life growing within 10 feet of any roadway or street and within 25 feet of the intersection of two roadways or streets cut to height of not more than 2 1/2 feet where it shall be determined necessary and expedient for the preservation of the public safety, within 10 days after notice to cut and remove same.

**§ 12-2.2        Borough ~~Clerk~~ to Issue Notice.**

Such notice to cut and remove objectionable brush, hedges and other plant life shall be given by the Borough ~~Clerk~~ to the owner or tenant by certified mail to the last known post office address.

**§ 12-2.3        Resolution of Borough Council to Designate Notification.**

The Borough Clerk shall determine by resolution as to whom such notice shall be given pursuant to this section.

**§ 12-2.4        Failure to Maintain; Action by Borough.**

In the event of the failure of any owner or tenant to keep all brush, hedges and other plant life, growing within 10 feet of any roadway or street and within 25 feet of the intersection of two roadways or streets cut to a height of not more than 2 1/2 feet, after written notice thereof, the Borough of Roosevelt may proceed to cause the cutting and removal of such brush, hedges and other plant life under the direction of the Superintendent of Public Works.

**§ 12-2.5 Removal by Borough; Lien on Property for Expenses.**

In any case where the Borough has cut and removed brush, hedges and other plant life, the ~~Superintendent of Public Works~~ Borough CFO or Purchasing Agent shall thereafter certify to the Borough Council, the cost thereof, and if the amount so certified is by resolution of the Borough Council determined to be correct and reasonable, the Borough Clerk shall forthwith deliver a certified copy of said resolution to the Tax Collector. The amount so charged shall forthwith become a lien upon such lands from which the brush, hedges, and other plant life were cut and removed, and shall be added to and become, and form part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as other taxes and shall be collected and enforced by the Tax Collector, in the same manner as taxes, as authorized by N.J.S.A. 40:48.2-26 and N.J.S.A. 40:48.2-27.

**§ 12-2.6 Violations and Penalties.**

Any person who shall refuse or neglect, after written notice, as above set forth, to comply with the demands therein made with respect to the cutting of the foregoing for the preservation of the public safety of the citizens of the Borough of Roosevelt, within the period of time above set forth, shall upon conviction thereof be liable to a penalty not to exceed \$500, and each and every day in which the owner or tenant shall refuse or neglect so to cut said matter shall be and constitute a separate offense. The imposition and collection of any fine or penalty prescribed by this section shall not bar the right of the Borough to collect the cost of the cutting of the brush, hedges and other plant life, as hereinbefore specified; and the said remedies shall be cumulative.

**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 twenty (20) days after final passage and publication, as required by law.

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

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

**RESOLUTION NO. 20-67  
MEETING DATE: 06-22-2020**

**PAYMENT OF BILLS FOR JUNE 22, 2020**

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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 June 22, 2020.

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Kathleen Hart  
Borough Clerk

June 18, 2020  
12:03 PM

BOROUGH OF ROOSEVELT  
Bill List By Vendor Name

Page No: 1

6-22-20 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
BOROU005 BOROUGH OF HIGHTSTOWN								
	20-00357	06/15/20	LANDFILL TIPPING FEES:MAY 2020	Open	2,694.69	0.00		
	20-00366	06/16/20	SOLID WASTE CONTRACT:JUN 2020	Open	<u>5,682.77</u>	0.00		
					8,377.46			
BRIMA005 BRIMAR INDUSTRIES, INC.								
	20-00315	05/18/20	COVID SIGNS FOR BORO HALL	Open	24.99	0.00		
CENTR005 CENTRAL JERSEY WASTE &								
	20-00030	01/21/20	2020 RECYCLING CONTRACT	Open	2,970.00	0.00		B
DONAT005 DONATO, ESQ., MICHELE								
	20-00363	06/15/20	NAZAROV APPLIC RVW 4/10-6/5/20	Open	339.90	0.00		
	20-00364	06/15/20	PLANNING BOARD 4/21,4/30/20	Open	<u>401.50</u>	0.00		
					741.40			
EARLE005 EARLE ASPHALT COMPANY								
	19-00755	11/15/19	IMPROV:HOMESTEAD,CEDAR,ELM	Open	342,690.85	0.00		B
JCPL0005 JCP & L								
	20-00360	06/15/20	W/S-MAY 2020 ELECTRIC SERVICE	Open	3,065.72	0.00		
LYONS005 LYONS ENVIRONMENTAL SERV, LLC								
	20-00365	06/16/20	ADDT'L SERVICES-MAY 2020	Open	2,050.48	0.00		
NORTH010 NORTH AMERICAN PIPELINE								
	20-00304	05/13/20	CLEANING/TELEWISE SEWER MAINS	Open	6,862.50	0.00		
ORKIN005 ORKIN PEST CONTROL SERVICE								
	20-00333	06/01/20	MAY 2020 PEST CONTROL	Open	39.13	0.00		
PASSA005 PASSAIC VALLEY SEWERAGE								
	20-00352	06/11/20	SLUDGE DISPOSAL-MAY 2020	Open	592.20	0.00		
PEGER005 PEGER, KYLE d/b/a								
	20-00212	03/25/20	PUBLIC LAND MAINTENANCE:2020	Open	2,127.00	0.00		B
PETTY005 PETTY CASH								
	20-00354	06/15/20	REIMBURSE PETTY CASH	Open	80.02	0.00		
	20-00356	06/15/20	REIMBURSE PETTY CASH	Open	<u>8.25</u>	0.00		
					88.27			
POSTM005 POSTMASTER								
	20-00353	06/15/20	STAMPS:TAX BILLS	Open	220.00	0.00		
PSEGC005 PSE & G CO.								
	20-00361	06/15/20	MAY 2020 GAS SERVICE	Open	147.77	0.00		

June 18, 2020  
12:03 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
RIOSU005 RIO SUPPLY, INC.	20-00339	06/02/20	NEW PIT TOP FOR WATER METER	Open	220.00	0.00		
ROOSE025 ROOSEVELT ARTS PROJECT	20-00331	05/27/20	DONATION TO RAP	Open	750.00	0.00		
RUSSE005 RUSSELL REID, INC.	20-00132	02/19/20	2020 SLUDGE REMOVAL	Open	739.62	0.00		B
SUTPH005 SUTPHEN MEMORIAL, INC.	20-00025	01/17/20	2020 CEMETERY MANAGEMENT	Open	775.00	0.00		B
THEH0010 THE HOME DEPOT	20-00346	06/11/20	PAINTING SUPPLIES	Open	32.75	0.00		
	20-00349	06/11/20	LIGHTBULBS FOR RESTROOM	Open	6.43	0.00		
					<u>39.18</u>			
HUNTE005 TRU STOR, LLC dba	20-00355	06/15/20	AVAYA SUPPORT & EQUIP CONTRACT	Open	1,350.00	0.00		
VERIZ005 VERIZON	20-00350	06/11/20	609-448-0539 MAY 2020	Open	238.09	0.00		
	20-00362	06/15/20	609-443-1440 MAY 2020	Open	92.45	0.00		
					<u>330.54</u>			
VERIZ010 VERIZON FIOS	20-00351	06/11/20	INTERNET:BORO HALL-6/1 BILL	Open	144.99	0.00		
WRNEU005 W.R. NEUMANN COMPANY, INC.	20-00061	01/28/20	WATER-2020 CHEMICAL CONTRACT	Open	281.32	0.00		B
WATCH005 WATCHUNG SPRING WATER CO., INC	20-00358	06/15/20	WATER+RENTAL:DELIV 5/26/20	Open	36.36	0.00		
WEBHA005 WEB HAULING & DISTRIBUTION, INC	20-00337	06/01/20	PUMP LAKE DR PUMP PIT 5/27/20	Open	233.13	0.00		
WEBOU005 WEB OUTBACK	20-00348	06/11/20	RESTROOM RENTAL-MAY 2020	Open	120.00	0.00		

Total Purchase Orders: 31 Total P.O. Line Items: 0 Total List Amount: 375,017.91 Total Void Amount: 0.00

Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description	Fund						
	0-01	17,674.84	0.00	17,674.84	0.00	0.00	17,674.84
	0-09	14,312.32	0.00	14,312.32	0.00	0.00	14,312.32
Year Total:		31,987.16	0.00	31,987.16	0.00	0.00	31,987.16
	C-08	342,690.85	0.00	342,690.85	0.00	0.00	342,690.85
	T-12	339.90	0.00	339.90	0.00	0.00	339.90
Total of All Funds:		375,017.91	0.00	375,017.91	0.00	0.00	375,017.91

BOROUGH OF ROOSEVELT

I, George J. Lang, Chief Financial Officer of the Borough of Roosevelt, do hereby certify that funds are available for the following bill list to be paid:

<u>Vendor</u>	<u>Budget Account</u>	<u>Total Award</u>
6/22/20 Bill List	various	\$375,017.91

  
George J. Lang  
Chief Financial Officer

Dated: 6/22/20

**RESOLUTION NO. 20-68**  
**MEETING DATE: 06-22-2020**

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE MILLSTONE TOWNSHIP  
BOARD OF EDUCATION FOR ELECTRIC, HVAC AND MECHANIC SERVICES**

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

**WHEREAS**, the Millstone Township Board of Education (the “Board”) and the Borough of Roosevelt (the “Borough”) (hereinafter collectively referred to as the “Parties”) wish to encourage inter-agency cooperation and planning with regard to their common need for the Electric, HVAC and Mechanic services for their public buildings and grounds; and

**WHEREAS**, the “Uniform Shared Services and Consolidation Act”, N.J.S.A. 40A:65-1, et seq. authorizes the Borough to contract with any public or private entity for the provision of any service which the Borough itself could provide directly; and

**WHEREAS**, the Parties have each duly authorized their proper officials to enter into and execute this Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Roosevelt, in the County of Monmouth and State of New Jersey, as follows:

1. That the Borough is hereby authorized to enter into a Shared Services Agreement attached hereto as Exhibit A with the Board, pursuant to the “Uniform Shared Services and Consolidation Act”, N.J.S.A. 40A:65-1, et seq., to provide services referenced above.
2. That the Mayor is authorized to execute and the Municipal Clerk to attest to the Agreement.
3. That the Agreement shall be effective July 1, 2020 through June 30, 2021.
4. That a certified copy of this resolution shall be provided to the Millstone Township Board of Education and the Division of Local Government Services.

**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 June 22, 2020.

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Kathleen Hart  
Borough Clerk



**RESOLUTION NO. 20-69**  
**MEETING DATE: 06-22-2020**

**PROVIDING FOR A PRIVATE EXECUTIVE MEETING THAT  
EXCLUDES THE PUBLIC**

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

**WHEREAS**, the “Open Public Meetings Act” enacted October 21, 1975 permits a public body to exclude the public from meetings or portions thereof wherein matters are to be discussed which are exempted from the requirements of the Act; and

**WHEREAS**, the said Act requires that prior to the holding of a meeting or portion thereof from which the public shall be excluded, the public body should adopt a Resolution at a public meeting providing for the holding of a private meeting; and

**WHEREAS**, the Borough Council of The Borough of Roosevelt has determined that a meeting should be held from which the public should be excluded in order to discuss a subject which is exempted under the said Act;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council, as follows:

- That the next portion of this meeting be held in Private Session.
- That the general nature of the matter(s) to be discussed relate to the matters:
  - a. Lease Agreement – AT&T
- That no official action will be taken at the meeting but Minutes shall be kept and shall be available to the public after official action on the subject matter has been taken.
- It is anticipated the discussion conducted in closed session can be disclosed to the public after no further action is required in the matter.

**ROLL CALL VOTE:**

**AYES:**

**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 June 22, 2020.

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Kathleen Hart  
Borough Clerk