

Office of the Board of Commissioners
Borough of Monmouth Beach
October 27, 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.

The notice of the change in time of this meeting was transmitted to the Link News and the Asbury Park Press on October 23 and published in the Asbury Park Press on October 27.

Pledge of Allegiance

Mayor Howard called the meeting to order at 5:00 pm.

Present – Mayor Howard, Commissioner Cunniff, Commissioner McBride

Absent – None

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

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 dealing with collective bargaining; discussion involving public lands; discussion involving affordable housing

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

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 dealing with collective bargaining; discussion involving public lands; discussion involving affordable housing

At the conclusion of the Executive Session, Commissioner Cunniff moved, seconded by Commissioner McBride that the Executive Session be adjourned and the regular meeting be reconvened.

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 to dispense with the reading of the minutes of the previous meetings held on September 29 and October 13 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 \$292,302.56 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

BE IT RESOLVED that the Mayor be and is hereby authorized to sign Change Order #1 and Final for a project entitled: Beach Road Improvements Project Phase III.

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:

Project	Raising of the Existing Sidney B. Johnson Library Building
Change Order #	Change Order #1 and Final
Contractor	Wolfe House Movers, LLC

BE IT RESOLVED that this Change Order reflects the reduction of the contingency allowance and reduces the original contract amount to \$46,850.00; and

BE IT RESOLVED that the Borough Engineer, Bonnie Heard, T&M Associates, in a letter dated October 20, 2015, has recommended that the change order be approved,

NOW, THEREFORE, BE IT FINALLY RESOLVED that Change Order #1 and Final for the Raising of the Existing Sidney B. Johnson Library Building 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:

Project	Foundation Construction - Sidney B. Johnson Library Building
Change Order #	Change Order #1
Contractor	Shorelands Construction

BE IT RESOLVED that this Change Order will allow the construction on the Library building to continue while the current plans are being revised for re-bid and will help to get the building enclosed prior to bad weather conditions; and

BE IT RESOLVED that this change order will be within the 20% increase allowable and the amount of this change order will not exceed \$24,000.00;

NOW, THEREFORE, BE IT FINALLY RESOLVED that Change Order #1 for the Foundation Construction of the Sidney B. Johnson Library Building Project be and is hereby approved.

RESOLUTION

WHEREAS, bids were solicited by T & M Associates on behalf of the Borough of Monmouth Beach for a project entitled "Additions & Alterations to the Borough of Monmouth Beach Library;" and

WHEREAS, eight (8) bids were received by the Borough Clerk and opened and read in public on October 14, 2015, at 11:00 and

WHEREAS, the Governing Body desires to modify the extent of the proposal with regard to the scope of work,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that the bids received for the project entitled "Additions & Alterations to the Borough of Monmouth Beach Library" be and are hereby rejected; and

BE IT FURTHER RESOLVED that T & M Associates be authorized to re-advertise for bids for said project.

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that a proposal submitted by T & M Associates for the preparation of the Borough's post-Sandy Planning Assistance Planning Grant projects be and is hereby authorized in an amount not to exceed \$275,000.00.

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of the Borough of Monmouth Beach that the Clerk be and is hereby authorized to advertise for bids for the Installation of New Lockers at the Monmouth Beach Bathing Pavilion; and

BE IT FURTHER RESOLVED that the Mayor and 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 -3-
Nay -0-

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 Cunniff moved, seconded by Commissioner McBride that the Ordinance be passed on title only and that the Clerk be directed to advertise the Ordinance for a public hearing to be held on November 24, 2015.

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 REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE BOROUGH OF MONMOUTH BEACH, MONMOUTH COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS 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-

There being no comments or questions on the Ordinance,

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-.

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

AN ORDINANCE OF THE BOROUGH OF MONMOUTH BEACH COUNT OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER XI ENTITLED "BEACHES, DUNES, PAVILION AND WATERWAYS" SECTION 11-2.3 ENTITLED "RULES AND REGULATIONS"

Mayor Howard noted that this amendment would prohibit glass bottles and containers in the pool, beach and deck areas of the Bathing Pavilion.

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-.

There being no comments or questions on the Ordinance,

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:

Ms. Wilson had nothing to report.

Attorney's Report:

Mr. Collins reported that Judge Thornton had ruled on the Channel Club matter. He said the Judge dismissed the case against the Borough, saying that the Borough had no ordinance to enforce the parking on Channel Drive. He said the Judge noted that their remedy was to go after Morgan Realty, which was exactly what he had told the people who had come to the Borough meeting several weeks ago.

Vincent Lepore, 38 Ocean Terrace, Long Branch, said that he regularly attended the Sea Bright council meetings. He said that Sea Bright was getting a raw deal with the present school funding formula and that it cost Sea Bright \$95,000 to send a student to Shore Regional High School. Mr. Lepore said that the Governor would push for consolidation once he exited the Presidential race.

Mr. Lepore said that Sea Bright Mayor Dina Long had written a letter to the Shore Regional Board of Education four months ago and still has not received a reply. He said he would actively support K-12 consolidation.

Teja Anderson, Beautification Committee representative, announced that the winner of the 2015 Beautification Committee's Business Award was East Coast Property Management, 27 Beach Road.

The Mayor and Commissioners thanked Ms. Anderson and the Beautification Committee for their dedication to the Borough and congratulated East Coast Property Management on their win.

There being no further business,

Commissioner McBride moved, seconded by Commissioner Cunniff 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 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
Municipal Clerk
October 27, 2015