

Office of the Board of Commissioners
Borough of Monmouth Beach
January 8, 2013

The following statement was read by Mayor Susan Howard:

This 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 January 7, 2013, posted on the bulletin board in the Municipal Building on that date and has remained continuously posted as the required notice under the statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Pledge of Allegiance

Mayor Howard called the meeting to order at 6:00 pm.

Present – Mayor Howard, Commissioner Cunniff
Absent – Commissioner McBride

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

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 2013 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 2013; and

WHEREAS, the total appropriations in the 2012 Municipal Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$6,569,070.00; and

WHEREAS, 26.25 per cent of the total appropriations in the 2012 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2012 Budget is the sum of \$1,724,380.88

NOW, THEREFORE, BE IT RESOLVED that the 2013 Temporary Operating Budget be adopted in the amount of \$1,724,380.88.

RESOLUTION OF THE BOROUGH OF MONMOUTH BEACH, NEW JERSEY, AMENDING THE AMOUNT OF THE SPECIAL EMERGENCY APPROPRIATION AUTHORIZED IN RESOLUTION NO. R-105-12 ADOPTED NOVEMBER 8, 2012

WHEREAS, the Borough of Monmouth Beach, New Jersey (the "Borough") adopted Resolution No. R-105-12 on November 8, 2012, which authorizes a \$1,000,000 special emergency appropriation to meet certain extraordinary expenses incurred, or to be incurred, due to damages as a result of Hurricane Sandy pursuant to N.J.S.A. 40A:4-54, and the funding of same through the issuance of special emergency notes pursuant to N.J.S.A. 40A:4-55 (the "Special Emergency Resolution"); and

WHEREAS, the Borough has since obtained more accurate estimates of the costs of extraordinary expenses incurred, or to be incurred, than those which were estimated in the Special Emergency Resolution; now, therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH as follows:

Section 1. The amount of the special emergency appropriation authorized by the Special Emergency Resolution shall be increased by an additional \$2,900,000 to total the aggregate amount of \$3,900,000 to meet certain extraordinary expenses incurred, or to be incurred, due to damages as a result of Hurricane Sandy.

Section 2. The remaining provisions of the Special Emergency Resolution, a copy of which is attached hereto and incorporated herein as Exhibit "A", shall remain in effect.

Section 3. This resolution shall take effect immediately.

RESOLUTION

Whereas, the Borough of Monmouth Beach desires to constitute the 2013 Temporary Capital Budget of said municipality by inserting therein the following project:

Reconstruction of Bathing Pavilion

Now, therefore, be it resolved by the Governing Body of the Borough of Monmouth Beach of the County of Monmouth, that the 2013 Temporary Capital Budget shall be constituted as follows:

Temporary Capital Budget of the
Borough of Monmouth Beach
(Current Year Action)
 2013

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Debt Authorized</u>
Reconstruction of Bathing Pavilion	1	\$1,050,000.00	\$50,000.00	\$1,000,000.00
Totals - All Projects		\$1,050,000.00	\$50,000.00	\$1,000,000.00

Temporary Capital Budget of the
Borough of Monmouth Beach
3 Year Capital Program
 Anticipated Project Schedule and Funding Requirements
 2013 - 2015

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Estimated Completion Time</u>	<u>Funding Amounts per Budget Year</u>
Reconstruction of Bathing Pavilion	1	\$1,050,000.00	2013	\$1,050,000.00
Totals - All Projects		\$1,050,000.00	-	\$1,050,000.00

Temporary Capital Budget of the
Borough of Monmouth Beach
3 Year Capital Program
 Summary of Anticipated Funding Sources and Amounts
 2013 - 2015

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Bonds and Notes General</u>
Reconstruction of Bathing Pavilion	1	\$1,050,000.00	\$50,000.00	\$1,000,000.00
Totals - All Projects		\$1,050,000.00	\$50,000.00	\$1,000,000.00

The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey,

within three days after adoption of these projects for the 2013 Temporary Capital Budget, to be included in the 2013 Permanent Capital Budget as adopted.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-, Absent -1-.

End of Consent Agenda.

Commissioner Cunniff moved, seconded by Mayor Howard that the following bills be paid:

000001 M	428.93	12/14/12	WELLS FARGO BANK
000001 M	85283.92	12/27/12	PAYROLL ACCOUNT
000001 M	83.85	01/04/13	AUTHORIZE NET GATEWAY BILLING
000002 M	4286.01	12/27/12	PAYROLL ACCOUNT
000002 M	116.82	01/04/13	CYBERSOURCE
000011 M	28487.00	12/13/12	NJSHBP
000012 M	19410.63	12/13/12	NJSHB - RETIRED
012012 M	359761.83	12/14/12	JAMES F CUNNIFF, TREAS. OF SCHOOL MONIES
031561 M	95292.57	12/13/12	PAYROLL ACCOUNT
031562 M	5338.95	12/13/12	PAYROLL ACCOUNT
031563 V	.00	12/14/12	***** NOT A VALID VENDOR *****
031564 M	9000.00	12/14/12	GARY TVRDIK
031565 M	300.00	12/17/12	JACKI VAN WAGNER
031566 M	200.00	12/17/12	WILLIAM J. MC BRIDE
031567 M	350.26	12/18/12	NEW JERSEY AMERICAN WATER CO.
031568 M	4550.15	12/18/12	JERSEY CENTRAL POWER & LIGHT
031569 M	445.94	12/19/12	NEW JERSEY AMERICAN WATER CO.
031570 M	900.05	12/19/12	VERIZON WIRELESS
031571 M	4020.03	12/20/12	JERSEY CENTRAL POWER & LIGHT
031572 M	2061.13	12/20/12	NEW JERSEY NATURAL GAS CO.
031573 M	6316.95	12/21/12	PRESCRIPTION CORPORATION OF AMERICA
031579 M	4.50	12/28/12	JOYCE ESCALANTE, CUSTODIAN PETTY CASH
031580 M	99.58	12/28/12	DREW WINANS, MBPD CUSTODIAN OF
031581 M	890.00	01/03/13	FREEHOLD SOIL CONSERVATION DISTRICT
031588	25.00	01/08/13	A.R. COMMUNICATIONS
031589	104.90	01/08/13	ANNE P. ROONEY
031590	1583.00	01/08/13	ASBURY PARK PRESS
031591	150.00	01/08/13	BARBARA WOODIE
031592	127.00	01/08/13	BLUE LINE EMERGENCY LIGHTING
031593	104.90	01/08/13	BRADFORD DODSON
031594	34.36	01/08/13	CAMBRIA COMPANIES
031595	964.00	01/08/13	CERTIFIED SPEEDOMETER SERVICE
031596	112.30	01/08/13	COMCAST
031597	97.23	01/08/13	COMCAST OF MONMOUTH
031598	15229.08	01/08/13	COUNTY OF MONMOUTH FINANCE DEPARTMENT
031599	10361.63	01/08/13	CULMAC CAPITAL I, LLC
031600	3603.00	01/08/13	DENNIS A. COLLINS ESQ.
031601	200.00	01/08/13	DREW WINANS, MBPD CUSTODIAN OF
031602	170.00	01/08/13	DYNAMIC TESTING SERVICE
031603	1082.10	01/08/13	GEMPLER'S
031604	239.75	01/08/13	GEORGE HYNDSMAN PLUMBING & HEATING
031605	277.82	01/08/13	GEORGE WALL LINCOLN MERCURY
031606	1178.15	01/08/13	GRAINGER GOVERNMENT CALL CENTER
031607	104.90	01/08/13	HEATHER E. TYNAN
031608	300.00	01/08/13	INDUSTRIAL/MARINE FABRICATORS
031609	21527.00	01/08/13	J. E. MOWERY AND SON EXCAVATING, INC.
031610	172.42	01/08/13	JOHN DEERE LANDSCAPES/LESCO, INC.
031611	1056.29	01/08/13	JOHN'S AUTO
031612	104.90	01/08/13	JOSEPH MASICA
031613	46200.00	01/08/13	KUDOS ENTERPRISES, INC.
031614	11.00	01/08/13	LANIGAN ASSOCIATES, INC.
031615	300.00	01/08/13	LISA NORMAN
031616	165.00	01/08/13	MGL PRINTING SOLUTIONS
031617	519.76	01/08/13	MONMOUTH BUILDING CENTER
031618	95358.12	01/08/13	MONMOUTH MUNICIPAL JOINT INSURANCE FUND
031619	3178.75	01/08/13	MONTEFORTE ARCHITECTURAL STUDIO, LLC
031620	165.14	01/08/13	MR. JOHN INC.
031621	75.00	01/08/13	MUNICIPAL CLERK'S ASSOC OF MON COUNTY
031622	3400.80	01/08/13	NEW JERSEY AMERICAN WATER CO.
031623	384.00	01/08/13	NEW JERSEY LEAGUE OF MUNICIPALITIES
031624	2500.00	01/08/13	NOAH MEYER
031625	1538.99	01/08/13	NORTHEAST SIGN & IIGHTING, INC.
031626	104.90	01/08/13	PATRICIA KELLER
031627	104.90	01/08/13	PAULA MURRAY
031628	1036.25	01/08/13	PAULETTE SHEERAN
031629	23.28	01/08/13	PENGUIN COMMUNICATIONS LLC
031630	8259.18	01/08/13	PRESCRIPTION CORPORATION OF AMERICA
031631	28000.00	01/08/13	RED BANK RECYCLING DEMOLITION
031632	697.70	01/08/13	RED THE UNIFORM TAILOR
031633	88.30	01/08/13	REFRIGIWEAR
031634	91.00	01/08/13	RR DONNELLEY
031635	97.25	01/08/13	SEABOARD FIRE & SAFETY EQUIPMENT CO.
031636	35.46	01/08/13	SIPERSTEIN'S PAINT
031637	720.00	01/08/13	SKIP'S SPORTS
031638	190.30	01/08/13	STAPLES BUSINESS ADVANTAGE
031639	100.00	01/08/13	STATE TREASURER
031640	104.90	01/08/13	SUSAN JASIO KOCH
031641	4275.00	01/08/13	THE AWNING SHOPPE
031642	769.39	01/08/13	TRICO CREDIT CORP.
120012 M	324387.53	12/14/12	SHORE REGIONAL HIGH SCHOOL

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-.

The following Ordinance was read by title only by the Clerk:

AN ORDINANCE TO FIX THE SALARIES AND TERMS OF OFFICE IN SUCH CASES WHERE THE TERMS OF OFFICE ARE NOT FIXED BY STATUTE OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF MONMOUTH BEACH AND TO DEFINE THEIR DUTIES IN ADDITION TO THOSE FIXED BY STATUTE OR OTHER ORDINANCE, ADOPTED THE 27TH DAY OF MARCH, 1951, AS SUBSEQUENTLY AMENDED.

Commissioner Cunniff moved, seconded by Mayor Howard that the ordinance be passed on title only and that the Clerk be instructed to advertise the ordinance for a public hearing to be held on February 12, 2013.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-.

The following Ordinance was read by title only by the Clerk:

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF THE MONMOUTH BEACH BATHING PAVILION IN AND BY THE BOROUGH OF MONMOUTH BEACH, NEW JERSEY, APPROPRIATING \$1,050,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Commissioner Cunniff moved, seconded by Mayor Howard that the ordinance be passed on title only and that the Clerk be instructed to advertise the ordinance for a public hearing to be held on January 22, 2013.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-.

Administrator's Report: Mr. Chismar had nothing to report.

Borough Attorney's Report: Mr. Collins had nothing to report.

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

Commissioner Cunniff moved, seconded by Mayor Howard that the ordinance be passed on title only and that the Clerk be instructed to advertise the ordinance for a public hearing to be held on February 12, 2013.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-.

Jack Flaherty, Monmouth Place, asked how much money the Borough would receive from its insurance carrier for the Bathing Pavilion.

Mayor Howard said that the Borough would receive \$500,000.00 in flood insurance money for the Pavilion.

Mr. Flaherty asked why the Pavilion was only covered for \$500,000.00 and if it was possible that the taxpayers would have to fund part of the repair costs if the insurance money did not fund 100% of the repair work.

Mayor Howard explained that the Bathing Pavilion was insured for the maximum amount allowed.

Commissioner Cunniff noted that no money had been charged back to the taxpayers to fund the bathing pavilion improvements.

Mayor Howard said that the revenue from the pavilion had reached over one million dollars in the past two years, with operating costs around \$400,000.00. She said that when the pavilion renovations began a few years ago, people had been concerned that they would have to pay. The

Mayor said the Commissioners had reassured the taxpayers that they would not bear the cost of the renovations.

Mayor Howard stated that each year \$200,000.00 of bathing pavilion revenue was put into the general fund each year to subsidize taxes. She noted that the non-resident fees were impacted the most. The Mayor pointed out that it was critical to open the bathing pavilion or the town could face losing \$600,000.00 in revenue.

Dave Stickle, Riverdale Avenue, asked if there were any cost estimates for the pavilion repairs and what would be put out to bid.

Mayor Howard said they were only going to bid for repairs to the building and deck area and only to restore it to what it had been prior to the storm. She explained that the cost of the project would not be known until the bids came in. The Mayor said that sometimes bids came in with a favorable cost and sometimes they came in too high, in which case they were rejected.

Mayor Howard noted that the Fire and First Aid buildings were privately owned by their respective departments and that the borough was working with them to help them get their paperwork together to submit to FEMA so they could get the money to fix their buildings. She said she had heard from other towns that it might be possible for the borough to bond for funds for the Fire and First Aid so they were going to look into that possibility.

Dennis Collins said that he and Commissioner McBride were working with the Borough's Bond Counsel to get an answer on that issue. He said he was not sure if the Borough would be allowed to bond for buildings that they did not own.

Mr. Flaherty asked where the town stood on the issue of homes that needed to be raised as a result of storm damage.

Mayor Howard said that two ordinances had been introduced in December that would address that issue. She said she had emailed copies out to everyone on the Borough's email list and she once again encouraged anyone not on that list to sign up for it.

Mayor Howard said that FEMA had recently released their advisory base flood elevations (ABFE) and the new flood maps. She noted that the studies and figures had been done prior to Sandy. The Mayor said that FEMA had advised the borough to adopt their ABFE's plus an additional 3' freeboard component. She said the proposed ordinance would comply with that.

Mayor Howard said the second ordinance would permit those homes that were in compliance with the ABFE + 3' to go up to 38" in height.

Mayor Howard said both ordinances were scheduled for a public hearing on January 15th and she encouraged everyone to attend.

Mayor Howard said that the town would also be participating in the Hazard Mitigation Grant Program. She explained that under that program, the Borough would be applying for funds which would be used to help raise homes. The Mayor said she had met with the Mayors of Union Beach and Highlands last night and found out that after Hurricane Irene, Highlands had applied for funds to raise 12 houses but Union Beach did not get approved. Mayor Howard explained that it was not a guarantee but she instructed anyone interested to contact the administrator and register.

Mr. Flaherty asked what measures, if any, were being discussed to help keep the town from flooding.

Mayor Howard said she was in constant contact with the DEP, who had just recently completed the sand replenishment project. She said it was very likely that the Army Corps and the DEP would agree to restore the beach to its pre storm condition. The Mayor said they were also looking at the South end of town where the water flowed in to see what could be done in that area.

Susan Ellsweig, Monmouth Place, asked on an ICC claim, who you had to go to if you were considering raising your house.

Mayor Howard explained that a home had to be considered substantially damaged to be eligible for ICC funds and that a homeowner had to present repair estimates that were above 50% of the assessed value of the home. She said the estimates had to be given to Don Clare, who would

write a letter declaring the home substantially damaged, which in turn the homeowner had to give to their insurance company.

Mayor Howard announced that a recovery workshop would be held at the parish center on Saturday, January 19th. She said that Father Bob has been gracious enough to let them have the use of the gym on that date. The Mayor said that Don Clare was arranging to have FEMA representatives there, as well as contractors experienced in house lifting, modular homes, and other areas. She encouraged local builders and anyone else with an interest to register for the workshop. She said the goal was to work together to get as much information as possible to the residents.

Mr. Stickle asked Mayor Howard if she had increased the number of borough meetings.

Mayor Howard said she would add meetings as needed. She said that Monmouth Beach was moving faster than some other towns and we might make a mistake here and there, but we want to help people get back into their homes as quickly as possible.

Carl Gross, Lori Road, asked if homeowners could opt out of the Hazard Mitigation Program after signing up, and choose to do the work on their own.

Mayor Howard said they could choose to do that but they had to be deemed substantially damaged to be on the list for that program. She said the town would have to submit a letter of intent to be in the program. Mayor Howard said that when they had asked her how many homes might have to be raised she had said 100. She said she did not know if we would get the money but we needed to apply.

Ron Esser, Cook Street, asked if the Army Corps was going to dredge the river.

Mayor Howard said the town had been working with the Corps since 2007 on this and she noted that at the State of the State address the Governor said he was going to get it done.

There being no further comments or questions,

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

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-.

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

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-.

Mayor Howard

Commissioner Cunniff

ATTEST:

Joyce L. Escalante, RMC
Municipal Clerk
January 8, 2013