

Office of the Board of Commissioners
Borough of Monmouth Beach
April 9, 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 included in a list of meetings published in the Asbury Park Press and the Link News on January 24, 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 6:30 pm.

Present – Mayor Howard, Commissioner Cunniff
Absent – Commissioner McBride

Dennis Collins, Borough Attorney, said that the Commissioners would hold a brief executive session prior to the regular meeting. He read the following Resolution:

RESOLUTION

BE IT RESOLVED that the following portion of this meeting dealing with the following generally described matters shall not be open to the public: contract negotiations and matters related to pending/anticipated litigation or contract negotiations in which the public body is or may be a party; and

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the public at a later date when confidentiality is no longer required:

BE IT FURTHER RESOLVED that private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Open Public Meetings Act:

Related to pending/anticipated litigation or contract negotiations in which the public body is or may be a party.

Commissioner Cunniff moved, seconded by Mayor Howard that the foregoing Resolution be passed and adopted.

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

At the conclusion of the executive session, Commissioner Cunniff moved, seconded by Mayor Howard that the executive session be closed and that the public meeting be re-convened.

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

Commissioner Cunniff moved, seconded by Mayor Howard that the reading of the minutes of the previous meetings held on February 5 and February 25 be dispensed with and that they stand as recorded.

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

Commissioner Cunniff moved, seconded by Mayor Howard that the following bills which had been reviewed by their respective department heads be approved for payment.

031858 M 243744.91 03/13/13 ALTEC BUILDING SYSTEMS
031859 M 55814.59 03/13/13 T & M ASSOCIATES
031860 M 29287.78 03/13/13 T & M ASSOCIATES
031861 M 17615.72 03/13/13 T & M ASSOCIATES
031862 M 285.18 04/01/13 JACKI VAN WAGNER

031863 M	133.41	03/22/13	JERSEY CENTRAL POWER & LIGHT
031865	234.00	04/09/13	A.R. COMMUNICATIONS
031866	391485.50	04/09/13	ALTEC BUILDING SYSTEMS
031867	104.90	04/09/13	ANNE P. ROONEY
031868	206.32	04/09/13	ARAMARK UNIFORM SERVICE
031869	152.00	04/09/13	ASBURY PARK PRESS
031870	498.94	04/09/13	AVAYA FINANCIAL SERVICES
031871	317.85	04/09/13	AVAYA, INC.
031872	104.90	04/09/13	BRADFORD DODSON
031873	150.00	04/09/13	BUILDING SAFETY CONFERENCE OF NEW JERSEY
031874	111.00	04/09/13	CERTIFIED SPEEDOMETER SERVICE
031875	1000.00	04/09/13	CHURCH OF PRECIOUS BLOOD
031876	208.93	04/09/13	COMCAST
031877	315.83	04/09/13	COMCAST
031878	96.95	04/09/13	COMCAST OF MONMOUTH
031879	30.00	04/09/13	CONTROL PERSONS ASSOC MONMOUTH/OCEAN
031880	38286.85	04/09/13	COUNTY OF MONMOUTH FINANCE DEPARTMENT
031881	1282.00	04/09/13	CUSTOM TIRE ASSOCIATES
031882	265.96	04/09/13	DELL MARKETING L.P.
031883	8823.00	04/09/13	DENNIS A. COLLINS ESQ.
031884	166.25	04/09/13	DREW WINANS
031885	138.42	04/09/13	DREW WINANS, MBPD CUSTODIAN OF
031886	160.00	04/09/13	DYNAMIC TESTING SERVICE
031887	815.09	04/09/13	ECONO SIGNS LLC.
031888	530.00	04/09/13	ELITE FORMS, INC.
031889	5300.00	04/09/13	FARMHOUSE ELECTRIC
031890	648.32	04/09/13	GALLS, AN ARAMARK COMPANY
031891	880.00	04/09/13	GARDEN STATE HIGHWAY PRODUCTS
031892	2214.57	04/09/13	GEORGE WALL LINCOLN MERCURY
031893	245.00	04/09/13	GLUCKWALRATH LLP
031894	727.76	04/09/13	GRAINGER GOVERNMENT CALL CENTER
031895	104.90	04/09/13	HEATHER E. TYNAN
031896	752.02	04/09/13	HOME DEPOT CREDIT SERVICES
031897	358.76	04/09/13	HOOVER TRUCK CENTERS
031898	6776.45	04/09/13	HORIZON BLUE CROSS BLUE SHIELD OF NJ INC
031899	159.50	04/09/13	INTERNATIONAL CODE COUNCIL
031900	180.00	04/09/13	JACKIE RAE TAYLOR
031901	156.01	04/09/13	JEFFREY GODWIN
031902	8728.55	04/09/13	JERSEY CENTRAL POWER & LIGHT
031903	104.90	04/09/13	JOSEPH MASICA
031904	119.45	04/09/13	KEPWELL SPRING WATER CO., INC.
031905	4568.51	04/09/13	LAWES COAL COMPANY, INC.
031906	300.00	04/09/13	LISA NORMAN
031907	380.00	04/09/13	M. SCHWARTZ & SONS, INC.
031908	612.10	04/09/13	MEMPHIS EQUIPMENT CO
031909	360.00	04/09/13	MICHAEL A IRENE, JR. ESQ.
031910	15.00	04/09/13	MONMOUTH COUNTY POLICE ACADEMY
031911	10709.00	04/09/13	MONMOUTH COUNTY REGIONAL HEALTH COMM #1
031912	2000.00	04/09/13	MOTOR CITY REVUE
031913	136.00	04/09/13	MR. JOHN INC.
031914	1047.05	04/09/13	NAPA AUTO PARTS
031915	3851.66	04/09/13	NEW JERSEY AMERICAN WATER CO.
031916	270.00	04/09/13	NEW JERSEY CONFERENCE OF MAYORS
031917	142.50	04/09/13	NEW JERSEY EMERGENCY VEHICLES
031918	1757.88	04/09/13	NEW JERSEY NATURAL GAS CO.
031919	104.90	04/09/13	PATRICIA KELLER
031920	104.90	04/09/13	PAULA MURRAY
031921	86095.94	04/09/13	PRECISE CONSTRUCTION
031922	9584.77	04/09/13	PRESCRIPTION CORPORATION OF AMERICA
031923	300.00	04/09/13	REALTY APPRAISAL CO.
031924	299.13	04/09/13	RED THE UNIFORM TAILOR
031925	105.00	04/09/13	RELIABLE WOOD PRODUCTS, LLC
031926	4107.91	04/09/13	RYDIN DECAL
031927	90.50	04/09/13	SEABOARD FIRE & SAFETY EQUIPMENT CO.
031928	51.89	04/09/13	SIRCHIE FINGERPRINT LABORATORIES, INC
031929	1881.50	04/09/13	SNAP ON EQUIPMENT
031930	1129.14	04/09/13	SPECTROTEL
031931	669.08	04/09/13	STAPLES BUSINESS ADVANTAGE
031932	1725.59	04/09/13	STAPLES CREDIT PLAN
031933	104.16	04/09/13	SUSAN HOWARD
031934	104.90	04/09/13	SUSAN JASIO KOCH
031935	78406.58	04/09/13	T & M ASSOCIATES
031936	2769.00	04/09/13	TAYLOR FENCE CO.,INC.
031937	450.00	04/09/13	TAYLOR'S RECOVERY TOWING
031938	48.49	04/09/13	THE HOLLANDER COMPANY
031939	228.50	04/09/13	THE LINK NEWS
031940	3795.47	04/09/13	TRICO CREDIT CORP.
031941	205.77	04/09/13	TRUIS, INC
031942	187.00	04/09/13	UNITED COMPUTER SALES & SERVICE INC
031943	1390.67	04/09/13	US BANK CUST FOR CCTS CAPITAL LLC
031944	7141.85	04/09/13	USDA - APHIS
031945	101.99	04/09/13	V. E. RALPH
031946	35.03	04/09/13	VERIZON COMMUNICATIONS
031947	930.67	04/09/13	VERIZON WIRELESS
031948	298.41	04/09/13	VERMEER NORTH ATLANTIC
031949	1065.82	04/09/13	W. E. TIMMERMAN CO., INC.
031950	530.00	04/09/13	WITMER PUBLIC SAFETY GROUP,INC.
031951	3915.87	04/09/13	WRIGHT EXPRESS FSC
031953 M	75.00	04/09/13	DREW WINANS
031954 M	81.01	04/09/13	JEFFREY GODWIN

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

Before taking official action on the Consent Agenda items, Mayor Howard pointed out that there were five resolutions listed on the agenda that would grant construction variances to homeowners who were requesting relief from having to build their homes using V-Zone construction techniques. She informed all the applicants of the possible risks they faced down the road. Mayor Howard said that a major concern was the possibility that they would have to pay more for their flood insurance in the future.

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

**A RESOLUTION GRANTING A VARIANCE TO LOT 77.01 BLOCK 45
(2 WOOLLEY STREET) FROM THE
STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS
IN THE BOROUGH OF MONMOUTH BEACH
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, the Borough of Monmouth Beach participates in the National Flood Insurance Program; and

WHEREAS, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

WHEREAS, the owner of the residence located on Lot 77.01 Block 45 and more commonly known as 2 Woolley Court seeks the following relief:

1. **Relief from the requirement that Coastal A Zone properties employ V-Zone construction standards; and**

WHEREAS, the property owner has represented that it will comply with the standards applicable to A Zones; and

WHEREAS, the Borough recognizes that the use of V-Zone construction standards in a Coastal A zone is not a mandatory requirement under federal guidelines and remains a recommendation to local government entities; and

WHEREAS, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

WHEREAS, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen not to mandate V-Zone construction techniques in a Coastal AE or Coastal A zone; and

WHEREAS, the Borough accepts the owner's representation that strict enforcement will result in undue hardship:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Monmouth Beach, that a variance be granted to Lot 77.01 Block 45 and more commonly known as 2 Woolley Court, from the strict application of Floodplain Construction Standards in particular as follows:

1. The owner shall not be required to construct in accordance with V-Zone standards for the proposal that will raise the structure as more fully outlined in the owner's submission; and
2. A Zone construction techniques shall be utilized; and
3. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and
4. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

BE IT FURTHER RESOLVED, that the Owner is hereby put on notice that this relief may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

BE IT FURTHER RESOLVED that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

**A RESOLUTION GRANTING A VARIANCE TO LOT 14.01 BLOCK 45.01
(16 ROBBINS STREET) FROM THE
STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS
IN THE BOROUGH OF MONMOUTH BEACH
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, the Borough of Monmouth Beach participates in the National Flood Insurance Program; and

WHEREAS, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

WHEREAS, the owner of the residence located on Lot 14.01 Block 45.01 and more commonly known as 16 Robbins Street seeks the following relief:

2. **Relief from the requirement that Coastal A Zone properties employ V-Zone construction standards; and**

WHEREAS, the property owner has represented that it will comply with the standards applicable to A Zones; and

WHEREAS, the Borough recognizes that the use of V-Zone construction standards in a Coastal A zone is not a mandatory requirement under federal guidelines and remains a recommendation to local government entities; and

WHEREAS, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

WHEREAS, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen not to mandate V-Zone construction techniques in a Coastal AE or Coastal A zone; and

WHEREAS, the Borough accepts the owner's representation that strict enforcement will result in undue hardship:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Monmouth Beach, that a variance be granted to Lot 14.01 Block 45.01, also known as 16 Robbins Street, from the strict application of Floodplain Construction Standards in particular as follows:

5. The owner shall not be required to construct in accordance with V-Zone standards for the proposal that will raise the structure as more fully outlined in the owner's submission; and
6. A Zone construction techniques shall be utilized; and
7. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and
8. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

BE IT FURTHER RESOLVED, that the Owner is hereby put on notice that this relief may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

BE IT FURTHER RESOLVED that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

**A RESOLUTION GRANTING A VARIANCE TO LOT 7.12 BLOCK 43
(29 MANN COURT) FROM THE
STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS
IN THE BOROUGH OF MONMOUTH BEACH
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, the Borough of Monmouth Beach participates in the National Flood Insurance Program; and

WHEREAS, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

WHEREAS, the owner of the residence located on Lot 7.12 Block 43 and more commonly known as 29 Mann Court seeks the following relief:

3. Relief from the requirement that Coastal A Zone properties employ V-Zone construction standards; and

WHEREAS, the property owner has represented that it will comply with the standards applicable to A Zones; and

WHEREAS, the Borough recognizes that the use of V-Zone construction standards in a Coastal A zone is not a mandatory requirement under federal guidelines and remains a recommendation to local government entities; and

WHEREAS, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

WHEREAS, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen not to mandate V-Zone construction techniques in a Coastal AE or Coastal A zone; and

WHEREAS, the Borough accepts the owner's representation that strict enforcement will result in undue hardship:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Monmouth Beach that a variance be granted to Lot 7.12 Block 43 and more commonly known as 29 Mann Court, from the strict application of Floodplain Construction Standards in particular as follows:

9. The owner shall not be required to construct in accordance with V-Zone standards for the proposal that will raise the structure as more fully outlined in the owner's submission; and
10. A Zone construction techniques shall be utilized; and
11. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and
12. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

BE IT FURTHER RESOLVED, that the Owner is hereby put on notice that this relief may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

BE IT FURTHER RESOLVED that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

**A RESOLUTION GRANTING A VARIANCE TO LOT 1.03 BLOCK 44
(32A RIVERDALE AVENUE) FROM THE
STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS
IN THE BOROUGH OF MONMOUTH BEACH
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, the Borough of Monmouth Beach participates in the National Flood Insurance Program; and

WHEREAS, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

WHEREAS, the owner of the residence located on Lot 1.03 Block 44 and more commonly known as 32A Riverdale Avenue seeks the following relief:

4. Relief from the requirement that Coastal A Zone properties employ V-Zone construction standards; and

WHEREAS, the property owner has represented that it will comply with the standards applicable to A Zones; and

WHEREAS, the Borough recognizes that the use of V-Zone construction standards in a Coastal A zone is not a mandatory requirement under federal guidelines and remains a recommendation to local government entities; and

WHEREAS, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

WHEREAS, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen not to mandate V-Zone construction techniques in a Coastal AE or Coastal A zone; and

WHEREAS, the Borough accepts the owner's representation that strict enforcement will result in undue hardship;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Monmouth Beach that a variance be granted to Lot 1.03 Block 44 and more commonly known as 32A Riverdale, from the strict application of Floodplain Construction Standards in particular as follows:

13. The owner shall not be required to construct in accordance with V-Zone standards for the proposal that will raise the structure as more fully outlined in the owner's submission; and

14. A Zone construction techniques shall be utilized; and

15. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and

16. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

BE IT FURTHER RESOLVED, that the Owner is hereby put on notice that this relief may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

BE IT FURTHER RESOLVED that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

**A RESOLUTION GRANTING A VARIANCE TO LOT 11.01 BLOCK 31.03
(37 COLUMBUS DRIVE) FROM THE
STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS
IN THE BOROUGH OF MONMOUTH BEACH
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

WHEREAS, the Borough of Monmouth Beach participates in the National Flood Insurance Program; and

WHEREAS, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

WHEREAS, the owner of the residence located on Lot 11.01 Block 31.03 and more commonly known as 37 Columbus Drive seeks the following relief:

5. Relief from the requirement that Coastal A Zone properties employ V-Zone construction standards; and

WHEREAS, the property owner has represented that it will comply with the standards applicable to A Zones; and

WHEREAS, the Borough recognizes that the use of V-Zone construction standards in a Coastal A zone is not a mandatory requirement under federal guidelines and remains a recommendation to local government entities; and

WHEREAS, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

WHEREAS, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen not to mandate V-Zone construction techniques in a Coastal AE or Coastal A zone; and

WHEREAS, the Borough accepts the owner's representation that strict enforcement will result in undue hardship:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Monmouth Beach, that a variance be granted to Lot 11.01 Block 31.03 and more commonly known as 37 Columbus Drive, from the strict application of Floodplain Construction Standards in particular as follows:

17. The owner shall not be required to construct in accordance with V-Zone standards for the proposal that will raise the structure as more fully outlined in the owner's submission; and
18. A Zone construction techniques shall be utilized; and
19. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and
20. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

BE IT FURTHER RESOLVED, that the Owner is hereby put on notice that this relief may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

BE IT FURTHER RESOLVED that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE MONMOTUH COUNTY MOSQUITO EXTERMINATION COMMISSION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach, in the County of Monmouth, State of New Jersey, a municipal corporation, does hereby authorize the Monmouth County Mosquito Extermination Commission to apply pesticides from aircraft to control mosquito over portions of the Borough of Monmouth Beach; and

BE IT FURTHER RESOLVED that this approval is subject to the Monmouth County Mosquito Commission notifying the local police department prior to each and every application; and

BE IT FINALLY RESOLVED that the Mayor and Municipal Clerk be and are hereby authorized to execute an agreement with the Monmouth County Mosquito Extermination Commission for pesticide application for the Borough of Monmouth Beach for the year 2013.

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 8, 2013, 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

WHEREAS, proposals were solicited by T&M Associates, Borough Engineers, on behalf of the Borough of Monmouth Beach for a project entitled:

MONMOUTH PARKWAY PAVING – DRAINAGE IMPROVEMENTS; and

WHEREAS, the Governing Body has reviewed the recommendation made by the Borough Engineer on said proposals as set forth in a letter dated April 4, 2013;

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 project entitled:

MONMOUTH PARKWAY PAVING – DRAINAGE IMPROVEMENTS

be awarded to Precise Construction Inc., 1016 Highway 33, Freehold, NJ 07728 in the amount of Thirteen Thousand Five Hundred dollars (\$13,500.00); and

BE IT FURTHER RESOLVED that this award is subject to the review of the Borough Attorney and the Certification of Funds by the Chief Financial Officer; and

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

RESOLUTION

BE IT RESOLVED by the Mayor and Commissioners of the Borough of Monmouth Beach that the following Change Order has been presented for approval for the following project:

Change Order #	Change Order #3
Project	2011 Capital Improvement Program
Contractor	Precise Construction

BE IT FURTHER RESOLVED that this Change Order revises original contract quantities to reflect as built quantities for some items as well as the cost associated with the installation of tree planting pits and does not alter the cost of the project; and

BE IT FURTHER RESOLVED that the Borough Engineers, T&M Associates, in a letter dated April 4, 2013, have recommended that the change order be approved,

NOW, THEREFORE, BE IT FINALLY RESOLVED that Change Order #3 for the 2011 Capital Improvement Project, be and is hereby approved

RESOLUTION

BE IT RESOLVED by the Mayor and Commissioners of the Borough of Monmouth Beach that the following Change Order has been presented for approval for the following project:

Change Order #	Change Order #2
Project	Monmouth Beach Bathing Pavilion Repair and Reconstruction of Deck and Snack Bar Area
Contractor	Altec Building Systems Incorporated

BE IT FURTHER RESOLVED that this Change Order revises original contract quantities to reflect modifications to the timber deck as a result of a conflict with the jetty stone and there will be no increase to the contract amount; and

BE IT FURTHER RESOLVED that the Borough Engineers, T&M Associates, in a letter dated April 4, 2013, have recommended that the change order be approved,

NOW, THEREFORE, BE IT FINALLY RESOLVED that Change Order #2 for the

Repair and Reconstruction of Deck and Snack Bar Area, be and is hereby approved

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that Matthew Cadott, 9 Lampost Court, Howell, NJ, be and is hereby appointed to serve as a Special Police Officer, Class II, for the Borough of Monmouth Beach; and

BE IT RESOLVED that said appointment is for the period of one year and shall be effective as of April 9, 2013; and

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

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that Sean McDonald, 2 Karyn Terrace East, Middletown, NJ, be and is hereby appointed to serve as a Special Police Officer, Class I, for the Borough of Monmouth Beach; and

BE IT RESOLVED that said appointment is for the period of one year and shall be effective as of April 9, 2013; 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 Kyle McCartney, 15 Chestnut Ridge Road, Holmdel, NJ 07733, be and is hereby appointed to serve as a Special Police Officer, Class I, for the Borough of Monmouth Beach; and

BE IT RESOLVED that said appointment is for the period of one year and shall be effective as of April 9, 2013; 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 Brian Cahill, 78 Edgebrook Ct., Tinton Falls, NJ, be and is hereby appointed to serve as a Special Police Officer, Class I, for the Borough of Monmouth Beach; and

BE IT RESOLVED that said appointment is for the period of one year and shall be effective as of April 9, 2013; 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.

BOROUGH OF MONMOUTH BEACH Authorizing An Interlocal Service Agreement with the City of Long Branch

WHEREAS, the Borough of Monmouth Beach is an adjacent municipality to the City of Long Branch with beachfront and beach areas adjacent to each other; and

WHEREAS, in the several years past, the city of Long Branch provides the manpower through the Department of Recreation, and has the necessary equipment to rake the beach as needed at the Monmouth Beach Bathing Pavilion; and

WHEREAS, the Borough of Monmouth Beach wishes to again utilize itself of the services, manpower, and equipment, which the city of Long Branch can provide, provided that same does not adversely affect the maintenance of the City of Long Branch's bathing beaches; and

WHEREAS, the Borough of Monmouth Beach agrees to pay to the City of Long Branch the sum of \$100.00 per hour to cover the labor and equipment costs and all such services rendered by the City of Long Branch to the Borough of Monmouth Beach; and

WHEREAS, the term of this agreement is May, 2013 through the end of the beach season which shall be no later than September 30, 2013; and

WHEREAS, the Board of Commissioners of the Borough of Monmouth Beach believes it is good policy for the residents and taxpayers of the Borough of Monmouth Beach to have an Interlocal Service Agreement for this shared service for the purpose stated herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that the Mayor and Clerk of the Borough of Monmouth Beach be and the same are hereby authorized to execute an Interlocal Services Agreement with the City of Long Branch for Beach Raking Services; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded by the Borough Clerk to the City Clerk of the City of Long Branch.

RESOLUTION R-59 AMENDING TEMPORARY BUDGET FOR 2013

WHEREAS, N.J.S. 40A:4-19 provides that every Municipality must make temporary appropriations during the period January 1 to adoption of the budget sufficient to cover commitments made during the period January 1 to the date of adoption of the 2013 Budget, and

WHEREAS, the 2013 Budget will not be adopted until after April 1st and commitments need to be covered until the date of adoption.

THEREFORE, the total emergency resolutions adopted in the year 2013 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$ 574,793.63.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED that the following list of appropriations shall constitute an amendment to the 2013 Temporary Budget of \$ 574,793.63 for the Borough of Monmouth Beach, Monmouth County, New Jersey.

2013 BUDGET AMENDMENT	2013 TEMPORARY BUDGET
\$ 574,793.63	\$ 2,299,174.51

** On April 5, 2013, bids were received for a project entitled "2013 Beach Access Stair Replacement." The bids received were the following:

<u>Bidder</u>	<u>Proposal</u>
Causeway Construction LLC	\$193,263.00
Shorelands Construction Inc.	\$185,063.00

RESOLUTION

WHEREAS, Two (2) bids were received by Clerk of the Borough of Monmouth Beach on April 5, 2013 at 11:00 am for a project entitled "2013 Beach Access Stair Replacement; and

WHEREAS, Francis W. Mullan, Borough Engineer, of T&M Associates, has reviewed said bids and made a recommendation of award; and

WHEREAS, the Borough Attorney has reviewed said bid and deemed it to be in proper legal form;

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 project entitled "2013 Beach Access Stair Replacement" be awarded to Shorelands Construction Inc., 7 Columbus Drive, Monmouth Beach, NJ 07750, in the amount of One Hundred Eighty Five Thousand Sixty Three Dollars (\$185,063.00); and

BE IT FURTHER RESOLVED that said award is contingent upon the Chief Financial Officer certifying that sufficient funds are available; and

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

**RESOLUTION APPROVING THE CERTIFIED LIST OF LOSAP
QUALIFIED VOLUNTEER FIRST AID SQUAD MEMBERS FOR THE
BOROUGH OF MONMOUTH BEACH FOR THE YEAR 2012**

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 2012; 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 2012; 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.

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XI SECTION 4
TITLED "SEAWALL STAIRCASES" OF THE CODE OF THE BOROUGH OF
MONMOUTH BEACH**

Public hearing, copies were made available to the public.

Commissioner Cunniff moved, seconded by Mayor Howard that the hearing on the ordinance be opened to the public.

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

Mayor Howard said the purpose of this amendment would permit the reconstruction of certain seawall staircases that were destroyed by Superstorm Sandy as long as certain criteria were met.

Steve Adams asked what the timetable was for the reconstruction of the Borough's Public Access Stairways.

Mayor Howard said she was hoping the stairs would be done for Memorial Day weekend.

Teja Anderson asked if the stairs had to be rebuilt to new construction codes.

Dennis Collins, Borough Attorney, said the stairs had been and would be constructed to a State approved design standard and they were required to provide public access.

There being no further questions on the ordinance,

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

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

Commissioner Cunniff moved, seconded by Mayor Howard that the Ordinance be passed and adopted after a second reading and a public hearing.

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

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

**AN ORDINANCE OF THE BOROUGH OF MONMOUTH BEACH
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AMENDING CHAPTER XI ENTITLED "BEACHES, DUNES, PAVILION AND
WATERWAYS" SECTION 11-2.2 ENTITLED "FACILITY FEES, BEACH RATES AND
BATHHOUSE CHARGES"**

Public hearing, copies were made available to the public.

Commissioner Cunniff moved, seconded by Mayor Howard that the hearing on the ordinance be opened to the public.

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

Mayor Howard said the purpose of this amendment was to provide free beach and pool badges to the volunteers who served our community. She noted that last year the town provided free beach badges but this year they would be beach and pool badges.

David Stickle, Fire Chief, asked the Mayor what criteria were used to designate the volunteers.

Mayor Howard said that all active members of the Fire and First Aid Squads would be entitled to free badges and that she wanted to recognize all of the various volunteer boards and organizations whose contributions were so vital to the town. Mayor Howard said she would reach out to the organizations to obtain a list of their active members.

There being no further questions on the ordinance,

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

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

Commissioner Cunniff moved, seconded by Mayor Howard that the Ordinance be passed and adopted after a second reading and a public hearing.

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

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.

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

Janet Brown, 14 Griffin St., said that her house had to be raised and she asked if there was any way to rush the process of getting a permit. She said that her contractor had told her that the town had everything they needed but that the Zoning Officer said they needed to provide a survey, which the contractor said was in the file.

Mayor Howard said she would look into the matter.

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-, Absent -1-.

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-, Absent -1-.

Mayor Howard

Commissioner Cunniff

ATTEST:

Joyce L. Escalante, RMC
Borough Clerk
April 9, 2013