

Office of the Board of Commissioners
Borough of Monmouth Beach
March 25, 2014

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 included in a list of meetings notice sent to the Asbury Park Press and The Link News on February 28, 2014, 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.

The Mayor requested that all persons rise. The Pledge of Allegiance was recited

Mayor Howard called the meeting to order at 6:00 pm. The Meeting Site took place at the Monmouth Beach Cultural Center.

Present - Mayor Howard, Commissioner Cunniff, and Commissioner McBride.

Commissioner Cunniff moved, seconded by Commissioner McBride that bills in the amount of \$161,230.78, which have been reviewed by their respective department heads, be approved for payment.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -3-, Nay -0-.

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

**RESOLUTION APPROVING THE CERTIFIED LIST OF LOSAP
QUALIFIED VOLUNTEER FIRST AID SQUAD MEMBERS FOR THE
BOROUGH OF MONMOUTH BEACH FOR THE YEAR 2013**

WHEREAS, the Borough of Monmouth Beach has adopted a Length of Service Award Program Deferred Plan provided by the Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent, Plan Identifier: 01-LOSAP-LINCOLN-101700; and

WHEREAS, pursuant to NJSA 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year; and

WHEREAS, the Borough of Monmouth Beach Volunteer First Aid Squad has provided the Governing Body with a certified list of volunteer members who have qualified for credit under the LOSAP program from the year 2013; and

WHEREAS, the Governing Body of the Borough of Monmouth Beach has reviewed the list for accuracy;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Monmouth Beach hereby approves the certified list of volunteer members who have qualified for credit under the LOSAP program from the year 2013; and

BE IT FURTHER RESOLVED that the approved list shall be posted by the Borough of Monmouth Beach Volunteer First Aid Squad for a period of thirty (30) days for membership review; and

BE IT FURTHER RESOLVED that the approved list shall be available in the office of the Municipal Clerk; and

BE IT FURTHER RESOLVED by the Borough of Monmouth Beach that the Municipal Clerk forwards a certified true copy of this resolution to the Chief Financial Officer and the Director of the Division of Local Government Services in the State Department of Community Affairs.

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that Brian Wickham, 2 Brasch Blvd., Middletown, NJ 07748 be and is hereby appointed to serve as a Seasonal Special Police Officer, Class I, for the Borough of Monmouth Beach; and

BE IT RESOLVED that said appointment shall be effective as of March 25, 2014; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be transmitted to Drew Winans, Sr., Chief of Police, Monmouth Beach Police Department.

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that Daniel Osborne, 24 Gillville Lane, Middletown, NJ 07748 be and is hereby appointed to serve as a Seasonal Special Police Officer, Class I, for the Borough of Monmouth Beach; and

BE IT RESOLVED that said appointment shall be effective as of March 25, 2014; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be transmitted to Drew Winans, Sr., Chief of Police, Monmouth Beach Police Department.

RESOLUTION

WHEREAS, the Mental Health Association of Monmouth County, Inc. has made application for an on premise draw raffle for merchandise (theme baskets) to be held during an event to be held on May 14, 2014, at the Channel Club, Monmouth Beach; and

WHEREAS, the Board of Commissioners of the Borough of Monmouth Beach feel that the applicant is qualified; that the members designated to conduct the games and to assist are of good moral character and have never been convicted of crime;

FURTHERMORE, that the games will be conducted in accordance with the rules and regulations of the Legalized Games of Chance Control Commission and the entire net proceeds are to be devoted to a purpose permitted by the Commission; and

WHEREAS, there is satisfactory proof that no payment will be made for conducting the games or assisting therein and that the prizes are of the nature and amount allowed;

NOW, THEREFORE, BE IT RESOLVED that a raffle license be granted to the Mental Health Association of Monmouth County Inc., pending final approval from the Legalized Games of Chance Control Commission.

RESOLUTION - 2014-
Authorizing Formal Transfer of Funds -
2013 Budget

WHEREAS N.J.S.A. 40A:4-58 states : "Should it become necessary, during the first 3 months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefor and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient"; and,

WHEREAS the Chief Financial Officer has recommended that the following transfers, being in compliance with N.J.S.A. 40A:4-58, be made.

NOW THEREFORE BE IT RESOLVED by the Borough Commissioners of the Borough of Monmouth Beach, County of Monmouth, (not less than 2/3 of the full membership concurring affirmatively) that the 2013 budget transfers be made a permanent part of this resolution, are hereby made and approved.

2013 BUDGET TRANSFERS

TRANSFERS TO(INSIDE "CAPS"):

Insurance:

Employee Group Health	\$ 19,000.00	To cover additional expenses.
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Engineering Services and Costs:

Other Expenses	17,000.00	To cover additional expenses.
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Planning Board:

Other Expenses	1,200.00	To cover additional expenses.
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Police Department:

Other Expenses	200.00	To cover additional expenses.
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Auditing Fees

19,000.00	To cover additional expenses.
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Public Buildings and Grounds:

Other Expenses	100.00	To cover additional expenses.
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Vehicle Maintenance

10,000.00	To cover additional expenses.
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TOTAL TRANSFERS TO

<u>\$ 66,500.00</u>

TRANSFERS FROM(INSIDE "CAPS"):

Administration and Executive:

Salaries and Wages	\$ 8,000.00
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Municipal Clerk:

Other Expenses	6,000.00
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Financial Administration:

Other Expenses	9,000.00
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Computerized Data Processing

5,000.00

Garbage and Trash Removal:

Salaries and Wages	19,500.00
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Insurance:

Employee Group Health	19,000.00
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TOTAL TRANSFERS FROM

<u>\$ 66,500.00</u>

Monmouth County Municipal Joint Insurance Program
Safety and Compliance Program
Acceptance Resolution

Borough of Monmouth Beach
County of Monmouth, State of New Jersey

**RESOLUTION ACCEPTING AND ADOPTING THE MONMOUTH COUNTY
MUNICIPAL JOINT INSURANCE FUND'S 2014 SAFETY AND COMPLIANCE
PROGRAM**

WHEREAS, the Borough of Monmouth Beach is a member of the Monmouth County Municipal Joint Insurance Fund (MONMOUTH JIF); and

WHEREAS, it is the policy of the MONMOUTH JIF to achieve the best and most practical degree of freedom from accidents and/or injuries; and

WHEREAS, the MONMOUTH JIF endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the MONMOUTH JIF endeavors to ensure that all of their members are in compliance with applicable safety and health requirements; and

WHEREAS, the MONMOUTH JIF's Safety Committee is made up of volunteers representing many of the Fund's Municipalities, along with the professionals employed by the Fund; and

WHEREAS, over the past year, the MONMOUTH JIF's Safety Committee has worked hard to develop a new Safety and Compliance Program like none other in the State that will better represent the members of the Fund's needs; and

WHEREAS, the new Program will assist all the Monmouth JIF's members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

WHEREAS, the MONMOUTH JIF has adopted the new 2014 SAFETY AND COMPLIANCE PROGRAM and has recommended its adoption by the Governing Body; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Monmouth Beach, County of Monmouth, State of New Jersey that the Monmouth County Municipal Joint Insurance Fund SAFETY AND COMPLIANCE PROGRAM be adopted by the Borough of Monmouth Beach.

**BOROUGH OF MONMOUTH BEACH RESOLUTION AWARDING
A CONTRACT FOR SANDBLASTING, PAINTING AND REPAIRING
MONMOUTH BEACH BATHING PAVILION POOLS**

WHEREAS, the Borough of Monmouth Beach sought quotes for the sandblasting, painting, and repair of the Monmouth Beach Bathing Pavilion pools; and

WHEREAS, the Board received two quotes as follows:

- 1) Aquatic Integrity: \$25,041.00
- 2) Monmouth Pool Service: \$31,950.00; and

WHEREAS, the Mayor and Commissioners have reviewed the quotes submitted and the recommendation of the Borough Engineer;

NOW, THEREFORE, BE IT RESOLVED to accept the quote of Aquatic Integrity in an amount not to exceed \$25,041.00; and

BE IT FURTHER RESOLVED that the Mayor, Borough Administrator, and/or Clerk are authorized to confirm and authorize the work outlined in the quote of Aquatic Integrity referred to herein.

Upon the call of the roll the foregoing motions were carried by the following vote: Ayes -3- Nays -0-.

End of Consent Agenda

Mr. Collins read the following Ordinance noting that copies were available for the public:

An Ordinance Amending and Supplementing Chapter VII Entitled "Parking Prohibited During Certain Hours", Subsection 7-15.2 Entitled "Parking Prohibited During Certain Hours On Certain Streets During Certain Times Of The Year" Of The Revised General Ordinance Of The Borough of Monmouth Beach.

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

Upon a roll call that was carried, the Mayor advised that this was related to a no parking zone in certain areas of River Avenue.

Certain persons requested to speak:

Laura Lovgren of 11 River Avenue was concerned with how this would limit parking for use by friends, family, etc. particularly in the evening and during the week. Ms. Lovgren stated that although she recognized that there are significant issues in the area during the summer, she suggested that the parking be limited to Saturdays, Sundays, and holidays.

Howard Mahoney of 15 River Avenue was concerned that any no parking sign would be placed in front of his home.

These parties also discussed concerns with sight distances along intersections.

The Mayor and Commissioners recognized the point made by Ms. Lovgren and believe that, as an initial step, a restriction on parking in that area as outlined in the Ordinance should be restricted to Saturday, Sundays, and holidays.

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

Upon the call of the roll the foregoing motions were carried by the following vote: Aye -3- Nay -0-.

THERE BEING NO MOTION TO ADOPT THE ORDINANCE, THE PROPOSED ORDINANCE WAS NOT ACTED UPON.

Commissioner Cunniff requested that Mr. Collins read, by title only, a modified Ordinance limiting parking on River Road in certain areas on Saturdays, Sundays, and holidays.

The following Ordinance was read by Mr. Collins:

“Parking Prohibited During Certain Hours On Certain Streets During Certain Times Of The Year”.

Commissioner McBride, seconded by Commissioner Cunniff moved that the Ordinance be introduced by title only, published and set down for public hearing at the next regular meeting of the Borough of Monmouth Beach Commissioners on April 22, 2014.

Upon the call of the roll the foregoing motions were carried by the following vote: Aye -3- Nay -0-.

Administrator’s Report:

Mr. Chismar advised that he had no report.

Borough Attorney’s Report:

Mr. Collins advised the Commissioners on the status of the pending COAH Rules for the Third Round Obligation. Mr. Collins explained the effect of the Supreme Court Order, which has extended the time within which the Council on Affordable Housing has to adopt regulations. He will continue to keep the Commissioners advised in that regard.

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-, Nay -0-.

Laura Lovgren of 11 River Avenue indicated her concerns with the state of the property located at 12 River Avenue. The property has been unused or abandoned and she was concerned about the status of vandalism, etc. The Mayor advised Ms. Lovegren that the Commissioners were aware and that Code Enforcement is enforcing all applicable codes on that property.

Sue McDonald was concerned about the sand on Ocean Avenue. The Commissioners

advised her that Ocean Avenue is State property and the Borough has no ability that the State prioritize the removal of that sand. The public was invited to contact State representatives in that regard.

Steve Adams also indicated his concern with sand on the sidewalk. He also asked about the status of the action plan for fire and first aid.

The Commissioners further recognized Members of the Borough Recreation Commission. Commissioner McBride and Mayor Howard spoke and thanked all of the volunteers for their efforts and unselfish participation. Matt Walter, Chairman, introduced Mary Mazzacco, Skip Stevens and Kenny Shaw and described their contributions. Photographs were taken.

Seeing no further requests for comment, Commissioner McBride moved, seconded by Commissioner Cunniff that the public meeting be closed.

Commissioner McBride moved, seconded by Commissioner Cunniff that the meeting be adjourned at 6:44.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -3- Nay-0.

Mayor Howard

Commissioner Cunniff

Commissioner McBride

ATTEST:

Dennis A. Collins, Esq.
Borough Attorney
March 25, 2014