

Office of the Board of Commissioners
Borough of Monmouth Beach
June 11, 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 McBride
Absent – Commissioner Cunniff

Commissioner McBride moved, seconded by Commissioner Cunniff that the reading of the minutes of the previous meetings held on March 12, March 22, April 9 and April 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-.

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

032569 M	2600.00	05/22/13	ANYHONY MELONE T/A ANTHONY'S ELECTRIC
032610 M	1159.00	05/22/13	GREENLINES
032611 M	199.72	05/30/13	AMANDA STUMP, MBBP PETTY CASH CUSTODIAN
032717	3379.00	06/11/13	1800WHEELCHAIR
032718	1134.69	06/11/13	A.R. COMMUNICATIONS
032719	424.05	06/11/13	ABC FIRE & SAFETY INCORPORATED
032720	325885.28	06/11/13	ALTEC BUILDING SYSTEMS
032721	1100.00	06/11/13	ANN JOHNSON
032722	104.90	06/11/13	ANNE P. ROONEY
032723	280.00	06/11/13	ANTHONY VILLANE
032724	271.00	06/11/13	ASBURY PARK PRESS
032725	210.00	06/11/13	ASSOC OF STATE FLOODPLAIN MANAGERS. INC.
032726	13598.38	06/11/13	ATLANTIC PLUMBING SUPPLY CORP.
032727	249.47	06/11/13	AVAYA FINANCIAL SERVICES
032728	48.88	06/11/13	BARBARA MAGUIRE
032729	30.00	06/11/13	BONNIE CROTTY
032730	104.90	06/11/13	BRADFORD DODSON
032731	50.00	06/11/13	BRITT SLOAN
032732	243.60	06/11/13	BUILDERS GENERAL
032733	175.00	06/11/13	BULLET LOCK & SAFE CO., INC.
032734	801.72	06/11/13	CENTURY SPORTS, INC.
032735	400.00	06/11/13	CHURCH OF PRECIOUS BLOOD
032736	122.83	06/11/13	COMCAST
032737	209.90	06/11/13	COMCAST
032738	99.90	06/11/13	COMCAST
032739	99.90	06/11/13	COMCAST OF MONMOUTH
032740	30.00	06/11/13	CONSTANCE GRYZKA
032741	18502.85	06/11/13	COUNTY OF MONMOUTH FINANCE DEPARTMENT
032742	7503.50	06/11/13	DENNIS A. COLLINS ESQ.
032743	190.00	06/11/13	DONNA FERNANDZ
032744	155.00	06/11/13	DRAGER
032745	64.19	06/11/13	DREW WINANS
032746	184.89	06/11/13	DREW WINANS, MBPD CUSTODIAN OF
032747	205.00	06/11/13	DYNAMIC TESTING SERVICE
032748	340.00	06/11/13	ELITE FORMS, INC.
032749	2560.00	06/11/13	FANTASTIC SIGNS - OAKLEY ENTERPRISES,INC
032750	10750.00	06/11/13	FARMHOUSE ELECTRIC
032751	23692.42	06/11/13	FNA JERSEY LIEN SERVICES, LLC
032752	615.00	06/11/13	FOGGIA FLORIST & GREENHOUSES
032753	25.00	06/11/13	FRED ROSEN
032754	103.68	06/11/13	GALL'S, INC.
032755	142.00	06/11/13	GALLS, AN ARAMARK COMPANY
032756	1524.80	06/11/13	GATES COMPANY
032757	668.55	06/11/13	GEMPLER'S
032758	2243.41	06/11/13	GEORGE WALL LINCOLN MERCURY
032759	348.55	06/11/13	GRAINGER GOVERNMENT CALL CENTER
032760	104.90	06/11/13	HEATHER E. TYNAN
032761	1950.00	06/11/13	HERITAGE TOWER INC
032762	1345.29	06/11/13	HOME DEPOT CREDIT SERVICES
032763	789.58	06/11/13	HOOVER TRUCK CENTERS
032764	663.29	06/11/13	JACKI VAN WAGNER
032765	300.00	06/11/13	JACKI VAN WAGNER

032766	4034.85	06/11/13	JERSEY CENTRAL POWER & LIGHT
032767	50.00	06/11/13	JOANN FERNICOLA
032768	104.90	06/11/13	JOSEPH MASICA
032769	21612.25	06/11/13	JPR MAINTENANCE, INC
032770	4179.78	06/11/13	KANSAS STATE BANK GOV FINANCE DEPT
032771	30.00	06/11/13	KATHERINE R. PARISI
032772	283.70	06/11/13	KEPWELL SPRING WATER CO., INC.
032773	200.00	06/11/13	LACK'S OUTDOOR FURNITURE
032774	74.85	06/11/13	LANIGAN ASSOCIATES, INC.
032775	2033.83	06/11/13	LAWES COAL COMPANY, INC.
032776	625.00	06/11/13	LISA NORMAN
032777	3191.65	06/11/13	M.H.E. INC.
032778	10604.00	06/11/13	MARINE RESCUE PRODUCTS
032779	23.46	06/11/13	MARY KAY WEDEL
032780	650.00	06/11/13	MARY O'GRADY
032781	1231.32	06/11/13	MEDCO SPORTS MEDICINE SUPPLIES
032782	217.00	06/11/13	MGL PRINTING SOLUTIONS
032783	1025.00	06/11/13	MICHAEL A IRENE, JR. ESQ.
032784	370.00	06/11/13	MINDY BRADY
032785	3650.32	06/11/13	MON COUNTY TREASURER/SUP OF ELECTIONS
032786	5400.00	06/11/13	MONMOUTH BEACH SHADE TREE COMMISSION
032787	150.00	06/11/13	MONMOUTH COUNTY POLICE ACADEMY
032788	750.00	06/11/13	MONTEFORTE ARCHITECTURAL STUDIO, LLC
032789	221.00	06/11/13	MR. JOHN INC.
032790	60.00	06/11/13	MUN ELECTRICAL INSPECTOR'S ASSOC OF N.J.
032791	240.00	06/11/13	NATIONAL ENTERTAINMENT TECH.
032792	3451.82	06/11/13	NEW JERSEY AMERICAN WATER CO.
032793	16780.85	06/11/13	NEW JERSEY EMERGENCY VEHICLES
032794	80.00	06/11/13	NEW JERSEY LEAGUE OF MUNICIPALITIES
032795	638.30	06/11/13	NEW JERSEY NATURAL GAS CO.
032796	130.00	06/11/13	NEW JERSEY STATE LEAGUE MUNICIPALITIES
032797	12.00	06/11/13	NJ DIV OF ALCOHOLIC BEVERAGE CONTROL
032798	6122.11	06/11/13	NJ UNEMPLOYMENT COMPENSATION FUND
032799	30.00	06/11/13	PATRICIA DELO
032800	104.90	06/11/13	PATRICIA KELLER
032801	104.90	06/11/13	PAULA MURRAY
032802	2148.00	06/11/13	PENGUIN COMMUNICATIONS LLC
032803	276.25	06/11/13	PERRY'S TROPHY CO., INC.
032804	15981.21	06/11/13	PICNICTABLES
032805	8726.99	06/11/13	PRESCRIPTION CORPORATION OF AMERICA
032806	175.00	06/11/13	RAY SMITH
032807	124.60	06/11/13	RED THE UNIFORM TAILOR
032808	4600.00	06/11/13	RICHARD DE BARTOLIS
032809	30.00	06/11/13	ROSELYN KASOF
032810	2633.69	06/11/13	SAFRAN MORPHO TRAK
032811	2907.51	06/11/13	SCOLES FLOORSHINE IND.
032812	1125.00	06/11/13	SCOTT'S ULTRA GREEN
032813	125752.72	06/11/13	SHORELANDS CONSTRUCTION, INC
032814	50.89	06/11/13	SIRCHIE FINGERPRINT LABORATORIES, INC
032815	1170.50	06/11/13	SPECTROTEL
032816	476.85	06/11/13	STAPLES CREDIT PLAN
032817	170.00	06/11/13	STELLA NEUWIRTH
032818	104.90	06/11/13	SUSAN JASIO KOCH
032819	30.00	06/11/13	SUSAN MCDONALD
032820	56910.66	06/11/13	T & M ASSOCIATES
032821	86.48	06/11/13	TALCO BUSINESS SYSTEMS
032822	83.69	06/11/13	THE HOLLANDER COMPANY
032823	177.10	06/11/13	THE LINK NEWS
032824	67.50	06/11/13	UNITED COMPUTER SALES & SERVICE INC
032825	2992.40	06/11/13	WRIGHT EXPRESS FSC

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

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

RESOLUTION

WHEREAS, in accordance with N.J.A.C. 13 and N.J.S.A. 33, the following application for renewal of a liquor license and fees have been received by the Municipal Clerk for

THE CHANNEL CLUB CATERERS, INC. PLENARY RETAIL CONSUMPTION LICENSE #1333-33-003-010

WHEREAS, the Clerk has also received a 'Clearance Certificate' from the State of New Jersey Division of Taxation, in accordance with Chapter 161, Laws of New Jersey, 1995; and

WHEREAS, the Liquor License Renewal Application of the aforesaid has been hereby approved by the Monmouth Beach Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that the above listed liquor license shall be renewed for one year, effective

July 1, 2013, and shall be subject to comply with the provisions of the Borough of Monmouth Beach Code.

RESOLUTION

WHEREAS, in accordance with N.J.A.C. 13 and N.J.S.A. 33, the following application for renewal of a liquor license and fees have been received by the Municipal Clerk for:

MD RETAIL CORP PLENARY RETAIL DISTRIBUTION LICENSE #1333-44-002-010

WHEREAS, the Clerk has also received a 'Clearance Certificate' from the State of New Jersey Division of Taxation, in accordance with Chapter 161, Laws of New Jersey, 1995; and

WHEREAS, the Liquor License Renewal Application of the aforesaid has been hereby approved by the Monmouth Beach Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that the above listed liquor license shall be renewed for one year, effective July 1, 2013, and shall be subject to comply with the provisions of the Borough of Monmouth Beach Code.

RESOLUTION

WHEREAS, in accordance with N.J.A.C. 13 and N.J.S.A. 33, the following application for renewal of a liquor license and fees have been received by the Municipal Clerk for

MONMOUTH BEACH BATH & TENNIS CLUB CLUB LICENSE #1333-31-005-001

WHEREAS, the Clerk has also received a 'Clearance Certificate' from the State of New Jersey Division of Taxation, in accordance with Chapter 161, Laws of New Jersey, 1995; and

WHEREAS, the Liquor License Renewal Application of the aforesaid has been hereby approved by the Monmouth Beach Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that the above listed liquor license shall be renewed for one year, effective July 1, 2013, and shall be subject to comply with the provisions of the Borough of Monmouth Beach Code.

RESOLUTION

WHEREAS, in accordance with N.J.A.C. 13 and N.J.S.A. 33, the following application for renewal of a liquor license and fees have been received by the Municipal Clerk for

BOYLE'S TAVERN INC. PLENARY RETAIL CONSUMPTION LICENSE #1333-33-001-004

WHEREAS, the Clerk has also received a 'Clearance Certificate' from the State of New Jersey Division of Taxation, in accordance with Chapter 161, Laws of New Jersey, 1995; and

WHEREAS, the Liquor License Renewal Application of the aforesaid has been hereby approved by the Monmouth Beach Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that the above listed liquor license shall be renewed for one year, effective July 1, 2013, and shall be subject to comply with the provisions of the Borough of Monmouth Beach Code.

**A RESOLUTION GRANTING A VARIANCE TO LOT 3 BLOCK 42.01
(6 LORI ROAD) 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 3 Block 42.01 and more commonly known as 6 Lori Road 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 3 Block 42.01, more commonly known as 6 Lori Road, 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 7 BLOCK 42.01
(14 LORI ROAD) 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 Block 42.01 and more commonly known as 14 Lori Road 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 7 Block 42.01, more commonly known as 14 Lori Road, 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 38 BLOCK 2
(8 SUNSET LANE) 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 38 Block 2 and more commonly known as 8 Sunset Lane 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 38 Block 2, more commonly known as 8 Sunset Lane, 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 BLOCK 18.01
(51 RIVER 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 Block 18.01 and more commonly known as 51 River 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 Block 18.01, also known as 51 River Avenue, 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 13 BLOCK 44.02
(17 GRIFFIN 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 13 Block 44.02 and more commonly known as 17 Griffin Street 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 he 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 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 13 Block 44.02, also known as 17 Griffin Street, 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

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 #5
Project	Monmouth Beach Bathing Pavilion Repair and Reconstruction of Deck and Snack Bar Area
Contractor	Altec Building Systems Incorporated
Amount	\$45,506.00

BE IT FURTHER RESOLVED that this Change Order increases the contract amount by \$45,506.00 to reflect the costs associated with the additional carpentry work required for code compliance including but not limited to additional panic bar hardware, additional dense glass and secondary handrails; and

BE IT FURTHER RESOLVED that the Borough Engineers, T&M Associates, in a letter dated May 24, 2013, have recommended that the change order be approved,

NOW, THEREFORE, BE IT FINALLY RESOLVED that Change Order #5 for the Repair and Reconstruction of Deck and Snack Bar Area, 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 #6
Project	Monmouth Beach Bathing Pavilion Repair and Reconstruction of Deck and Snack Bar Area
Contractor	Altec Building Systems Incorporated
Amount	\$22,099.00

BE IT FURTHER RESOLVED that this Change Order increases the contract amount by \$22,099.00 to include electrical work associated with additional lights, exit light and receptacles that were not part of the original contract and the replacement of the existing Romex to PVC Coated UF; and

BE IT FURTHER RESOLVED that the Borough Engineers, T&M Associates, in a letter dated May 24, 2013, have recommended that the change order be approved,

NOW, THEREFORE, BE IT FINALLY RESOLVED that Change Order #6 for the Repair and Reconstruction of Deck and Snack Bar Area, be and is hereby approved.

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 Pavilion-Wooden Retaining Wall Installation; and

WHEREAS, the Governing Body has reviewed the recommendation made by the Borough Engineer on said proposals as set forth in a letter dated June 11, 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 Beach Pavilion-Wooden Retaining Wall Installation

be awarded to Causeway Construction LLC, 1316 East Bay Avenue, Manahawkin, NJ 08050 in the amount of Fifteen Thousand Three Hundred Sixty Five Dollars (\$15,365.00); 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.

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

End of Consent Agenda

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 McBride moved, seconded by Mayor Howard that the Ordinance be passed on title only and that the Clerk advertise the Ordinance for a public to be held on July 9, 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:

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2013

Commissioner McBride moved, seconded by Mayor Howard that the Ordinance be passed on title only and that the Clerk advertise the Ordinance for a public to be held on July 9, 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:

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 McBride 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-.

There being no comments or questions from the audience,

Commissioner McBride 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-.

Commissioner McBride 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-.

Michael Short, 20 River Avenue, commented that he has lived here since 1964 and that the flooding issue on Willow Avenue needs to be addressed. Mr. Short said that he raised his garage (on Willow Ave.) but he has a plank walkway leading from the garage to his house over his flooded back yard.

Mr. Chismar noted that he had spoken with Mr. Short and then had met with Bob Stetz and had passed on the information regarding the flooding on Willow and the effect on Mr. Short's property.

Commissioner McBride said that he and the borough engineers would look at the issue. He noted that recently our area had experienced a high volume of rain in a short amount of time and the drains were overwhelmed.

Mr. Short said that the flooding on Willow Ave. had been a problem long before the police building had been built. He also noted that the drainage plan for the new house that was being built on River Avenue was not working.

Commissioner McBride promised Mr. Short that he would look into both issues.

Tony Maher, Ocean Avenue, asked for an update on the status of cleaning out the rip rap drains in the seawall that Ray Smith, Ocean Avenue, had discussed during the March meeting. He noted that the drains were still clogged with sand, preventing the water from draining when it washed over the seawall. As a result, the water was flooding the Ocean Avenue properties.

Commissioner McBride said he had met with T&M the following week and they have been talking to contractors for ideas on how to fix the problem.

Dennis Collins noted that he had already researched the easements that would be required in order to move the project forward.

David Ciccozzi, 29 Beach Road and landlord of the Kitchen Witch, said that he lives in Toms River but has been a property owner in Monmouth Beach for 11 years. He said that he's made a tremendous effort to clean up his property after the storm but he said he felt like he was treated like a criminal in getting his permits issued. Mr. Ciccozzi said that with the exception of two individuals he had been treated with respect by the building inspector and the girls in the office. He said he has been red stickered, hounded and harassed even though he was able to get his tenants up and running in three months.

Commissioner McBride asked Mr. Ciccozzi who he felt had treated him badly.

Mr. Ciccozzi said it was the fire inspector and the head of the construction department.

Mayor Howard said her message to the Building Department and inspectors has been that it's all about customer service. She explained that the building officials enforce State codes and feel that they answer to the State.

Roberta Jennings, 4 Cook Street, asked if there were any plans to bulkhead the river at Cook Street. She noted they got slammed during the storm.

Commissioner McBride said that he was looking at Cherry Street right now and at the possibility of doing a joint project with Long Branch in that area that would include paving and drainage.

Dave Stickle, Riverdale Avenue, said that he saw a plan for beach replenishment in Borough Hall that included sand dunes. He asked if we were getting sand dunes.

Mayor Howard said we were not getting dunes because we have a seawall, which is considered a hard dune. She said that neither Monmouth Beach nor Sea Bright would be getting sand dunes. Mayor Howard said that we will be planting dune grass again.

Bonnie Crotty, 10 Cook Street, asked if there was a limit to the height that the homes in town were being raised to and if anyone was checking to be sure they were within legal limits.

Mayor Howard said that homes were allowed to be lifted 3' above their ABFE, to a maximum of 38'. She said that only three homeowners had applied to go that high so far. Mayor Howard said that if a home was not being raised it was permitted to be 35' high.

Dennis Collins said that no home should be more than 38', measured from the crown of the road.

Commissioner McBride said that the homeowners were required to submit an as built survey which would verify the height of the structure.

Mr. Short, River Avenue, said that in order to landscape the homes that were being raised, a lot of dirt would have to be brought in. He said the house on Anderson Street is on a mountain.

Dennis Collins said that the Borough has a land disturbance permit and a fill permit in place to regulate the amount of dirt that can be brought in.

Mayor Howard said they had looked at the house on Anderson Street and it should not be a problem. She said that they are keeping a close eye on all the houses that are being raised.

Mr. Short pointed out that the new house near him has a bigger footprint than what was there and it also has a pool and a garage.

Mayor Howard said the borough's lot coverage restrictions were right in line with other communities.

Mr. Short said that cottages were being knocked down and McMansions were being built in their place. He said it's not the same little town any more.

Mr. Ciccozzi said that two trees in front of his property had been damaged in the storm. He asked if he was responsible for them.

Mayor Howard said he was not responsible and that the borough is taking care of it. She noted that one hole had been moved because his tenant did not like the spot.

Mr. Ciccozzi stated that the tenant in question was no longer there. He asked if he could pay to have one more tree put in.

Mayor Howard said she would talk to him about it.

There being no further comments or questions and no further business,

Commissioner McBride 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 McBride 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

Commissioner McBride

ATTEST:

Joyce L. Escalante, RMC
Municipal Clerk
June 11, 2013