

Office of the Board of Commissioners  
Borough of Monmouth Beach  
July 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 transmitted to the Asbury Park Press and The Link News on February 25, 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

Mayor Howard announced that Special Police Officer Edward Junquet was being appointed this evening to serve as a Probationary Police Officer for the Borough.

Mayor Howard introduced Drew Winans, Chief of Police.

Chief Winans spoke briefly on Officer Junquet's history with the Monmouth Beach Police Department, from his appointment as a Special I officer in 2010 to the present time. He said that Officer Junquet would be a fine asset to the Department.

Commissioner Cunniff moved the following Resolution which was seconded by Commissioner McBride:

**RESOLUTION**

**BE IT RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach that Edward Junquet, 24 Scott Drive, Monroe, NJ 08831 be and is hereby appointed to serve as a Probationary Police Officer for the Borough of Monmouth Beach; and

**BE IT FURTHER RESOLVED** that the term of a Probationary Officer is one year;

**NOW, THEREFORE, BE IT RESOLVED** that Edward Junquet shall serve as a Probationary Police Officer for a period of one year, effective July 22, 2014; and

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

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

Mayor Howard administered the Oath of Office to Edward Junquet.

Commissioner Cunniff moved, seconded by Mayor Howard that the reading of the minutes of the previous meeting held on June 16, 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 -2-  
Nay -0-, Abstain -1- (Commissioner McBride).

Commissioner McBride moved, seconded by Mayor Howard that the reading of the minutes of the previous meetings held on June 24 and June 26, 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 -2-  
Nay -0-, Abstain -1- (Commissioner Cunniff).

Commissioner McBride moved, seconded by Mayor Howard that the reading of the minutes of the previous meeting held on June 30, 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-

Commissioner Cunniff moved, seconded by Mayor Howard that bills totaling \$270,304.52 which had 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-

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

**R E S O L U T I O N**  
**EXTENDING THE GRACE PERIOD FOR PAYMENT OF THIRD QUARTER**  
**PROPERTY TAXES**

**BE IT RESOLVED** by the Borough Commissioners of the Borough of Monmouth Beach that upon the recommendation of the Tax Collector, an extension of the grace period for payment of third quarter property taxes is to be granted to the taxpayers of Monmouth Beach until August 22, 2014.

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**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 re-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 July 22, 2014; and

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

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**RESOLUTION**

**BE IT RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach that Kyle Ludwig, 561 Aldrich Road, 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 July 22, 2014; and

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

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**RESOLUTION**

**WHEREAS**, the Borough of Monmouth Beach awarded a contract for Providing Electric Energy Services From A Third Party Electrical Provider to Nextera Energy Services on June 26, 2012, effective June 29, 2012; and

**WHEREAS**, said contract was for a period of two (2) years, to expire June 29, 2014;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough enter into a three (3) month Holdover Period with Nextera Energy Services.

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\*On July 15, 2014, at 10:00 am, the following bids were received for a project entitled “Beach Road Improvements, Phase III:”

Bidder	Total Amount Base Bid	Base Bid + Alternate A-1	Base Bid + Alternate A-1 & A-2	Base Bid + Alternate A-1 & A-2 & A-3
Earle Asphalt	\$239,897.69	\$301,192.08	\$363,171.13	\$403,813.13
Precise Construction, Inc.	\$255,752.60	\$300,082.60	\$332,107.60	\$353,107.60
Black Rock Enterprises, Inc.	\$309,873.60	\$388,373.60	\$438,546.10	\$471,446.10
S. Batata Construction, Inc.	\$320,762.60	\$377,262.60	\$441,312.60	\$483,312.60

## RESOLUTION

**WHEREAS**, Four (4) bids were received by the Municipal Clerk of the Borough of Monmouth Beach on July 15, 2014, at 10:00 am for a project entitled Beach Road Improvements – Phase III; a summary of which is attached; and

**WHEREAS**, the Governing Body has reviewed the recommendation made by the Borough Engineer on said bids as outlined in their letter of recommendation dated July 21, 2014;

**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 Beach Road Improvements - Phase III project be awarded to Precise Construction, 1016 Hwy. 33, Freehold, NJ 07728, for the Base Bid and Alternate A-1 in the combined total amount of Three Hundred Thousand Eighty Two Dollars and Sixty Cents (\$300,082.60); and

**BE IT FURTHER RESOLVED** that the contract has been awarded in compliance with State Law under a “Fair and Open” process as having been duly advertised. This 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 FURTHER RESOLVED** that said award is subject to a certificate of funds being available, to be issued by the CFO; and

**BE IT FURTHER RESOLVED** that said award is subject to the review and approval of the bid documents by the Borough Attorney; and

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

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## RESOLUTION

**WHEREAS**, ON June 16, 2014 the Borough of Monmouth Beach was notified by the National Fish and Wildlife Foundation, working on behalf of the United States Department of Interior, that a grant award of \$1,780,000 was approved to the Borough to support the Strengthening of Monmouth Beach's Marshes and Dunes project; and

**WHEREAS** on July 18, 2012, CH2M Hill, Inc., has provided a proposal for dune engineering and related services, including but not limited to project coordination, preparation of construction plans and specifications, review and modeling results, bidding, preconstruction services and biological oversight; and

**WHEREAS** the Local Public Contracts Law, RS 40A:11-1 et seq. requires that a resolution authorizing contracts for “Professional Services” without competitive bidding must be published not more than 10 days of the following the adoption thereof.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Commissioners of the Borough of Monmouth Beach, County of Monmouth, State of New Jersey, that the contract for Dune Engineering and Related Services be awarded to CH2M Hill Inc., 22 Cortland Street, New York, New York, 10007 for an amount not to exceed \$154,373.00 as set forth in their proposal dated July 18, 2014.

**BE IT FURTHER RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach as follows:

- 1) The Mayor and the Municipal Clerk are hereby authorized and directed to enter into an agreement with CH2M Hill Inc., for the professional services.
- 2) This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contract Law and because the services rendered or performed is to be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law and bids are not required per RS 40A:5-11.
- 3) The Contract has been awarded in compliance with State Laws under a "Non-Fair and Open" process and that this award shall be contingent upon the execution of a Business Entity Disclosure Certification as well as all other submissions as required by Law.
- 4) A copy of this resolution shall be published within ten (10) days of its passage as required by law. The resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

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## **RESOLUTION**

**WHEREAS**, ON June 16, 2014 the Borough of Monmouth Beach was notified by the National Fish and Wildlife Foundation, working on behalf of the United States Department of Interior, that a grant award of \$1,780,000 was approved to the Borough to support the Strengthening of Monmouth Beach's Marshes and Dunes project; and

**WHEREAS** on July 18, 2012, Najarian Associates, provided a proposal for Dune Modeling Services associated the Borough's Dune Construction and Marsh Restoration Program; and

**WHEREAS** the Local Public Contracts Law, RS 40A:11-1 et seq. requires that a resolution authorizing contracts for "Professional Services" without competitive bidding must be published not more than 10 days of the following the adoption thereof.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Commissioners of the Borough of Monmouth Beach, County of Monmouth, State of New Jersey, that the contract for Dune Modeling Services be awarded to Najarian Associates, One Industrial Way West, Eatontown, New Jersey, 07724 for an amount not to exceed \$60,000.00 as set forth in their proposal dated July 18, 2014.

**BE IT FURTHER RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach as follows:

- 5) The Mayor and the Municipal Clerk are hereby authorized and directed to enter into an agreement with Najarian Associates, for the professional services.
- 6) This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contract Law and because the services rendered or performed is to be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law and bids are not required per RS 40A:5-11.
- 7) The Contract has been awarded in compliance with State Laws under a "Non-Fair and Open" process and that this award shall be contingent upon the execution of a Business Entity Disclosure Certification as well as all other submissions as required by Law.
- 8) A copy of this resolution shall be published within ten (10) days of its passage as required by law. The resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

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

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

**ORDINANCE PROVIDING FOR THE PREPARATION AND EXECUTION OF A  
COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY AND  
AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT  
OF \$155,000 THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF  
MONMOUTH BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Cunniff moved, seconded by Commissioner McBride 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 August 26, 2014.

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

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 27<sup>TH</sup> DAY OF MARCH, 1951, AS SUBSEQUENTLY AMENDED.**

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 August 26, 2014.

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

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

Mayor Howard thanked Dennis Collins for helping her prepare testimony that she gave yesterday before a state legislative committee hearing held in Toms River. She said that she and other municipal officials attended the hearing in order to voice their opposition to a bill which would allow counties to take over the operation of beaches.

The Mayor and Commissioners discussed the implications such a bill would have on Monmouth Beach. Howard said that no shore communities were in favor of the bill and that it wasn't needed since municipalities already had the option to turn control of their beaches over to the county. Mayor Howard said that the proponents of the bill planned to contact officials in California and Florida to see how those states regulate their beaches.

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

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -3-  
There being no comments or questions and 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-

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

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

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Mayor Howard

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Commissioner Cunniff

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Commissioner McBride

ATTEST:

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