

Office of the Board of Commissioners  
Borough of Monmouth Beach  
September 23, 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 McBride

Absent – Commissioner Cunniff

Commissioner McBride moved, seconded by Commissioner Cunniff that the reading of the minutes of the previous meeting held on August 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 -3-  
Nay -0-.

Commissioner Cunniff moved, seconded by Commissioner McBride that bills totaling \$308,931.20 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-  
Nay -0-.

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

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**Borough of Monmouth Beach**  
**Resolution No. R-103-14**

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Rehabilitation of Patten Avenue Project.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Commissioners of the Borough of Monmouth Beach formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Monmouth Beach Borough-00227 to the New Jersey Department of Transportation on behalf of the Borough of Monmouth Beach; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Monmouth Beach and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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## RESOLUTION

**WHEREAS**, in an attempt to prevent criminal mischief during the Halloween season, the Chief of Police has requested a temporary curfew be put into effect; and

**BE IT RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach that a temporary curfew be in effect from Monday, October 27, 2014 to and including Sunday, November 2, 2014 between the hours of 8:00 pm and 6:00 am; and

**BE IT FURTHER RESOLVED** that said curfew shall apply to anyone under 18 years of age unless accompanied by an adult, and

**BE IT FINALLY RESOLVED** that Trick or Treat will take place on October 31, Halloween Day, starting after the Monmouth Beach School Parade and ending at 6:00 pm.

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## 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:

<b>Change Order #</b>	Change Order #2
<b>Project</b>	2013 Capital Improvement Program – Phase I (Sailors Way, Ellis Court, Willow Road)
<b>Contractor</b>	Fiore Paving Company, Inc.

**BE IT RESOLVED** that this Change Order revises the contract to reflect as-built quantities for some items and to address modifications to the concrete curb on Willow Road; and

**BE IT RESOLVED** that this Change Order decreases the contract amount by \$85.42; and

**BE IT RESOLVED** that this Change Order extends the contract completion date to October 17, 2014; and

**BE IT RESOLVED** that the Borough Engineer, Bonnie Heard, T&M Associates, in a letter dated September 19, 2014, has recommended that the change order be approved,

**NOW, THEREFORE, BE IT FINALLY RESOLVED** that Change Order #2 for the 2013 Capital Improvement Program – Phase I be and is hereby approved.

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## RESOLUTION

### OF THE OF THE BOROUGH OF MONMOUTH BEACH APPOINTING A MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY MUNICIPAL DISASTER CONTROL DIRECTOR

**BE IT RESOLVED** By The Board of Commissioners of the Borough of Monmouth Beach that Susan Howard be appointed to serve as the Municipal Emergency Management Coordinator for the Borough of Monmouth Beach; and

**BE IT FURTHER RESOLVED** to appoint the following individuals as Deputy Municipal Disaster Control Directors:

Cranston VanBloem  
Edward Junquet

**BE IT FINALLY RESOLVED** that said appointments shall be for a three (3) year term, effective immediately.

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## RESOLUTION

**WHEREAS**, New Jersey State law provides for the appointment of a Fire Sub-Code Official; and

**WHEREAS**, the Borough of Monmouth Beach has a need for a Fire Sub-Code Official,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach that Steve Winters be and is hereby appointed to serve as Acting Fire Sub-Code Official for the Borough of Monmouth Beach for a period of 60 days; and

**BE IT RESOLVED** said appointment shall be effective as of September 26, 2014.

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## RESOLUTION

**WHEREAS**, T & M Associates had been authorized by the Board of Commissioners of the Borough of Monmouth Beach to solicit bids for a project entitled "Traffic Calming and Crosswalk Improvements"; and

**WHEREAS**, one (1) bid was received by the Borough Clerk and opened in public on September 23, 2014 at 10:00 am, a summary of which is attached; and

**WHEREAS**, the bid received was in excess of the amount estimated for the project;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach that the bid received for the project entitled "Traffic Calming and Crosswalk Improvements" be and is hereby rejected; and

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

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## RESOLUTION

**BE IT RESOLVED** that the Borough Clerk be authorized so solicit proposals for the professional services of a Borough Planner for 2014; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be authorized to execute a contract for same.

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

### *End of Consent Agenda*

The Clerk read the following Ordinance by title only:

**BOND ORDINANCE PROVIDING FOR VARIOUS 2014 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF MONMOUTH BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE BOROUGH") APPROPRIATING \$562,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$534,375 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF**

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 at a special meeting on October 14, 2014 at the Borough Hall at 11:00 am.

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  
**Borough Attorney's Report:** Mr. Collins said he had two items for executive session

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-.

Teja Anderson, Monmouth Parkway, asked if the dredging project had been completed.

Mayor Howard said the dredging was finished but that the end product was more silt than sand. She said initially they were hoping for 50,000 cubic yards of sand but since there was such a low sand content, there was not enough sand to reach the condos.

There being no further comments or questions from the audience,

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-.

Dennis Collins said that the Commissioners would enter into a brief executive session but that no official action would be taken. He noted that the Commissioners would re-convene the public meeting at the conclusion of executive session and he invited the public to remain.

Commissioner McBride offered the following 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- 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:

Related to pending/anticipated litigation or contract negotiations in which the public body is or may be a party.

Falls within the attorney-client privilege and confidentiality is required.

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

At the conclusion of the executive session,

Commissioner McBride moved, seconded by Commissioner Cunniff 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-.

There being no further business,

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-.

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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  
September 23, 2014