

Office of the Board of Commissioners
Borough of Monmouth Beach
January 5, 2016

The following statement was read by Mayor Howard:

This special meeting is called pursuant to the provisions of the Open Public Meetings Law. Notice of this meeting was transmitted to the Asbury Park Press and The Link News on December 31, 2015. In addition a copy of this notice was posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk on that date, where it has remained continuously posted as required under the statute.

The Pledge of Allegiance was recited.

Mayor Howard called the meeting to order at 4:00 pm.

Present - Mayor Howard, Commissioner Cunniff, Commissioner McBride
Absent - None

Commissioner Cunniff moved, seconded by Commissioner McBride that bills totaling \$70,707.87 be approved for payment.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -3-

Commissioner Cunniff moved, seconded by Commissioner McBride that the following Consent Agenda items be passed and adopted:

RESOLUTION

WHEREAS, bids were solicited for a Project entitled: Monmouth Beach Bathing Pavilion Installation Of Lockers; and

WHEREAS, the bids were received, opened, and read in public on December 3, 2015 at 2:00 pm; and

WHEREAS, three bids were received as indicated:

| Bidder | Base Bid | Base Bid plus Alternate A1 | Base Bid, Alternate A1 plus Alternate A2 |
|----------------------------|-----------------|---------------------------------------|---|
| Shorelands Const., Inc. | \$177,964.00 | \$225,436.00 | \$264,996.00 |
| Albert Marine Const., Inc. | \$178,910.00 | \$226,340.00 | \$265,865.00 |
| Cypreco Industries, Inc. | \$223,020.00 | \$282,480.00 | \$332,030.00 |

WHEREAS, the Mayor and Commissioners have reviewed the bids submitted and the recommendation of Bonnie Heard, Borough Engineer, as set forth in a letter dated December 9, 2015;

NOW, THEREFORE, BE IT RESOLVED that the bid submitted by Shorelands Construction Inc., 7 Columbus Dr., Monmouth Beach, NJ 07750, for the Base Bid plus Alternate A1 in the amount of \$225,436.00 be and is hereby accepted and awarded; and

BE IT FURTHER RESOLVED that said award is subject to the Chief Financial Officer certifying that funds are available and review and approval of the bid documents by the Borough Attorney; and

BE IT FINALLY RESOLVED that the Mayor and Borough Clerk are authorized to confirm and authorize the work outlined in the proposal submitted by Shorelands Construction, Inc.

RESOLUTION

WHEREAS, T&M Associates, on behalf of the Borough of Monmouth Beach, solicited a proposal for Architectural and Engineering Services for the Monmouth Beach Borough Hall Alterations and Lifting; and

WHEREAS Parallel Architectural Group LLC has provided a proposal for Architectural and Engineering Services for the Monmouth Beach Borough Hall Alterations and Lifting, the details of which are outlined in their attached Form Of Proposal dated December 29, 2015 and;

WHEREAS the Local Public Contracts Law, RS 40A:11-1 et seq. requires that a resolution authorizing contracts for "Professional Services" without competitive bidding must be published not more than 10 days of the following the adoption thereof.

NOW THEREFORE BE IT RESOLVED by the Mayor and Commissioners of the Borough of Monmouth Beach, County of Monmouth, State of New Jersey, that the contract for Architectural and Engineering Services for the Monmouth Beach Borough Hall Alterations and Lifting be awarded to Parallel Architectural Group LLC, 494 Broadway, Suite 3, Long Branch, NJ 07740, 732-229-4400 in the amount of \$76,640.00 as forth in their proposal dated December 29, 2015; and

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach as follows:

- 1) The Mayor and the Municipal Clerk are hereby authorized and directed to enter into an agreement with Parallel Architectural Group LLC, for the professional services.
- 2) This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contract Law and because the services rendered or performed is to be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law and bids are not required per RS 40A:5-11.
- 3) The Contract has been awarded in compliance with State Laws under a "Non-Fair and Open" process and that this award shall be contingent upon the execution of a Business Entity Disclosure Certification as well as all other submissions as required by Law.
- 4) A copy of this resolution shall be published within ten (10) days of its passage as required by law. The resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

RESOLUTION

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2016 Municipal Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this Resolution is within the first thirty (30) days of January 2016; and

WHEREAS, the total appropriations in the 2015 Municipal Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$8,582,056.00; and

WHEREAS, 26.25 per cent of the total appropriations in the 2015 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2015 Budget is the sum of \$2,252,789.70

NOW, THEREFORE, BE IT RESOLVED that the 2016 Temporary Operating Budget be adopted in the amount of \$1,996,895.36.

**RESOLUTION
EMERGENCY TEMPORARY APPROPRIATION**

WHEREAS, an emergent condition has arisen in that the Borough desires to enter into contracts, commitments or payments prior to the adoption of the 2016 budget and no adequate provision has been made in the 2016 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2016 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total three hundred thousand dollars (\$300,000.00)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach, in the County of Monmouth, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$300,000.00 as follows:

Improvements to Bathing Pavilion: \$300,000.00

2. Said emergency temporary appropriations will be provided for in the 2016 budget under the title of:

GENERAL APPROPRIATIONS:

(C) Capital Improvements - Excluded from "CAPS"

Improvements to Bathing Pavilion: \$300,000.00

3. That one certified copy of this resolution be filed with the Director of the Division of Local Government Services

RESOLUTION

BE IT RESOLVED that a payment in the amount of \$15,000.00 to the Department of Environmental Protection be and is hereby authorized; and

BE IT FURTHER RESOLVED that said payment is a CAFRA permit application fee, in connection with the modifications to the Bathing Pavilion as a result of the Seawall Restoration Project.

RESOLUTION

WHEREAS, On Wednesday, December 23, 2015, Six (6) bids were received by the Municipal Clerk of the Borough of Monmouth Beach for the 2015 Capital Improvement Program, a summary of which is attached; and

WHEREAS, the Governing Body has reviewed the Recommendation of Award made by Bonnie Heard, Borough Engineer, as set forth in a letter dated December 29, 2015; and

WHEREAS, the Borough Attorney has determined that the bid submitted by the apparent low bidder is acceptable as to legal form; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available as is evidenced by the Certification of Funds attached hereto and made a part hereof,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach, County of Monmouth, State of New Jersey that the contract for the 2015 Capital Improvement Program, consisting of Proposal A, Proposal B and Alternate A-1 be

awarded to Precise Construction, Inc., 1016 Highway 33, Freehold, NJ 07728, in the amount of \$689,836.40; and

BE IT FURTHER RESOLVED that the contract has been awarded in compliance with State Law under a “Fair and Open” process as having been duly advertised. This award shall be contingent upon the execution of a Business Entity Disclosure Certification as well as all other submissions as required by law; and

BE IT FURTHER RESOLVED that the award of this contract is subject to the approval of the bid documents by the New Jersey Department of Transportation; and

BE IT FINALLY RESOLVED that the Mayor and Municipal Clerk be authorized and directed to execute the contract for same.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -3-
End of Consent Agenda

Commissioner McBride moved, seconded by Commissioner Cunniff that the meeting be opened to the public.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -3-
There being no public comment,

Commissioner McBride moved, seconded by Commissioner Cunniff that the meeting be closed.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -3-

Mayor Howard wished everyone a very Happy New Year. She noted that it was nice to award the contract for the additional lockers at the Pavilion early in the year.

Commissioner McBride moved, seconded by Commissioner Cunniff that the meeting be adjourned.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -3-

Mayor Howard

Commissioner Cunniff

Commissioner McBride

ATTEST:

Joyce L. Escalante, RMC
Municipal Clerk
January 5, 2016