

Office of the Board of Commissioners
Borough of Monmouth Beach
July 28, 2015

The following statement was read by Mayor Howard:

This meeting is called pursuant to the provisions of the open public meetings law. Notice of this meeting was transmitted to The Link News and the Asbury Park Press on February 10, 2015. In addition, a copy of the 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

At this time Mayor Howard said the Commissioners would go into Executive Session before beginning the regular meeting.

Mayor Howard offered 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 or contract negotiations in which the public body is, or may become a party. Any matter falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

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:

Pending or anticipated litigation or contract negotiations in which the public body is, or may become a party. Any matter falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

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 Executive Session be adjourned and that the public meeting be re-convened.

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 reading of the minutes of the previous meetings held on June 23 and July 2 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 \$333,998.47 be approved for payment.

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

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

RESOLUTION

WHEREAS, bids were solicited by T&M Associates, Borough Engineers, on behalf of the Borough of Monmouth Beach for a Project entitled: Footings, Foundation & Floor Framing for the Borough of Monmouth Beach Library & Administration Building; and

WHEREAS, the bids were received, opened, and read in public by the Borough Clerk on July 16, 2015, at 10:00 am; and

WHEREAS, one bid was received as indicated:

Shorelands Construction Inc.	\$121,130.00
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WHEREAS, the Mayor and Commissioners have reviewed the bid submitted and the recommendation of Eric L. Wagner, the Architect for the project, as set forth in a letter dated July 16, 2015;

NOW, THEREFORE, BE IT RESOLVED that the bid submitted by Shorelands Construction Inc., 7 Columbus Drive, Monmouth Beach, NJ 07750, in the amount of \$121,130.00 be and is hereby accepted and awarded; and

BE IT FURTHER RESOLVED that said award is subject to the Chief Financial Officer certifying that funds are available and review and approval of the bid documents by the Borough Attorney; and

BE IT FINALLY RESOLVED that the Mayor and Borough Clerk are authorized to confirm and authorize the work outlined in the proposal submitted by Shorelands Construction Inc.

RESOLUTION 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 24, 2015.

RESOLUTION

WHEREAS, CH2M Hill, Inc., has submitted a proposal to conduct planning, biological field investigations, and engineering/design for the marsh island living shoreline project associated with the Borough's National Fish and Wildlife Foundation (NFWF) coastal resiliency grant; and

WHEREAS, NFWF has indicated that remaining funds from the Dune Restoration Project may be utilized to supplement the scope of work as outlined in the proposal submitted by CH2M Hill, Inc.,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that the proposal submitted by CH2M Hill be and is hereby accepted; and

BE IT FURTHER RESOLVED that the proposal is awarded in an amount not to exceed \$382,382.00; and

BE IT FINALLY RESOLVED that the Mayor and Borough Clerk are authorized to confirm and authorize the work outlined in the proposal submitted by CH2M Hill, Inc.

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that a proposal submitted by T & M Associates for engineering fees for the Shorelands (Brower) Park Flood Mitigation Project – S#1934 be and are hereby authorized in an amount not to exceed \$4,200.00.

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that a proposal submitted by T & M Associates for engineering fees in connection with the NJDEP & FEMA Coordination Research and Scoping, Seawall Repair and Reconstruction Project be and are hereby authorized in an amount not to exceed \$22,000.00; and

BE IT FINALLY RESOLVED that the authorized amount shall be billed monthly in accordance with the current T&M Associates engineering contract.

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that a proposal submitted by T & M Associates for engineering fees for Concept Engineering Base Mapping and Geotechnical and Permit Services in connection with the Seawall Repair and Reconstruction Project be and are hereby authorized in an amount not to exceed \$44,285.00; and

BE IT FINALLY RESOLVED that the authorized amount shall be billed monthly in accordance with the current T&M Associates engineering contract.

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

End of Consent Agenda

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

An Ordinance Amending Chapter XXX (Land Use Regulations) Of The General Ordinances Of The Borough Of Monmouth Beach.

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 25.

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 Authorizing The Guaranty By The Borough Of Monmouth Beach, New Jersey For Payment Of Principal and Interest On The Capital equipment Lease Revenue Bonds, Series 2015 (Shore Regional School District Project) Of The Monmouth County Improvement Authority.

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 25.

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 Chapter XXX (Land Use Regulations) Of The 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: Aye -3-
Nay -0-.

Mayor Howard said that this amendment made a minor change to corner lot yard regulations.

There being no comments or questions from the audience,

Commissioner Cunniff moved, seconded by Commissioner McBride 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 McBride moved, seconded by Commissioner Cunniff 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-.

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

Bond Ordinance Providing For Various Additional 2015 Capital Improvements By And In The Borough Of Monmouth Beach, In The County Of Monmouth, State Of New Jersey (The "Borough") Appropriating \$680,250 Therefor And Authorizing The Issuance Of \$647,855 Bonds Or Notes Of The Borough To Finance Part Of The Costs Thereof.

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: Aye -3-
Nay -0-.

Mayor Howard said that this Ordinance would provide funding for various sidewalk and road improvements, an SUV for the Police Department and a pick-up truck for the Street Department.

There being no comments or questions from the audience,

Commissioner Cunniff moved, seconded by Commissioner McBride 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:

Mayor Howard introduced Judy Wilson, the Borough's new Administrator/CFO.

Ms. Wilson reported the following:

The police department will be conducting a training day at the elementary school on July 31. She said the training would involve first responders and she said the police have requested that the public avoid the area for that day.

Preparations for the annual Monmouth Beach Day, to be held on September 12, were underway. She said the fireworks display would take place that evening.

The Monmouth Beach Firemen's Fair will be held September 9-12 at the Pavilion.

The interior demolition of the library has begun and the building is scheduled to be lifted August 10.

Borough Attorney's Report:

Mr. Collins had nothing to report

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

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

Bonnie Crotty, 10 Cook St., said that nothing had been done to the home at 8 Cook Street since Sandy. She said there are huge weeds in the back and the place was disgusting. She said it used to be a rental property but that it was currently up for sale.

Commissioner McBride said he would contact John McDonald at the Regional Health Department.

Roberta Jennings, 4 Cook St., asked if anything had been done regarding the home on her street that apparently had built a shed on Borough property.

Mr. Collins said he had thought that issue had been addressed but he said he would follow up on the matter.

Art Carine, 6 Beach Road, asked for an update regarding the house at 99 Seaview Avenue, which had been damaged by fire a few years back.

Bonnie Heard, the Borough's Engineer and Zoning Officer, said that a zoning permit had been issued for the home approximately 10 days ago.

Mr. Carine said that employees of the Monmouth Beach Bath & Tennis Club were parking on Beach Road, eating lunch at their cars since they were not allowed to eat at the Club, and leaving a mess behind on the street. He said that traveling East on Beach Road was not safe and that the parking on Beach should be for beach patrons.

Mayor Howard said that parking used to be permitted on both sides of Beach Road, which was dangerous. She pointed out that parking was only permitted on one side of the street now, which made it safer. Mayor Howard said that if the employees of the Bath & Tennis Club were leaving the area in a mess she would be happy to call the Club to discuss the issue.

Mr. Carine addressed the issue of signs throughout town. He said the Kitchen Witch had 9 signs, another business had 6 and that there were also a few fluorescent signs.

Bonnie Heard noted that the fluorescent signs were located inside the businesses.

Mayor Howard asked Bonnie Heard to look into the Borough's regulations on signs to determine what was permitted.

Joan Walsh, 6 Anderson Street, said she was not bothered by the increase in beach parking during the summer. She said she was here for 12 months and they were only here for 2. She did say that this year parked cars had encroached on her driveway a couple of times.

Ms. Walsh suggested painting the curbs next to driveways.

Dennis Collins said that title 39 addressed the required setbacks from driveways.

Mayor Howard said she would look into the required driveway setback and get an answer.

There being nothing further,

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-.

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- Nay -0-.

Mayor Howard

Commissioner Cunniff

Commissioner McBride

ATTEST:

Joyce L. Escalante, RMC
Municipal Clerk
July 28, 2015