

SEASIDE PARK BOROUGH COUNCIL

The Regular Meeting of the Borough Council of the Borough of Seaside Park was called to order at 8:25 p.m. on Thursday, March 12, 2009 in the Borough Council Meeting Room located at Sixth & Central Avenues, Seaside Park, with Mayor Thomas E. Connors presiding.

"In accordance with the requirements of New Jersey's Open Public Meetings Act, public notice of this meeting was included in the required Annual Meeting Notice which was filed in the Office of the Seaside Park Borough Clerk; posted on the Bulletin Board located in the Municipal Building; and forwarded to the Ocean County Observer, the Asbury Park Press, and to all persons requesting notice and providing self-addressed, postage-paid envelopes."

Present:

Thomas E. Connors, Mayor
Jim Jablonski
Randy Appleby
Andy Kelly
Bob Brennan

Absent: Fritz McHugh

Mayor Connors called the meeting to order at 8:25 P.M.

Adm. Julie Keizer read the Statement of Compliance, the announcements and no smoking policy.

Mayor Connors read the mission statement and asked all to stand for a moment of silence and Pledge of Allegiance remembering those in the Armed Forces.

Adm. Julie Keizer takes roll call recorded above.

Approval of minutes for Work Session/Regular Meeting of Feb. 12, 2009, Work Session Feb. 26, 2009, Exec. Sessions Feb. 12 and Feb. 26, 2009.

Motion for approval made by Mr. Kelly and seconded by Mr. Appleby.

AYES: Appleby, Brennan, Jablonski, Kelly, Meyer.

MOTION CARRIED.

Ordinance Introductions: None.

Public Hearings: Final reading of Ordinance No. 1473 entitled:

ORDINANCE

AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 80 OF THE CODE OF THE BOROUGH OF SEASIDE PARTK

BE IT ORDAINED by the Borough Council of the Borough of Seaside Park, County of Ocean and State of New Jersey as follows:

SECTION 1. Section 80-1 of the Code of the Borough of Seaside Park entitled, "Pier and Wharf Locations Designated", shall be amended and supplemented to read as follows:

"Section 80-1, Pier and Wharf Locations Designated. The following locations are hereby designated as wharfs for fishing, crabbing, and other public recreation:

- a. Areas between the curbline of "K" Street and the adjacent bulkhead.
- b. Areas between the curbline of Lake Avenue and the adjacent bulkhead, including those portions from "M" Street to "N" Street and the portion between "N" Street and "O" Street.

SECTION 2. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

SECTION 3. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

Audience Comments: Ed Gallagher, 144 K Street. He is against this ordinance.

James Sellian, O Street: He is against this ordinance, reviews the history of fishing and crabbing on K Street.

Tom O'Brien, K Street: He is also against this ordinance stating several reasons why. He also states beach badges need to be checked on K Street. Mayor Connors states we will continue to monitor the situation there.

Nancy Koury, 6th Avenue: She asks Attorney McKenna if he reviewed the agreement between the Borough and Mr. Gallagher. Yes he did. This is Green Acres property, should be open to the public.

James Sellian, O Street: He discusses the Green Acres issue.

Ed Gallagher, K Street: He discusses fishing and crabbing in the Gilford Park section of Tom River, it is not allowed. He states Green Acres applies to the south side of the bulkhead, not the north side.

John Tweed, 8th Avenue: He suggests we hold the ordinance until the attorney can review the agreement more closely.

Tom O'Brien, K Street: He also suggests the ordinance be tabled for further study.

Mr. Jablonski suggests we do more research, put the information together, work together with Mr. Gallagher and then make an intelligent decision.

Motion for approval made by Mr. Appleby, seconded by Mr. Kelly.

AYES: Appleby, Jablonski, Kelly, Meyer.

NAYS: Brennan

MOTION CARRIED.

Resolutions: Adm. Julie Keizer reviews the following resolutions:

R2009-85 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO AND AUTHORIZING THE
APPOINTMENT OF MONTENEGRO, THOMPSON, MONTENEGRO & GENZ
AS ALTERNATE SPECIAL HEARING OFFICER PURSUANT TO AND IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.**

WHEREAS, the Borough of Seaside Park has received bids in accordance with N.J.S.A. 19:44A-20.4 et seq. for professional services; and,

WHEREAS, N.J.S.A. 19:44A-20.5 et seq. provides the procedure for soliciting proposals through a "fair and open process"; and,

WHEREAS, the Borough Council of the Borough of Seaside Park has elected to select and appoint its professionals through the "fair and open process"; and,

WHEREAS, the Borough Council desires to appoint MONTENEGRO, THOMPSON, MONTENEGRO & GENZ as SPECIAL HEARING OFFICER, and,

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the year 2009 Municipal Budget for Legal services; and,

WHEREAS, the "New Jersey Local Unit Pay to Play" Law, N.J.S.A. 19:44A-20.4 et. seq., requires that the resolution authorizing the award of a contract for "Professional Services" and the contract itself must be made available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the year 2009 temporary budget and will be available in the final budget when adopted under:

Legal Services; and,

WHEREAS, has MONTENEGRO, THOMPSON, MONTENEGRO & GENZ submitted a proposal in accordance with the "Pay to Play" Law; and,

WHEREAS, the Borough Council is satisfied with the terms of the proposed form of contract aforesaid.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey, as follows:

1. That **MONTENEGRO, THOMPSON, MONTENEGRO & GENZ** be and is hereby appointed SPECIAL HEARING OFFICER for a term of one (1) year commencing on February 26, 2009 and ending on December 31, 2009.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to an agreement with **MONTENEGRO, THOMPSON, MONTENEGRO & GENZ** .

3. That the contract to be entered into is awarded through the "fair and open process" as a "Professional Service" in accordance with N.J.S.A. 19:44A-20.4 of the Pay to Play Law.

4. That a notice of this action shall be printed once in the official newspaper of the Borough of Seaside Park.

5. That this resolution shall take effect February 26, 2009.

6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Administrator;
 - B. Chief Financial Officer;
 - C. **MONTENEGRO, THOMPSON, MONTENEGRO & GENZ**

R2009-86 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO AND AUTHORIZING THE
APPOINTMENT OF ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.
AS SPECIAL HEARING OFFICER PURSUANT TO AND IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.**

WHEREAS, the Borough of Seaside Park has received bids in accordance with N.J.S.A. 19:44A-20.4 et seq. for professional services; and,

WHEREAS, N.J.S.A. 19:44A-20.5 et seq. provides the procedure for soliciting proposals through a "fair and open process"; and,

WHEREAS, the Borough Council of the Borough of Seaside Park has elected to select and appoint its professionals through the "fair and open process"; and,

WHEREAS, the Borough Council desires to appoint ERIC M. BERNSTEIN & ASSOCIATES, L.L.C. as SPECIAL HEARING OFFICER, and,

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the year 2009 Municipal Budget for Legal services; and,

WHEREAS, the "New Jersey Local Unit Pay to Play" Law, N.J.S.A. 19:44A-20.4 et seq., requires that the resolution authorizing the award of a contract for "Professional Services" and the contract itself must be made available for public inspection; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the year 2009 temporary budget and will be available in the final budget when adopted under:

Legal Services; and,

WHEREAS, has ERIC M. BERNSTEIN & ASSOCIATES, L.L.C. submitted a proposal in accordance with the "Pay to Play" Law; and,

WHEREAS, the Borough Council is satisfied with the terms of the proposed form of contract aforesaid.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey, as follows:

1. That ERIC M. BERNSTEIN & ASSOCIATES, L.L.C. be and is hereby appointed SPECIAL HEARING OFFICER for a term of one (1) year commencing on March 26, 2009 and ending on December 31, 2009.
 2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to an agreement with ERIC M. BERNSTEIN & ASSOCIATES, L.L.C. .
 3. That the contract to be entered into is awarded through the "fair and open process" as a "Professional Service" in accordance with N.J.S.A. 19:44A-20.4 of the Pay to Play Law.
 4. That a notice of this action shall be printed once in the official newspaper of the Borough of Seaside Park.
 5. That this resolution shall take effect February 26, 2009.
 6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Administrator;
 - B. Chief Financial Officer;
 - C. **ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.**
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R2009-87 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF
NEW JERSEY SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY™
MUNICIPAL CERTIFICATION PROGRAM**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Seaside Park strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Borough of Seaside Park hereby acknowledges that the residents of Seaside Park desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Borough of Seaside Park wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path the Borough of Seaside Park is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the Borough of Seaside Park, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community:

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within Seaside Park on matters of sustainability, the Borough Council wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Seaside Park that we do hereby authorize the Borough Administrator to serve as Borough's agent for the Sustainable Jersey Municipal Certification process and authorize her to complete the Municipal Registration on behalf of the Borough of Seaside Park.

R2009-88 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY MEMORIALIZING PAYMENTS THROUGH THE LOSAP PROGRAM

WHEREAS, the Borough of Seaside Park has a approved LOSAP (Length of Service Awards Program); and

WHEREAS, the Seaside Park Fire Department has provided a list of members who have fulfilled the requirements for the program for the year 2008:

Paul Barna	Robert Cardwell	Salvatore Catapano
David Hansen	Wilmer Johnson	Bill Kreszl
John Lippincott Sr.	John Lippincott Jr.	Donald McLaughlin Sr.
Donald McLaughlin Jr.	Frederick Moramarco	Guy Mueller
Michael Tumolo	Paul Wroblewski Sr.	Paul Wroblewski Jr.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Seaside Park that the foregoing individuals shall receive \$1,481.00 for the 2008 LOSAP contribution administered by Lincoln Financial.

BE IT FURTHER RESOLVED, that payments are further authorized for the following years due to under payments in the following years:

YEAR	ELIGIBLE	ELIGIBLE AMOUNT	AMT PAID	AMT DUE	BORO OWES
2004	16	1,150.00	18,400.00	18,400.00	0.00
2005	19	1,191.40	22,636.60	21,850.00	786.60
2006	16	1,215.22	19,443.52	18,400.00	1,043.52
2007	20	1,257.75	25,155.00	23,000.00	2,155.00

R2009-89 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING 2009 BUDGET TIMELINE

WHEREAS, the Borough Council of the Borough of Seaside Park has previously given direction for the 2009 municipal budget to be adopted no later than March 10, 2009; and

WHEREAS, the State of New Jersey has extended the time period for adoption of the 2009 Municipal Budget to April 28, 2009; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey, as follows:

1. The Borough Council amends the date for potential budget adoption to April 23, 2009 within the allowable time frame.
2. The Municipal Clerk is hereby directed to forward a certified copy of this Resolution to the appointee and the Chief Financial Officer.

R2009-90 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE APPOINTMENT OF SPECIAL
LAW ENFORCEMENT OFFICERS PURSUANT TO
AND IN ACCORDANCE WITH N.J.S.A. 40A:14-146.8**

WHEREAS, the Chief of Police of the Borough of Seaside Park has recommended the appointment of Class I and/or Class II Special Law Enforcement Officers pursuant to the Special Law Enforcement Officers Act, N.J.S.A. 40A:14-146.8; and,

WHEREAS, the Governing Body of the Borough of Seaside Park is desirous of appointing said Special Law Enforcement Officers and finds that said appointments are necessary to promote the public safety of the Borough and the good and efficient operation of the Seaside Park Police Department; and,

WHEREAS, the Chief of Police has advised the Governing Body that the Special Law Enforcement Officer candidates to be appointed have satisfied the requirements for appointment pursuant to N.J.S.A. 40A:14-146.10; and,

WHEREAS, the Special Law Enforcement Officer candidates so appointed by this resolution must complete a prescribed training course as required by N.J.S.A. 40A:14-146.11; and,

WHEREAS, if the Special Law Enforcement Officer candidates fail to complete the prescribed training course referenced above their appointment shall immediately cease.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean, and State of New Jersey, as follows:

1. That the Special Law Enforcement Officers set forth on Schedule A attached hereto be and hereby are appointed effective this date through May 31, 2009 for the purposes of attending an approved training course as aforesaid.
2. That should any Special Law Enforcement Officer set forth on Schedule A hereto fail to complete the aforesaid approved training course then his or her appointment shall immediately cease.
3. That a certified copy of this resolution shall be provided to Edward C. Dixon, Chief of Police, who is authorized to transmit copies of the same to the Ocean County Police Academy and the Special Law Enforcement Officer(s) so appointed.

SCHEDULE A

CLASS I

**Robert Sieden
Rianna Vanchure
Justin Primm
Kevin Oliver
Lauren Colando
John Caggiano
Matthew Salonis
John R. Labbate**

CLASS II

None

R2009-91 entitled:

**RESOLUTION OF THE BOROUGH COUNCIL CONFIRMING THE APPLICATION AS A
REGULAR MEMBER IN THE SEASIDE PARK VOL. FIRE CO.**

WHEREAS, the designated individual has applied as a designated member in the Seaside Park Vol. Fire Company; and

WHEREAS, the Fire Company has recommended that this application for designated membership in the Seaside Park Vol. Fire Co. be confirmed by the Seaside Park Borough Council.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, in the County of Ocean, State of NJ as follows:

1. The following application as a regular member in the Seaside Park Vol. Fire Company is hereby confirmed:

Jessica D. Paolo

2. The Borough Clerk is hereby directed to forward a certified copy of this resolution to the Seaside Park Fire Company.

R2009-92 entitled:

RESOLUTION OF THE BOROUGH COUNCIL APPROVING LT. FRANCIS MURPHY LARKING AS DEPUTY EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, the Borough of Seaside Park is in need of a Deputy Emergency Management Coordinator; and

WHEREAS, Chief Edward Dickson who serves as Emergency Management Coordinator has appointed Lt. Francis Murphy Larkin to serve as Deputy Emergency Management Coordinator; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey, as follows:

1. The Borough Council hereby confirms Lt. Francis Murphy Larkin be appointed as Deputy Emergency Management Coordinator for the year 2009.
2. The Deputy Emergency Management Coordinator salary is established by Salary Ordinance as \$2,528.00.
3. The Municipal Clerk is hereby directed to forward a certified copy of this Resolution to the appointee and the Chief Financial Officer.

R2009-93 entitled:

RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING A DESIGNATED REFUND

WHEREAS, the Borough of Seaside Park collected monies for First Quarter 2009 Taxes in duplicate from the homeowner; and

WHEREAS, upon request of the property owner of Block 29, Lot 5, commonly known as 110 First Avenue that said overpayment of First Quarter 2009 Tax monies are to be refunded to the property owner.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey follows:

1. The following refund is hereby authorized:

\$1262.96 refunded to Joseph Diamond, 91 Cranmoor Drive, Toms River, NJ 08753

2. The Borough Clerk is hereby directed to forward a copy of this resolution to the Borough CMFO and Borough Tax Collector.

R2009-94 entitled:

RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE DESIGNATED MISCELLANEOUS REFUND

WHEREAS, the Borough of Seaside Park collects fees for various services and programs and occasionally it is necessary to refund the payment of the fee when the service or program is cancelled or otherwise not provided; and

WHEREAS, upon the recommendation of the appropriate Borough Official it is necessary for the governing body to authorize the legitimate refund of the fee paid.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, Ocean County, NJ as follows:

The following refund is hereby authorized.

Refund to:	Address:	Refund amount:
Joseph Sciancalepore	132 Highpoint Ave. Weehawkin, NJ	765.00 Boat Slip

The Borough Clerk is hereby directed to forward a certified copy of this resolution to the Borough treasurer/CFO.

R2009-95 entitled:

RESOLUTION OF THE BOROUGH COUNCIL APPROVING DESIGNATED AMUSEMENT GAMES LICENSE APPLICATIONS.

WHEREAS, the Borough of Seaside Park has previously adopted Ord. No. 593, which provides for the licensing of certain amusement games of chance and skill in accordance with the NJ Amusement Games Licensing Law (P.L.1959,c109); and

WHEREAS, the premises set forth in the designated applications are located within the area of the Borough of seaside Park which has been designated an amusement area wherein the licensing of amusement games is permitted; and

WHEREAS, the designated applicants have submitted the proper license fees and the applications have been reviewed by the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, Ocean County, New Jersey as follows:

- The following Amusement Games License applications are hereby approved.

<i>No. Applicant/Trade Name</i>	<i>Premises/bl. & lot</i>	<i>Game/Cert./Mun .Fee</i>
Laura Brower t/a Laurabees	1901 A Promenade Block 97, Lot 21-14	Cert 5 \$650.00
Laura Brower t/a Laurabees	1901 B Promenade Block 97, Lot 21-14	Cert 5 \$650.00
Helen Stewart Stu's Squirt Guns	1905 Promenade Block 97, Lot 20-31	Cert 4 \$650.00
Helen Stewart Stu's Squirt Guns	1905 Promenade Block 97, Lot 20-31	Cert 4 \$650.00

The Borough Clerk is hereby authorized and directed to execute the documents necessary for this approval and forward the same to the NJ Legalized Games of Chance Control Commission together with a certified copy of this resolution.

R2009-96 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN AUTHORIZING THE PAYMENT OF \$9,294.46 TO ATLANTIC BAR AND GRILL FOR DISPOSITION OF THE PROCEEDS FROM THE COOKING CLASSES CO-SPONSORED BY THE BOROUGH'S RECREATION DEPARTMENT AND THE ATLANTIC BAR AND GRILL

Resolution No.

Adopted:

Whereas, the Borough's Recreation Department previously sponsored three (3) cooking classes provided by the Chef from the Atlantic Bar and Grill; and

Whereas, the total of \$11,650.00 was deposited into the Borough's general account rather than a dedicated recreation trust fund as required by law; and

Whereas, said monies have now been held for several months without the ability to pay certain expenses and to ultimately dispose of the funds as originally intended; and

Whereas, the purpose of the within Resolution is to recognize the budgetary problems and to pay \$9,294.46 in order that the co-sponsor restaurant can complete the intended payment of said funds.

Now Therefore be it resolved by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey as follows:

1. That the Borough Council of the Borough of Seaside Park hereby authorizes the payment of the sum of \$9,294.46 to the Atlantic Bar and Grill as a result of the funds for the cooking classes being mistakenly deposited into the Borough's general fund.

2. That any future acceptance of funds for such a purpose will have to be in accordance with N.J.S.A. 40A:4-39 providing for the dedicated recreational trust fund with any receipts and expenditures being guided by New Jersey State Law.

2. That upon adoption of the within Resolution the Clerk is authorized to forward duly authenticated copies of it to the Borough Auditor, Oliwa & Company, the Borough CFO, the Borough Recreation Director and Atlantic Bar and Grill.

R2009-97 entitled: **2009 BILL LIST BOROUGH OF SEASIDE PARK**

March 12, 2009

	FUND ACCOUNT	CHECK NUMBERS	AMOUNT
Computer Checks:	CURRENT ACCOUNT	025134 - 025170	\$ 76,801.67

	DEVELOPERS ESCROW ACC	001511 - 001512	\$ 988.00
	MARINA OPERATING ACCOUNT	002811 - 002815	\$ 2,085.31
	WATER & SEWER ACCOUNT	007432 - 007443	\$ 8,289.54
Manual Checks:	Bond Interest Payment:		
	Current Account		\$ 64,707.03
	Marina Operating Account		\$ 7,898.39
	Water Sewer Operating		\$ 51,974.92
	Payroll 2/27/09:		
	Current Account		\$ 133,508.39
	Water Sewer Operating		\$ 13,051.20
	Marina Operating Account		\$ 748.10
	TOTAL		\$ 360,052.55

Eugenia Bermudez, CMFO
March 10, 2009

R2009-98 entitled:

**RESOLUTION ADOPTING JOB DESCRIPTIONS
FOR VARIOUS POSITIONS WITHIN THE BOROUGH OF SEASIDE PARK**

WHEREAS, it is the desire of the Borough Council to adopt job descriptions for various positions within the Borough of Seaside Park pursuant to the New Jersey Department of Personnel guidelines and statutory requirements; and

WHEREAS, the Administration and Finance Committee has reviewed the format and content of the job descriptions to be adopted by the Borough Council and recommends adoption of the same; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council hereby adopts the attached job descriptions provided by the New Jersey Department of Personnel and New Jersey Statutes governing statutory positions which outline the duties, responsibilities and qualifications for various positions within the Borough of Seaside Park.

R2009-99 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN
AWARDING A CONTRACT FOR PHASE I, WATER MAIN DISTRIBUTION AND SANITARY
SEWER IMPROVEMENTS TO STACEY CONTRACTING, INC. FOR THE TOTAL AMOUNT
OF \$5,806,247.06 IN ACCORDANCE WITH THE BOROUGH'S BID SPECIFICATIONS**

Whereas, the Borough of Seaside Park previously authorized the advertisement and receipt of bids on March 10, 2009; and

Whereas, at the time and place for the receipt of bids nine (9) were received ranging from a low of \$5,806,246.06 to a high of \$12,186,862.83; and

Whereas, Borough Engineers, CMX, have reviewed said bid submissions and have recommended the award of the bid to the low bidder, Stacey Contracting, Inc., and recognize that a bid protest letter was received on behalf of the third low bidder, P&A Construction, Inc.; and

Whereas, the Borough Attorney has reviewed said bid protest and determined that it is without merit based upon the correspondence addressed to the attorney for P&A Construction, Inc.; and

Whereas, the Borough's Chief Financial Officer has certified that funds are available for the within project; and

Whereas, it is the desire of this Governing Body to act upon the award of the contract to the low bidder.

Now Therefore be it resolved by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey as follows:

1. That the Borough Council of the Borough of Seaside Park hereby formally awards a contract to Stacey Contracting, Inc. for Phase I, Water Main Distribution and Sanitary Sewer Improvements in the amount of \$5,806,247.06 in accordance with the Borough's bid specifications.

2. That this award of contract is contingent upon prior approval of the New Jersey Department of Environmental Protection as it is being funded through the NJEIT Program.

3. That upon adoption of the within Resolution the Clerk is authorized to forward duly authenticated copies of it to the Borough Engineer, the Borough of Public Works Director, the Borough CFO, and Stacey Contracting, Inc. and further return the bid documents of the unsuccessful bidders with the exception of the three (3) lowest bid submissions.

R2009-100 entitled:

RESOLUTION OF THE BOROUGH COUNCIL APPOINTING CAROLE KANE AS BEACH OPERATIONS MANAGER

WHEREAS, the Beach Committee has recommended the appointment of Carole Kane as Beach Operations Manager for the 2009 Beach Season; and

WHEREAS, the Beach Operations Manager will be responsible for the following functions of the Beach:

- a. Beach Control – the supervision of the operation of the beach control department.
- b. Public Restrooms (Bathhouse) – the supervision of the operation of the public restrooms.
- c. Concession Stand – the supervision of the operation of the concession stand.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey, as follows:

1. Carole Kane is hereby appointed Beach Operations Manager for the year 2009 and shall serve a term of one (1) year and until a successor shall be appointed.
2. The Beach Operations Manager shall not be eligible to participate in the Borough Health Benefits Plan and shall be paid the rate established by ordinance of \$154.00 per day not to exceed \$23,000.00 annually.
3. The Municipal Clerk is hereby directed to forward a certified copy of this Resolution to the appointee and the Chief Financial Officer

R2009-101 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY

WHEREAS the United States of America is facing what many commentators label as the greatest recession in American history, and

WHEREAS the Corzine administration has indicated its intention to reduce NJ State aid to municipalities such as Seaside Park, and

WHEREAS the governing body of the Borough of Seaside Park does not wish to increase the local property tax burden of the taxpayers of Seaside Park, and desire to hold steady if not to reduce the local tax rate, and

WHEREAS the governing body of Seaside Park wishes to avoid layoffs of long time employees such as those that have been enacted by other cash-strapped county governments, towns, and similarly situated municipalities,

NOW, THEREFORE BE IT RESOLVED by the Borough council of the Borough of Seaside Park, in the County of Ocean and State of New Jersey as follows:

1. The Borough shall institute an immediate and ongoing freeze on all salary and wages for all non-union Borough employee positions other than those required by statute or contract, as needed on a case by case basis;

R2009-102 entitled:

**RESOLUTION FOR MARCH 12, 2009, FOR EMERGENCY
TEMPORARY APPROPRIATIONS FOR PERIOD BETWEEN THE
BEGINNING OF THE CURRENT FISCAL YEAR AND THE DATE OF
THE ADOPTION OF THE BUDGET FOR SAID YEAR, ACCORDING
TO 40A:4-20:**

Current Fund Appropriations:		
Financial Administration		
Other Expenses		\$ 2,500.00
Legal		
Legal Services - CRHS		\$ 30,000.00
Legal Services - Various		\$ 40,000.00
Enginnering		
Other Expenses		\$ 15,000.00
Auditor		
Other Expenses		\$ 15,000.00
Beach Patrol		
Other Expenses		\$ 10,000.00
Beach, Bayfront, Bdwk & Dock:		
Other Expenses		\$ 6,000.00
Solid Waste Disposal		
Other Expenses		\$ 25,000.00
Electricity		\$ 10,000.00
Street Lighting		\$ 10,000.00
Telephone		\$ 10,000.00
Public Defender		
Legal Services		\$ 2,500.00
Traffic & Parking Meter Services		
Other Expenses		\$ 3,500.00
Interlocal Agreement:		
Ocean County Road Dept. - Schedule C		\$ 2,500.00
Total - Current Fund	\$ -	\$182,000.00
Water Sewer Appropriations:		
Water & Sewer		
Other Expenses		
Total Water Sewer Fund	\$ -	\$ -
Marina Appropriations:		
Marina		
Other Expenses		
Social Security/Medicaid		
Total Marina Fund	\$ -	\$ -

Eugenia Bermudez, CMFO

12-Mar-09

R2009-103 entitled:

BOROUGH OF SEASIDE PARK

**RESOLUTION OF THE BOROUGH COUNCIL AMENDING RESOLUTION
APPOINTING ERIC WOJECHOWSKI AS MUNICIPAL RECYCLING
COORDINATOR**

WHEREAS, the Borough of Seaside Park on February 12, 2009 appointed Eric Wojechowski; and

WHEREAS, the Public Works Director had recommended the appointment of Eric Wojechowski as Municipal Recycling Coordinator; and

WHEREAS, there is a need to amend the Resolution in order for the designated salary to conform with the Salary Ordinance; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey, as follows:

1. Eric Wojechowski is hereby appointed as Municipal Recycling Coordinator for the year 2009.
2. The Municipal Recycling Coordinator shall receive a stipend of \$2,000 per the municipal salary ordinance.

3. The Municipal Clerk is hereby directed to forward a certified copy of this Resolution to the appointee and the Chief Financial Officer.

Audience Comments: Pat DeGutis, Stockton Avenue: She discusses the salary for Beach Operations Director, as well as the LOSAP program.

Nancy Koury, 6th Avenue also discusses this position.

John Tweed, 8th Avenue: The business plan regarding the bath house should be brought forth first.

Jim Iozia, 1010 SE Central Avenue: He discusses the LOSAP program for firemen. He is against the 100% raise for the Beach Operations Director.

Paul Barna, N. Ocean Avenue: He discusses his years as a fireman and gives a history of the company stating there were years when the company had hardly any members at all; it is now being built up gaining 10 new members in the last 2 years. They have several older men not doing the actual fire fighting.

Motion for approval made by Mr. Meyer and seconded by Mr. Kelly.

AYES: Appleby, Brennan, Jablonski, Kelly, Meyer.

NAYS: Jablonski on R2009-100 and 101.

MOTION CARRIED.

Committee Reports:

Adm. Julie Keizer: Monday night received \$42,000.00 from CDBG program. The website is up and running, the agenda is posted on the website. The energy audit is being reviewed. The next budget meeting is April 1.

Mr. Appleby: Handicap curb depressions are being reviewed. Yoga began last week. Kids Craft Day is 3/21 at the Rec. Center. Bus Trip to the Playdrome 3/15, \$25.00. The next senior lunch is here 3/18. Plans are being made for the Farmer's Market and the Antique Shows. The St. Patrick's Day Parade was Saturday with the Food Bank as the theme. The Beach Committee met and discussed dogs on the beach, no decision yet. The issue will be discussed again in the fall. The sign on the S curve discussed; the information sign at the recycling yard discussed and possibly moved to the south side of the Borough Hall property. Boards on the boardwalk discussed, possible using plaques instead of the routing system to mark memorials. We found some money in Ordinance 1217 for lifeguard headquarters building and hopefully will start repairs by April 1st.

Mr. Brennan: Bids are in for Phase I water/sewer project resulting in good prices. We will be meeting with the Engineer and contractors and would like to get going by April 1st. We may be able to get Federal money. We may be able to do the east side of 7th Avenue. He went to the 9th Avenue boardwalk site to discuss the railings. It was decided that stainless steel would be the best way to go. Had a bay front flooding meeting with Sherry Villano, we need a committee and the Engineer to file an application for grant money.

Mr. Meyer: We had a Police Committee meeting 3/3, met with Court Adm. Kathy Smith to discuss ways of conservation and billing problems. New signs will be put on the parking meters, the work "to" will be changed to "thru". Fire company turn out gear discussed, there will be staggered purchases. Code Enforcement Officer Geoffrey Schwartz will be retiring as of 3/31. The Police Dept. is reviewing the ordinances for handicap parking spaces. We are discussing shared services with Lavallette for dispatching and Court. We will have the same number of Class 1 Officers as we had last summer. We will be purchasing a new finger printing machine which will produce results within one hour.

Mr. Kelly: Job description policy has been completed. We are in negotiations with White Collar employees and Public Works. We are working with Planning Bd. on the implementation of the Master Plan and the budget.

Mr. Jablonski: The energy audit is being reviewed by the State and will be awarded soon. He was in Trenton recently to discuss grant money, \$6,500.00 for residents regarding energy savings. We need comments from Council regarding the sign ordinance and updates for same. Also working with the Realtors regarding signs, especially for open house sales. We continue to work on the Master Plan.

Mayor Connors: He makes a request that the sign on the S curve be addressed at the next Work Session as well as the memorial boards on the boardwalk.

Audience: Mike Tierney, N Street: Discusses the insert, (school fact sheet) that was enclosed with the water bill. It was sanctioned by the Borough as all inserts are. The information was from Attorney Vito Gagliardi.

Ed Gallagher, K Street: He discusses the position of Director of Public Works. He states he had conversation with Joe Walker at which time Mr. Gallagher was told Joe does not want the position.

Chuck Appleby, 10th Avenue: He discusses the railings on the boardwalk, should be pleasing to the eye. He is running for a seat on the School Board.

Council goes into a closed session authorized by R2009-104.

Meeting adjourned at 11:00 P.M.

Attend: 38

Res. submitted,

Barbara Greger, Dep. Borough Clerk.