

Office of the Board of Commissioners
Borough of Monmouth Beach
April 22, 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 published in the Asbury Park Press and The Link News on February 28, 2014. 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 Statute.

Pledge of Allegiance

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

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

Commissioner Cunniff moved, seconded by Commissioner McBride that the reading of the minutes of the previous meetings held on February 11, February 25, March 11 and March 25, 2014 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 -3-, Nay -0-.

Commissioner Cunniff moved, seconded by Commissioner McBride that bills totaling \$430,393.35 and having 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 McBride moved, seconded by Commissioner Cunniff that the following Consent Agenda items be passed and adopted:

RESOLUTION

**Resolution Appointing Realty Appraisal Company
for Appraisal Services in 2014 State Tax Court Appeals**

WHEREAS, a proposal was submitted to Timothy Anfuso, Tax Assessor dated April 1, 2014 by Realty Appraisal Company for appraisal services in connection with the defense of 2014 State Tax Court Appeals; and

WHEREAS, a memorandum dated April 8, 2014 was received from Timothy Anfuso, Tax Assessor, requesting the Mayor and Commissioners accept Realty Appraisal Company's proposal for professional services as follows:

Residential Properties:	\$100 per hour, not to exceed \$1,200 for any single property.
Commercial Properties:	\$100 per hour, not to exceed \$5,000.00 for any single property

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Monmouth Beach that the proposal received from Realty Appraisal Company to defend the year 2014 State Tax Court Appeals is hereby accepted.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "professional service contract" in accordance with NJSA 40:11-1 et. seq. of the Local Public Contracts Law.

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the official newspaper of the Borough of Monmouth Beach.

RESOLUTION

WHEREAS, the Borough of Monmouth Beach is a member of the Monmouth Municipal Joint Insurance Fund and the Municipal Excess Liability Fund and as such, has adopted the MEL's employment practices risk control program; and

WHEREAS, to be eligible for premium and deductible incentives, these programs must be updated every two years;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that the Personnel Policy and Procedures Manual and the Employee Handbook for the Borough of Monmouth Beach are hereby updated and re-adopted as required to comply with our Municipal Excess Liability Insurance carrier requirements; and

BE IT FURTHER RESOLVED that the Borough Clerk shall distribute copies of the Personnel Policy and Procedures Manual to the Borough Attorney, Borough Administrator and all Department Heads; and

BE IT FURTHER RESOLVED that the Borough Clerk shall distribute copies of the Employee Manual to all current employees of the Borough of Monmouth Beach.

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that Dematario Zarate be and is hereby appointed to serve as the Certified Recycling Coordinator for the Borough of Monmouth Beach for calendar year 2014.

RESOLUTION

WHEREAS, proposals were solicited by the Borough of Monmouth Beach for a project entitled:

THE PREPARATION OF A STRATEGIC RECOVERY PLANNING REPORT FOR THE BOROUGH OF MONMOUTH BEACH, MONMOUTH COUNTY, NJ; and

WHEREAS, the following two proposals were submitted to the Borough Clerk on April 17, 2014; and

Bidder	Proposal
T and M Associates	\$18,900.00
SSC Engineering, LLC	\$23,556.00

WHEREAS, the Board of Commissioners of the Borough of Monmouth Beach have reviewed the proposals;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach, County of Monmouth and State of New Jersey that the contract for the project entitled:

THE PREPARATION OF A STRATEGIC RECOVERY PLANNING REPORT FOR THE BOROUGH OF MONMOUTH BEACH, MONMOUTH COUNTY, NJ

be awarded to T and M Associates, 11 Tindall Road, Middletown, NJ, 07748 in the amount of Eighteen Thousand Nine Hundred Dollars (\$18,900.00); 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.

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, 2014 through the end of the beach season which shall be no later than September 30, 2014; 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

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

**MONMOUTH BEACH BATHING PAVILION- SNACK BAR KITCHEN
HOOD INSTALLATION; and**

WHEREAS, the Board of Commissioners of the Borough of Monmouth Beach have reviewed the recommendation made by the Borough Engineer on said proposals as set forth in a letter dated April 21, 2014;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach, County of Monmouth and State of New Jersey that the contract for the project entitled:

**MONMOUTH BEACH BATHING PAVILION- SNACK BAR KITCHEN
HOOD INSTALLATION**

be awarded to Franklen Sheet Metal Co., Inc., Ocean Grove, NJ, in the amount of Ten Thousand Seven Hundred Seventy Five Dollars (\$10,775.00); and

BE IT FURTHER RESOLVED that this award is subject to the review and approval 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

- 2014-
AMENDING TEMPORARY BUDGET FOR 2014

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 2014 Budget, and

WHEREAS, the 2014 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 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$ 575,000.00.

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED that the following list of appropriations shall constitute an amendment to the 2014 Temporary Budget of \$ 575,000.00 for the Borough of Monmouth Beach, Monmouth County, New Jersey.

2014 BUDGET AMENDMENT	2014 TEMPORARY BUDGET
\$ 575,000.00	\$ 2,300,000.00

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

End of Consent Agenda

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

AN ORDINANCE AUTHORIZING THE GUARANTY BY THE BOROUGH OF MONMOUTH BEACH, NEW JERSEY OF PAYMENT OF PRINCIPAL OF AND INTEREST ON THE REVENUE BONDS, SERIES 2014 (MONMOUTH BEACH FIRST AID/FIRE COMPANY PROJECT) OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$900,000.

Commissioner McBride moved, seconded by Commissioner Cunniff 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 May 27, 2014.

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

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

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 ORDINANCES OF THE BOROUGH OF MONMOUTH BEACH.

Commissioner Cunniff moved, seconded by Commissioner McBride 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: Ayes -3-, Nays -0-.

Bonnie Crotty, Cook Street, asked what the thinking was behind this Ordinance.

Mayor Howard said that since parking had been restricted on Beach Road, people were now parking on the top of River Avenue, creating an unsafe situation.

Commissioner Cunniff noted that residents of River Avenue had come to the meeting last month to object to this Ordinance in the form in which it was initially introduced. He said the Ordinance had been modified and re-introduced to provide for no parking on the East side of River Avenue only on weekends and holidays.

There being no further comments or questions on the Ordinance,

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

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 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 -3-, Nay -0-.

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

Attorney's Report: Mr. Collins said he had one matter for discussion during executive session.

Commissioner Cunniff moved, seconded by Commissioner McBride 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-.

Bonnie Crotty, Cook Street, asked if there would be a canopy at the Bathing Pavilion this summer.

Mayor Howard said that there would be a roof on the pergola in time for this summer.

Mayor Howard introduced Mr. Markey, of JCP&L.

Mr. Markey spoke briefly about some improvements that JCP&L has made and future projects and upgrades that would be moving forward in the next few years. He said the upgrades would bring more reliability to coastal areas.

Mayor Howard asked Mr. Markey about the status of the transformer on Seaview Avenue.

Mr. Markey said the transformer would be removed by June 1.

Mayor Howard thanked Mr. Markey for attending the meeting.

There being no further business,

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

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

Mr. Collins said the Commissioners would enter into executive session at this time.

Mayor Howard moved the following Resolution which was seconded by Commissioner Cunniff:

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: Pending or Anticipated Litigation and/or contract negotiations in which the public body is or may be a party:
Contract Negotiations

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:

Contract Negotiations

Executive Session Convened.

At the conclusion,

Commissioner Cunniff moved, seconded by Commissioner McBride that the Executive Session be adjourned and the regular meeting re-convened.

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

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-, Nay -0-.

Mayor Howard

Commissioner Cunniff

Commissioner McBride

ATTEST:

Joyce L. Escalante, RMC
Borough Clerk
April 22, 2014