

SEASIDE PARK BOROUGH COUNCIL

The Regular Meeting of the Borough Council of the Borough of Seaside Park was called to order at 8:05 p.m. on Thursday, April 9, 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	Andy Kelly
Jim Jablonski	Dave Meyer
Randy Appleby	Dr. Fritz McHugh
Robert Brennan	

Also Attending:

Julie Horner-Keizer, Barbara Greger, Chief Dickson, James Mackie

Mayor Connors called the meeting to order at 8:05 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 of March 26, 2009.

Motion for approval made by Mr. Brennan and seconded by Mr. Jablonski

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

ABSTAIN: McHugh

MOTION CARRIED.

Reports: None.

Public Hearings: Final reading of Ordinance No. 1477 entitled:

ORDINANCE REAPPROPRIATING \$216,124.73 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE FOR VARIOUS MARINA IMPROVEMENTS IN AND BY THE BOROUGH OF SEASIDE PARK, IN THE COUNTY OF OCEAN, NEW JERSEY.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEASIDE PARK, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section i) Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$216,124.73 of the proceeds of obligations originally made available pursuant to bond ordinance #1245 of the Borough of Seaside Park, in the County of Ocean, New Jersey (the "Borough") finally adopted April 15, 1999, is no longer necessary for the purposes of the acquisition of real property, known as Block 51, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 and Block 52, Lots 1 and 46, commonly referred to as "Berkeley Harbor Marina Property", for which the obligations previously were authorized.

Section ii) The \$216,124.73 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the replacement of the water system, installation of a five foot wide timber deck along the perimeter of the marina, repairs to and replacement of portions of bulkhead, replacement of decking and reinforcements to existing catwalks, and improvements to the breakwater and any other Marina Utility capital improvements, including but not limited to, engineering and design work, preparation of plans and specifications, permits, bid documents, contract administration and also all work, materials, equipment, labor and appurtenances as necessary therefor and incidental thereto.

Section iii) The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section iv) This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion for approval made by Dr. McHugh and seconded by Mr. Jablonski.

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

MOTION CARRIED.

Ordinance Introductions: First reading of Ordinance No. 1478 entitled:

ORDINANCE REAPPROPRIATING \$76,902.10 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE ACQUISITION OF TURNOUT GEAR FOR THE FIRE DEPARTMENT AND RENOVATIONS AND CONSTRUCTION OF PAVILIONS AND PUBLIC BUILDINGS IN AND BY THE BOROUGH OF SEASIDE PARK, IN THE COUNTY OF OCEAN, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEASIDE PARK, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section v) Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$76,902.10 of the proceeds of obligations originally made available pursuant to bond ordinance #1353 of the Borough of Seaside Park, in the County of Ocean, New Jersey, finally adopted September 8, 2004, is no longer necessary for the purposes and improvements throughout the Borough for which the obligations previously were authorized.

Section vi) The \$76,902.10 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the acquisition of turnout gear for the Fire Department and renovations and construction of pavilions and public buildings, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.

Section vii) The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section viii) This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Will be voted upon later in the meeting.

Resolutions: Motion to remove “f” and vote on “q” separately made by Mr. Jablonski and seconded by Mr. Brennan. All in favor. Adm. Julie Keizer reviews the following resolutions:

R2009-122 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING AN EXTENSION OF CONTRACT TIME FOR EARLE ASPHALT COMPANY

WHEREAS, Earle Asphalt, 1460 Route 9 South, Howell, New Jersey 07731 has been previously awarded the contract for the paving of 1st, 2nd and 3rd Avenues; and

WHEREAS, Earle Asphalt had started the project, and the drainage and inlet work have been completed; and

WHEREAS, due to scheduling issues and winter weather it is necessary to grant an extension of time for the contract to April 30, 2009. This extension is in accordance with the recommendation of the CME, the Borough Engineer.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey that a time extension is hereby granted to Earle Asphalt for the paving of 1st, 2nd and 3rd Avenues until April 30, 2009.

R2009-123 entitled:

RESOLUTION OF THE BOROUGH COUNCIL APPOINTING TEMPORARY SEASONAL BEACH PATROL EMPLOYEES FOR THE SUMMER OF 2009

WHEREAS, N.J.S.A.40A:14-146.8 authorizes a Municipality to appoint summer employees for the Department of Beach Patrol; and

WHEREAS, in accordance with this authorization, the Borough’s Life Guard Captain has recommended the employment of the following individuals for the summer of 2009.

MIKE VERACIERTA JASON HOMER MARC WAGNER
ED KENNEY BRIAN RYBASACK KENT BANIA

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

1. The following individuals are hereby appointed as employees in the Department of Beach Patrol for the summer of 2009.

- The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Life Guard Captain and the Borough Chief Financial Officer.

R2009-124 entitled:

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL THE DESIGNATED TAX SALE CERTIFICATE.

WHEREAS, the Tax Collector has been paid the amounts necessary to redeem the Tax Sale Certificate on a selected property; and

WHEREAS, the Tax Collector has recommended that the liens on this property be cancelled.

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.

- The Tax Collector is hereby authorized to cancel the lien on the following designated property from the Borough's records and forward the certificate endorsed for cancellation to the designated property owner.

<i>No.</i>	<i>Property Owner</i>	<i>Premises</i>	<i>Certificate Holder</i>	<i>Amount</i>
2007-08	US Bank Natl	91-32	CCTS Tax Lien I	11,555.12
			Premium Acct	2,100.00
			Total	13,655.12

- The Borough Treasurer is hereby authorized and directed to draw a check in the total amount indicated above payable to the holders of the designated Tax Sale Certificate and forward said check to the Tax Collector.
- The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Borough Treasurer and the Tax Collector.

R2009-125 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:
Betty Van Stratton	1100 S Bayview Ave	71.00 found money
	Seaside Park, NJ 08752	held 6 months

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

R2009-126 entitled:

RESOLUTION OF THE BOROUGH COUNCIL APPOINTING SLEO CLASS 1 OFFICERS

WHEREAS, New Jersey Department of Personnel regulations (N.J.A.C.4A:4-17) authorize the appointment of employees to seasonal and temporary positions for the periods aggregating not more than six months in a 12 month period; and

WHEREAS, Chief Dickson is sending the following SLEO Class 1 Trainees.

WHEREAS, the following appointees are approved:

Zachery Povenzano, Robert Mazur, Garrett Lavaggi, Corey Vafiades, Enricio Cafiero.

Re-appointment of Class 1 Officers as follows:

Steffanie J. Carter, Michael S. O'Hara, Raymond J. Vosseler 111.

WHEREAS, it is the desire of the Police Chief to appoint the above mentioned trainees.

NOW, THEREFORE, BE IT RESOLVED that the above mentioned trainees are appointed as a SLEO Class 1 trainees.

The Borough Clerk is hereby directed to forward a certified copy of this resolution to the trainees, Police Chief Edward Dickson and Borough CFO Eugenia Bermudez.

R2009-127 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:

1. 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>
J. Earle Livingston T/A Union Jack's North	1913 Boardwalk Bl. 97, Lot 20	Cert. #8 \$650.00
Paul Schneider T/A Playboy Stands	1908 Boardwalk Bl. 97 Lot 8	Cert. #1 \$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.

R2009-128 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, RESTRICTING FUNDS RECEIVED FOR A 700 SQUARE FOOT PORTION OF BLOCK 52, LOT 1, EXCLUSIVELY FOR ACQUISITION OF PROPERTIES FOR FUTURE RECREATION AND CONSERVATION PURPOSES.

WHEREAS, the Borough of Seaside Park previously entered into an order of settlement in the matter entitled John and Estelle Plastoris v. Borough of Seaside Park bearing Docket No.: OCN-C-158-02; and

WHEREAS, said order called for the Borough to convey a portion of Block 52, Lot 1 containing 700 square feet in return for said individuals paying to the Borough of Seaside Park the sum of \$3,500.00; and

WHEREAS, the New Jersey Department of Environmental Protection - Green Acres Program has required the execution of a Release and Compensation Agreement and Green Acres Waiver regarding the above mentioned property which agreement requires that the monies received for the 700 square foot portion of Block 52, Lot 1 be utilized solely for acquisition of properties for future recreation and conservation purposes; and

WHEREAS, the Borough Council of the Borough of Seaside Park previously adopted Resolution 2004-60 authorizing the conveyance of a 700 square foot portion of Block 52, Lot 1 to John and Estelle Plastoris; and

WHEREAS, the Borough of Seaside Park conveyed fee simple title to that 700 square foot portion of Block 52, Lot 1 to the plaintiffs by Deed; and

WHEREAS, the Borough of Seaside Park has received the proceeds from said sale in the amount of \$3,500.00 and wishes to restrict the use of said proceeds for acquisition of properties for future recreation and conservation purposes.

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. The \$3,500.00 received for sale of a portion of Block 52, Lot 1 be and hereby are restricted for acquisition of properties for future recreation and conservation purposes.
2. The Chief Financial Officer is authorized to carry out all tasks necessary to effect the provisions of this resolution.
3. That a certified copy of this resolution shall be forwarded to the following:

- A. Alice M. Plastoris, Esq., attorney for John and Estelle Plastoris, 82 Speedwell Avenue, Morristown, New Jersey 07960
 - B. Eugenia Bermudez, Chief Financial Officer
 - C. David Smith, Team Leader Department of Environmental Protection - Green Acres Program
 - D. Guy P. Ryan, Esq.
- R2009-129 entitled:

RESOLUTION FOR APRIL 9, 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:

1	Current Fund Appropriations:		
	Administrative:		
	Salaries & Wages		\$ 8,000.00
	Mayor & Council:		
	Salaries & Wages		\$ 3,000.00
	Financial Administration:		
	Salaries & Wages		\$ 5,000.00
	Collection of Taxes:		
	Salaries & Wages		\$ 2,500.00
	Assessment of Taxes:		
	Salaries & Wages		\$ 500.00
	Planning Board:		
	Salaries & Wages		\$ 1,000.00
	Zoning Board:		
	Salaries & Wages		\$ 1,000.00
	Code Enforcement:		
	Salaries & Wages		\$ 15,000.00
	Group Insurance - Health:		
	Other Expenses		\$ 100,000.00
	Police:		
	Salaries & Wages		\$ 150,000.00
	Municipal Prosecutor:		
	Other Expenses		\$ 5,000.00
	Public Buildings & Grounds:		
	Other Expenses		\$ 20,000.00
	Public Works:		
	Salaries & Wages		\$ 100,000.00
	Administration of Public Assistance:		
	Salaries & Wages		\$ 1,000.00
	Recreation Services & Programs:		
	Salaries & Wages		\$ 6,000.00
	Beach Patrol:		
	Salaries & Wages		\$ 10,000.00
	Accumulated Leave Compensation:		
	Salaries & Wages		\$ 10,000.00
	Social Security System:		
	Other Expenses		\$ 35,000.00
	Municipal Court:		
	Salaries & Wages		\$ 17,000.00

	Payment of Green Trust Loan:		
	Principal & Interest		\$ 10,000.00
	Inter-Local Toms River Board of Education:		
	Food Service, Equipment & Supplies		\$ 25,000.00
	Total - Current Fund	\$ -	\$ 525,000.00
2	Water Sewer Operating Fund Appropriations:		
	Salaries & Wages		\$ 22,000.00
	Other Expenses		\$ 35,000.00
	Social Security		\$ 2,000.00
	Total - Water Sewer Operating Fund	\$ -	\$ 59,000.00
3	Marina Operating Fund Appropriations:		
	Salaries & Wages		\$ 1,000.00
	Social Security		\$ 250.00
	Total - Marina Operating Fund	\$ -	\$ 1,250.00

R2009-130 entitled:

2009 BILL LIST BOROUGH OF SEASIDE PARK

April 9, 2009

	FUND ACCOUNT	CHECK NUMBERS	AMOUNT
Computer Checks:	CURRENT ACCOUNT	025210 - 025258	\$ 748,065.96
	WATER & SEWER ACCOUNT	007453 - 007456	\$ 1,273.58
	MARINA OPERATING	002818 - 002820	\$ 177.33
	GENERAL CAPITAL ACCOUNT	003910 - 003911	\$ 17,040.50
	WATER SEWER CAPITAL	003806	\$ 428.50
	GENERAL TRUST	000403	\$ 13,655.12
	DEVELOPERS ESCROW	001521 - 001522	\$ 12,790.55
	DOG TRUST	003103	\$ 6.60
Manual Checks:	CURRENT ACCOUNT		
	Payroll		\$ 136,888.37
	WATER SEWER OPERATING		
	Payroll		\$ 13,042.09
	MARINA OPERATING		
	Payroll		\$ 659.48
	TOTAL*		\$ 944,028.08

R2009-131 entitled:

RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE ADJUSTMENT OF DESIGNATED WATER AND SEWER UTILITY ACCOUNTS.

WHEREAS, the Borough of Seaside Park operates a Water and Sewer Utility and it is the policy of the Borough that a resolution of the Mayor and Council is required in any instance where the adjustment of an account would reduce the amount which had been previously billed; and

WHEREAS, the below designated accounts were previously billed for amounts which need to be adjusted due to termination of 2007 Bathhouse Lease. Bill returns to Borough.

WHEREAS, the Water and Sewer Utility Collector and the Water and Sewer Committee have recommended that the charges previously billed be cancelled and the account be adjusted accordingly.

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 Water and Sewer Utility Collector is hereby directed to cancel the charges previously billed to the designated accounts:

Block & Lot	Property Owner	Property Location	Billing Period	Amount Cancelled	Revised Billing	97 / 15 (2)
Seaside Park Boro	N St Bathhouse	2007-3	\$1147.88	-		
97 / 15 (2)	Seaside Park Boro	N St Bathhouse	2007-4	\$152.00	-	
97 / 15 (4)	Seaside Park Boro	N St Bathhouse	2007-4	\$150.75	-	

2. The Borough Clerk is hereby directed to forward a certified copy of this resolution to the Water and Sewer Utility Collector.

R2009-132 entitled:

RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE ADJUSTMENT OF DESIGNATED WATER AND SEWER UTILITY ACCOUNTS.

WHEREAS, the Borough of Seaside Park operates a Water and Sewer Utility and it is the policy of the Borough that a resolution of the Mayor and Council is required in any instance where the adjustment of an account would reduce the amount which had been previously billed; and

WHEREAS, the below designated accounts were previously billed for amounts which need to be adjusted due to a water leak. Water did not pass through sewer system.

WHEREAS, the Water and Sewer Utility Collector and the Water and Sewer Committee have recommended that the charges previously billed be cancelled and the account be adjusted accordingly.

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 Water and Sewer Utility Collector is hereby directed to cancel the charges previously billed to the designated accounts:

Block & Lot	Property Owner	Property Location	Billing Period	Amount Cancelled	Revised Billing
64 / 6	Spicuzzo	312 N Street	2009-1	\$1007.50	-

2. The Borough Clerk is hereby directed to forward a certified copy of this resolution to the Water and Sewer Utility Collector.

R2009-133 entitled:

RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE ADJUSTMENT OF DESIGNATED WATER AND SEWER UTILITY ACCOUNTS.

WHEREAS, the Borough of Seaside Park operates a Water and Sewer Utility and it is the policy of the Borough that a resolution of the Mayor and Council is required in any instance where the adjustment of an account would reduce the amount which had been previously billed; and

WHEREAS, the below designated accounts were previously billed for amounts which need to be adjusted due to a water leak and Superior Court Judgment on 1/23/09.

WHEREAS, the Water and Sewer Utility Collector and the Water and Sewer Committee have recommended that the charges previously billed be cancelled and the account be adjusted accordingly.

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 Water and Sewer Utility Collector is hereby directed to cancel the charges previously billed to the designated accounts:

Block & Lot	Property Owner	Property Location	Billing Period	Amount Cancelled	Revised Billing
23/3 (2)	Toto	600-02 SE Central Ave	2007-3	\$6360.30	-

2.The Borough Clerk is hereby directed to forward a certified copy of this resolution to the Water and Sewer Utility Collector.

R2009-134 entitled:

RESOLUTION AUTHORIZING THE BOROUGH OF SEASIDE PARK TO ENTER INTO A GRANT AGREEMENT WITH THE BARNEGAT BAY ESTUARY PROGRAM FOR THE 2009 MINIGRANT

WHEREAS, the Borough of Seaside Park has been awarded a grant in the amount of \$5,820.25 by the Barnegat Bay Estuary Program for Native Vegetation Education, Outreach and Native Garden Walking Tour; and

WHEREAS, this grant shall be utilized for the Native Vegetation Education and Outreach; and

WHEREAS, the local match for this grant will be provided by volunteer labor; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey that the Borough is hereby authorized to enter into a grant agreement with the Barnegat Bay Estuary Program for the Native Vegetation Education and Outreach Grant in the amount of \$5,820.25.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Chief Financial Officer of the Borough of Seaside Park, and the Barnegat Bay Estuary Program, Ocean County College, 1 College Drive, P.O. Box 2001, Toms River, New Jersey 08754-2001.

R2009-135 entitled:

RESOLUTION AUTHORIZING THE BOROUGH OF SEASIDE PARK TO ENTER INTO A GRANT AGREEMENT WITH THE URBAN COAST INSTITUTE FISCAL YEAR 2009 FOR FLOOD CONTROL PLANNING

WHEREAS, the Borough of Seaside Park has been awarded a grant in the amount of \$5,000 by the Urban Coast Institute; and

WHEREAS, this grant shall be utilized for Flood Control Planning including but not limited to rain gardens; and

WHEREAS, there is no local match required to receive this grant; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey that the Borough is hereby authorized to enter into a grant agreement with the Urban Coast Institute for the Community Sustainability/Resiliency Grant in the amount of \$5,000.00.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Chief Financial Officer of the Borough of Seaside Park, and the Urban Coast Institute, Monmouth University, 400 Cedar Avenue, West Long Branch, New Jersey 07764-1898.

R2009-136 entitled:

Whereas, the Borough of Seaside Park desires to constitute the 2009 Temporary Capital Budget of said municipality by inserting therein, by reappropriating \$216,124.73 of proceeds of obligations authorized in a prior year not needed for their original purpose, the following project:

Various Marina Improvements

Now, therefore, be it resolved by the Governing Body of the Borough of Seaside Park of the County of Ocean, that the 2009 Temporary Capital Budget shall be constituted as follows:

Temporary Capital Budget of the
Borough of Seaside Park
(Current Year Action)
2009

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Amounts Reserved in Prior Years</u>
Various Marina Improvements	1	\$216,124.73	\$216,124.73

The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of this project for the 2009 Temporary Capital Budget, to be included in the 2009 Permanent Capital Budget as adopted.

R2009-137 entitled:

RESOLUTION DIRECTING THAT NO FURTHER EXPENDITURES, SIGNING OF CONTRACTS, AUTHORIZATIONS, PREPARATORY WORK, PURCHASING OR INSTALLATION OF PROPOSED STAINLESS STEEL OR GALVANIZED METAL RAILINGS FOR THE SEASIDE PARK BOARDWALK OCCUR UNTIL A FULL INVESTIGATION AND PUBLIC HEARING TAKE PLACE REGARDING THE COST POTENTIAL DANGER AND DETRIMENTAL AESTHETIC IMPACT OF SUCH PROPOSED RAILINGS

WHEREAS, public concern has arisen as to a substantial amount of taxpayer dollars proposed to be spent for the purchase and installation of ocean boardwalk stainless steel or galvanized steel railings; and WHEREAS, no public hearing apparently has ever taken place as to why such a avoidable and unnecessary expenditure should occur for such an unsightly and potentially dangerous construction which could present a long term detrimental aesthetic impact on one of the Borough's traditional beautiful landmarks; and

WHEREAS, the governing body desires to save Seaside Park's precious tax dollars and to avoid any unnecessary expenditures in these extremely tough economic times; 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. No further expenditure, signing of contracts, installation, preparatory work shall take place, unless and until a full investigation of all circumstances and authorizations as to the proposal has taken place and a full public hearing has occurred.
2. All agents, servants, officials, employees department heads and professionals should immediately cease and desist from any further expenditures of any kind, or from entering into any contracts, signing any authorizations or payments of any kind.
3. All professionals and the Mayor and Council shall undertake a full investigation of the circumstances surrounding this potential undertaking and report the results to the entire governing body in an open public meeting.

R2009-138 entitled:

BOROUGH OF SEASIDE PARK

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN AWARDED AN EMERGENCY CONTRACT FOR THE DEMOLITION OF THE CLOCK TOWER STRUCTURE ON THE BOROUGH MUNICIPAL BUILDING LOCATED AT SIXTH AND CENTRAL AVENUES TO GUARDIAN FOR THE AMOUNT OF \$ 36,100.00

Whereas, the Borough's Public Works Director has found that the cladding panels on both the exterior and interior structure of the clock tower at the Municipal Building at Sixth and Central Avenues, Seaside Park are in need of emergent demolition and repair; and

Whereas, said inspection performed on April 2, 2009 showed a significant deterioration in said structure from the last inspection in 2008; and

Whereas, the Director of Public Works has determined, along with the Borough Construction Official, that the structure of the clock tower was unsafe and should be demolished; and

Whereas, it is further determined that said current condition of the tower cladding and fastening is a threat to the health, safety and welfare of the Borough of Seaside Park; and

Whereas, the Borough's Chief Financial Officer has certified that funds are available to make said emergent repairs; and

Whereas, the Borough has sought and received two (2) proposals to demolish said clock tower which is determined to be an unsafe structure in accordance with the Director of Public Works Certification prepared under date of April 2, 2009.

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 an emergency contract be awarded to Guardian Contracting Inc. for the demolition of the clock tower on the Borough's Municipal Building in accordance with the Borough's bid specifications and for the sum of \$36,100.00.

2. This contract is awarded as an emergency contract based on the potential for said clock tower panels to break free of the current structure.

3. That upon adoption of the within Resolution the Clerk is authorized to forward duly authenticated copies of it to the Borough CFO, along with the Certification by the Director of Public Works, the Borough of Public Works Director, and the successful contractor.

DPW Dir. Jim Mackie gives a report on the clock tower, estimated time of removal and condition of tower. Some of the good panels can be re-used for patching purposes.

John Rugo, C Street: He is not sure about re-using the panels.

Chuck Appleby, 10th Avenue: The company he works for used Guardian and their work was very satisfactory.

Mr. Jablonski is a little uneasy about re-using the panels.

Mr. Gallagher, K Street: Panels can be re-used if done correctly. It was done in New York.

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

MOTION CARRIED.

RESOLUTION "Q" 2009-137 discussion: Mayor Connors states having a railing is not our decision, it is the law. This process actually began about 15 years ago. He may disagree with the wording of this resolution which was received in the office Thursday afternoon. Several people in the audience discussed the railings, pros and cons, different materials, whether or not they are actually needed. Engineer Ernie Peters was present to discuss the project.

Anne Moyse, 10th Avenue presents pictures of boardwalks from Asbury Park south and is against the stainless steel railings.

Sue Maday 202 K Court is vehemently against the railings, not aesthetically pleasing at all and they will get hot.

Chuck Appleby, 10th Ave.: He believes we should have an architect. After a lengthy discussed, it was decided to have the Engineer study this for the next week and be ready for a better decision for the special budget meeting scheduled for next Thursday. The Engineer and committee will work together to compile the information. Time is of the essence as we stand to lose some CDBG money. The material has not been ordered in answer to a question by Tony DiCaro of J Street.

Motion to reject this resolution as written made by Mr. Jablonski and seconded by Dr. McHugh.

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

NAYS: Meyer.

MOTION CARRIED.

Motion made by Mr. Brennan and seconded by Mr. Jablonski to have a report ready for the meeting next Thursday scheduled for 7:00 P.M. and vote on at that time. All in favor.

Vote on Ordinance 1478 for first reading entitled above.

Motion for approval made by Mr. Appleby and seconded by Dr. McHugh.

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

MOTION CARRIED.

Committee Reports:

Mr. Appleby: Public Works-cleaning out the bath house and getting the concession ready. We are checking into umbrellas and having advertisements on the lifeguard stands. Additional material needed for the boardwalk has been ordered and work is ongoing.

Mr. Brennan: Our famous water and sewer project is at a standstill as the low bidder; Stacy Contracting is trying to get out of his contract and in the hands of the attorneys. Price to demolish the clock tower came in at \$36,100. The handrails are being discussed. The bath house has some serious electric problems. Well #7 has good water but it is discolored and we need a camera to look at the inside. We are discussing bay front flooding and waiting for a meeting date with the DEP.

Dr. McHugh: Work is ongoing at the Marina and should be done by the end of the week; they are doing a good job. There is a Marina meeting tomorrow night. All the slips are rented.

Mr. Meyer: Meeting was held on 3/30, the coin toss is being reviewed and we are seeking other alternatives. We will see a savings of \$31,000.00 due to the retirement of Code Enforcement Officer Geoffrey Schwartz. If you see anything suspicious, please call the police department.

Mr. Kelly: Last Wednesday was the last budget meeting. The Administrator and CFO will work together to come up with recommendations. Negotiations have been a problem and additional meeting is scheduled. The White Collar workers have a meeting today.

Mr. Jablonski: The water/sewer committee is discussing water rates and consumption periods. The ordinance states meters are read every quarter which is roughly 90 days; could be more or less. We have 2100 meters to read and trying to come up with a new schedule. We have one meter gun and need two more. The one we have will be obsolete. We may be changing companies in July. He will be attending a seminar on energy.

Mayor Connors: Reiterates the fact that the deadline for agenda items is noon time Monday before the meeting. We have to try to adhere to that schedule to avoid all the extra additions and revisions that come after Monday.

Adm. Julie Keizer: We accepted 11 bids for mobile vendors today so all will have a license. The minimum bid was \$2,000.00. We are going over appropriations for the budget which at this point in time is a slight increase. We have a very good surplus in excess of a million dollars.

Public Comments: Mike Tierney, N Street: He discusses the “old money” that is being found in old ordinances. Former CFO began finding money in old ordinances before her retirement and Eugenia continues to find it. He discusses turn out gear for the fire company; well #7 and our surplus.

Jim Iozia, 1010 Se Central Ave.: Discusses stimulus money which we have applied for as well the “old money” that is being found.

Council goes into closed session which is authorized by R2009-139. All in favor.
Meeting adjourned at 10:55 P.M.

Attend: 29

Res. submitted,

Barbara Greger, Dep. Borough Clerk