

SEASIDE PARK BOROUGH COUNCIL

The Regular Meeting of the Borough Council of the Borough of Seaside Park was called to order at 8:15 p.m. on Thursday, Feb. 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."

Mayor Connors called the meeting to order at 8:15 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.

At this time, Mayor Connors introduces special attorney Vito Gagliardi who also attended the closed session. He gave us a brief update on the Central Regional School issue and our litigation with Toms River School District. Mr. Gagliardi answered several questions from the audience regarding our elementary school which will probably close in 2010. The April school election will have a referendum to change the funding formula Mr. Jablonski suggests making Mr. Meyer the Council liaison with Mr. Gagliardi regarding school issues. This resolution will be added to the regular meeting agenda on a motion made by Mr. Jablonski and seconded by Mr. Appleby. All in favor.

Approval of minutes for Work Session/Regular Meeting of Jan. 8, 2009, Exec. Sessions of 1/8 and 1/22/09.
Motion for approval made by Mr. Jablonski and seconded by Dr. McHugh.
AYES: Appleby, Jablonski, Kelly, McHugh, Meyer.
MOTION CARRIED.

Public Hearings:
Final reading of Ordinance No. 1471 entitled:

ORDINANCE NO. 1471

**AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
SUPPLEMENTING AND AMENDING CHAPTER 30 ENTITLED FEES FOR VARIOUS
SERVICES OF THE CODE OF THE BOROUGH OF SEASIDE PARK**

WHEREAS, the governing body of the Borough of Seaside Park has determined that the following amendment to Chapter 30 entitled "Fees for Various Services" of the Borough Code is necessary for the proper administration of the Borough.

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

SECTION 1. That Chapter 30, Section 30-1.1 subsection F. of the Code of the Borough of Seaside Park entitled "Fees for Various Services," shall be amended and supplemented to as follows:

F. Recreation Activity Fees. The following recreation fees are hereby established:

- Arts & Craft Show \$100.00 per space
- Antique Show \$60.00 per outside space \$85.00 per inside space
- Farmers Market \$25.00 per small space \$35.00 per large space
- Yoga Monthly Rate \$30.00 for one day per week \$50.00 for two days per week
- Summer Camp \$85.00
- Swimming Lessons \$30.00
- Junior Lifeguard \$30.00
- Surfing Lessons \$50.00 adult \$60.00 youth
- Surf Board design class \$175.00
- Winter Recreation Program:
- Drop in fee \$ 10.00
- Resident Fee \$ 65.00 (one day per week)
- Non Resident \$ 75.00 (one day per week)
- Resident \$ 120.00 (two days per week)
- Non Resident \$ 140.00 (two days per week)

Recreation Leagues (per team)

Minimum	\$200.00
Maximum	\$800.00

The governing body shall establish actual team charges from time to time by resolution of the Borough Council.

Miscellaneous Other Activities (per person):

Minimum \$5.00 per person to a maximum of \$100.00 per person to be established by resolution the Borough Council.

- H. For certified copies of birth, marriage, domestic partnership and death certificates a fee of \$10.00 per certificate.
- I. For duplication of publicly recorded meetings onto digital compact disk \$5.00.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. This ordinance shall take effect upon publication in the official newspaper.

There were no comments from the audience.

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

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

MOTION CARRIED.

Final reading of Ordinance No. 1472 entitled:

AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPLEMENTING AND AMENDING CHAPTER 9 OF THE CODE OF THE BOROUGH OF SEASIDE PARK (BEACH BADGE FEES)

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

SECTION 1. That Chapter 9 of the Code of the Borough of Seaside Park entitled "Beaches", 9-7, entitled "Permits required for the use of beach; rates.

In order to provide funds to improve, maintain and police said places of resort and to protect the same from erosion, encroachment and damage by sea or otherwise, and to provide facilities and safeguards for public bathing and recreation, including the employment of lifeguards, the following reasonable fees shall be charged for persons twelve (12) years of age and over using said lands and bathing facilities for access to the beach and bathing and recreational facilities. **All beach fees will be waived for 100% Disabled Veterans and all active military duty personnel with appropriate identification. The waiver of fees apply only to the 100% Disabled Vet and active duty military personnel this waiver does not apply to family members or guests of those patrons.**

A. Season Permit: Forty dollars (\$40.00) per person for a season permit when purchased **on or before June 14, 2009** and forty-five dollars (\$45.00) when purchased thereafter.

1. Season Permit - Senior Citizen: Twenty dollars (\$20.00) per person for a season permit for a senior citizen. A senior citizen shall be considered an individual sixty-five (65) years of age or older.

B. One-week Permit: Thirty dollars (\$30.00) per person for a one-week permit. Each permit shall be in effect from the opening of the beaches each Saturday morning during the summer season until the closing of the beaches the following Saturday afternoon.

C. Daily Permits. Eight dollars (\$8.00) per person for a daily permit on weekdays and eight dollars (\$8.00) per person for a daily permit on holidays and weekends.

SECTION 2. All ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. This ordinance shall take effect upon publication in the official newspaper.

There were no comments from the audience.

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

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

MOTION CARRIED.

Ordinance Introductions: Mr. Appleby requests permission to add Ordinance 1474 for first reading making the positions of Administrator and DPW Director part time positions. Mayor Connors, Dr. McHugh and Mr. Jablonski are vehemently opposed to this ordinance and were not consulted for their input. After much heated discussion, attorney McKenna states this ordinance can have first reading if they so desire.

Motion for first reading made by Mr. Appleby and seconded by Mr. Kelly.

AYES: Appleby, Kelly, Meyer.

NAYS: Jablonski, McHugh.

MOTION CARRIED. Second reading scheduled for meeting of 2/26.

Resolutions: Adm. Julie Keizer reading the following resolutions:

R2009-51 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE 2009 MUNICIPAL ALLIANCE AGREEMENT

WHEREAS, the Borough of Seaside Park, in the County of Ocean and State of New Jersey, has received an award of a Municipal Alliance Grant in the amount of \$6,000.00 for the year 2009.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, in the County of Ocean, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute the 2009 Municipal Alliance Agreement.

R2009-52 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF THE APPLICATION FOR FUNDING FROM THE OCEAN COUNTY TOURISM PROMOTIONAL GRANT

WHEREAS, the Ocean County Board of Chosen Freeholders has established the Ocean County Tourism Promotional Grant Program to provide matching funds for tourism promotion in Ocean County; and

WHEREAS, the Borough Recreation Director has prepared an application for matching funds for the year 2009; and

WHEREAS, it is the desire of the Borough Council to authorize the submission of the grant application; 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 application for the 2009 Tourism Grant is hereby approved.
2. The Recreation Director is hereby authorized to execute the application and directed to file the application.

The Borough Clerk is to forward a certified copy of this Resolution to the Recreation Director and the Ocean County Board of Chosen Freeholders

R2009-53 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:
Ronald M. Spreer	10 N. Third Ave. Cortland manor, NY 10567	\$825.00 Boat Slip

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

R2009-54 entitled:

BOROUGH OF SEASIDE PARK

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.

1. 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 Block-Lot</i>	<i>Certificate Holder</i>	<i>Amount</i>
2008-03	Petraccoro Family Trust	64-19	Plymouth Park Tax Srvs Premium Amount (Trust)	\$ 9129.26 <u>\$ 8500.00</u>

TOTAL

\$17629.26

2. 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.
3. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Borough Treasurer and the Tax Collector.

R2009-55 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY TO FORMALLY OBJECT TO REQUIREMENT FOR ONGOING REASSESSMENT OF BOROUGH OF SEASIDE PARK'S PROPERTIES AND TO IMMEDIATELY CEASE REASSESSMENT PROCEDURE

WHEREAS the United States of America is facing what many commentators label as the greatest recession in American history, 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 there has been a dramatic downturn in the real estate market in the entire northeastern portion of the U.S., especially, with respect to the sales and value of shore, vacation and other second homes; and

WHEREAS in light of this well documented substantial decline in real estate prices, the past allegedly comparable real estate sales figures upon which the board of taxation has apparently relied may now be entirely unrealistic; and

WHEREAS with the entire real estate market engaged in such a slow down, the figures used by the County Board of Taxation in may no way be reflective of current real estate market conditions; and

WHEREAS with a relatively inexpensive certification obtained from a real estate expert to document these trends, the real estate market alone may obviate the necessity of any costly, time consuming and avoidable town wide reevaluation of property; and

WHEREAS there continues to be uncertainty in the ongoing Central Regional School funding formula debate and the related pending matters before the Commissioner of Education with regard to the Courts, and this issue's potentially dramatic impact on the Borough of Seaside Park's tax rate; and

WHEREAS some closure and certainty should exist as to the outcome of the ongoing Central Regional School funding debate and its impact on our tax rate, and our costs and expenses related to the issue, there should be a "go slow" approach before continuing to engage in a costly reevaluation process at this time; and

WHEREAS there is a need to assess impact of published reports as to the Corzine administrations intention to dramatically reduce, if not eliminate certain State Aid to municipalities; and

WHEREAS it is important to review this issue as to its impact on the reevaluation of properties in the town, and the effect on this year's local property tax rate; and

WHEREAS the municipality's finite tax revenues should be preserved, in an attempt to delay any such potentially avoidable significant expenditure as the funding of a tax reevaluation; and

WHEREAS there should be consideration of the impact of any State wide protest and initiative to require reevaluations of certain communities, (i.e. Newark, Trenton, Camden) which reportedly have not been subject to a reevaluation in decades, which should occur before small communities such as Seaside Park are forced to incur such a substantial expenditure of funds; and

WHEREAS several other municipalities in Ocean County have not moved forward with the reassessment of property; and

WHEREAS there is a need to study this issue with a cautious approach in hopes of saving our Borough's precious municipal tax dollars

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 municipal attorney shall prepare correspondence on behalf of the governing body of the Borough of Seaside Park formally objecting to the requirement for a reassessment under these dire and unique circumstances, and request permission for the reassessment to be halted for the present time, until such time that the economic recovery shall be evident in the real estate market.

2. If necessary the Borough of Seaside Park shall request a formal hearing to protest the requirement of this unfair reassessment, light of the fact that several other Ocean County municipalities have determined not to move forward with such reassessment.

R2009-56 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, DIRECTING THE MUNICIPAL ATTORNEY TO MAKE INQUIRY OF THE DEP AND DOT AS TO THE PERMISSIBILITY OF LOCATING PARKING KIOSKS ON THE PUBLIC BOARDWALK OF SEASIDE PARK, NJ.

WHEREAS the Mayor of the Borough of Seaside Park established a citizen's parking committee that has presented recommendations currently under study by the Borough of Seaside Park's governing body to construct and install parking kiosks to regulate and charge for public parking on the ocean-front of Seaside Park; and

WHEREAS there was a public hearing regarding the issues surrounding the feasibility and desirability of constructing such kiosks, and the public raised many questions regarding the permissibility and legality of such construction and installation; and

WHEREAS some of the relevant factors the municipality would need to consider in order to render an informed decision as to the construction and locating said kiosks on the ocean-front boardwalk would include input as to the feasibility, authorization and legality of such construction from the State of NJ, DEP and State of NJ, DOT; and

WHEREAS the governing body wishes to direct its municipal attorney to make such aforesaid inquiry on behalf of the municipality to the appropriate officials in the DOT and the DEP; and

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:

3. The municipal attorney shall prepare correspondence on behalf of the governing body of the Borough of Seaside Park informing them of the ongoing study of the defeasibility of constructing and installing parking kiosks on the public boardwalk of the ocean-front of Seaside Park for the regulation of public parking.
4. The correspondence shall request input from these regulatory agencies regarding the feasibility, permissibility and legality of such proposed construction of parking kiosks.

R2009-57 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY IMPLEMENTING A HIRING FREEZE

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,

WHEREAS the Borough of Seaside Park must find cost efficient methods to reduce spending and maintain a stable tax rate

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:

5. The Borough shall institute an immediate and ongoing hiring freeze for any additional employees or personnel, other than required seasonal employees, or as needed on a case by case basis;

R2009-58 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY IMPLEMENTING A SALARY FREEZE

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 employees;

R2009-59 entitled:

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

WHEREAS, the Borough of Seaside Park is in need of a Certified Municipal Recycling Coordinator in order to comply with the Recycling Enhancement Act which was enacted on January 13, 2008; and

WHEREAS, the Public Works Director has recommended the appointment of Eric Wojechowski as Municipal Recycling 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. Eric Wojechowski is hereby appointed as Municipal Recycling Coordinator for the year 2009.
2. The Municipal Recycling Coordinator shall receive a stipend of \$1,500.00 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.

R2009-60 entitled:

**RESOLUTION OF THE BOROUGH COUNCIL AMENDING THE
APPOINTMENT OF JOSEPH GOMULKA AS LIFEGUARD CAPTAIN FOR
THE YEAR 2009**

WHEREAS, the Borough Council has previously appointed Joseph Gomulka to serve as Lifeguard Captain for the year 2009 and it is the desire of the Borough Council to amend this appointment.

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. Joseph Gomulka is hereby appointed Lifeguard Captain for the year 2009 and shall serve a term of one (1) year and until a successor shall be appointed.
2. The Lifeguard Captain shall not be eligible to participate in the Borough Health Benefits Plan and shall be paid the salary established by ordinance.
3. The Lifeguard Captain shall be paid the equivalent of a combined total of thirty (30) days for pre-season and post-season services. Payment will be made upon submission of a voucher approved by the Borough Administrator.
4. The Municipal Clerk is hereby directed to forward a certified copy of this Resolution to the appointee and the Chief Financial Officer.

R2009-61 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN,
STATE OF NEW JERSEY AUTHORIZING SIGN ON PUBLIC PROPERTY**

WHEREAS, the Seaside Park Board of Education wishes to erect a sign on the side of the public school located at 313 S.W. Central Avenue; and

WHEREAS, Chapter 65-5 of the Code of the Borough of Seaside Park requires approval of the Borough Council in order to have a sign located on public property; 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 Seaside Park Board of Education is authorized to erect a sign not greater than 24 square feet, which will be affixed to the building.
2. The Municipal Clerk is hereby directed to forward a certified copy of this Resolution to the Zoning Department and Construction Department

R2009-62 entitled:

RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES TO CONNOR STRONG RISK CONTROL SERVICES TO COORDINATE ALCOHOL AND DRUG TESTING SERVICES FOR THE YEAR ENDING DECEMBER 31, 2009

WHEREAS, the NJ Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq, authorizes the award of contracts for Professional Services without competitive bids provided that the contract itself and the resolution making the award are available for public inspection; and

WHEREAS, there currently exists a need for Alcohol and Drug Testing Services for the Borough of Seaside Park and the Public Works Director has recommended the award of a contract to provide these services to Connor Strong.

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

1. In accordance with the NJ Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), Connor Strong Risk Control Services is hereby awarded a contract for professional services to coordinate Alcohol and Drug testing services in an amount not to exceed \$66.97 per CDL holder or other participant.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the contract for this professional service.
3. The Borough Clerk is hereby directed to arrange for the publication of a Notice of Contract Award which shall include to whom the contract is awarded, the services to be rendered, the cost, and a statement that the contract and resolution are available for public inspection in the office of the Borough Clerk.
4. The Borough Clerk is hereby directed to forward a certified copy of this resolution to the Chief Finance Officer, the Public Works Director and to Connor Strong.

R2009-63 entitled:

RESOLUTION OF THE BOROUGH COUNCIL OPPOSING THE BUILDING OF INDUSTRIAL FOSSIL FUELS FACILITIES SUCH AS THOSE FOR IMPORTING LIQUEFIED NATURAL GAS OFF THE NJ/NY COAST

WHEREAS, the New Jersey/New York Clean Ocean Zone (COZ) is defined as the waters from Montauk Point, NY, to Cape May, NJ, offshore to the outer edge of the Continental Shelf (out to 100 miles), and consists of over 19,000 square miles of Atlantic Ocean; and

WHEREAS, the physical, hydrodynamic, and biological characteristics of the COZ are unique in the world as more than 300 species of fish, nearly 350 species of birds, 7 species of sea turtles, and many marine mammals such as 25 species of whales and dolphins, and several species of seals and porpoises frequent this region. Nine endangered species, four of which are whales, can be found in these ocean waters. The COZ also serves as an essential migratory pathway for many of these species; and

WHEREAS, the ecological richness and economic viability of this region depends on a clean marine environment; and

WHEREAS, the COZ is the target location for industrial liquefied natural gas (LNG) port facilities, and **WHEREAS**, New York and Connecticut rejected a similar LNG proposal in Long Island Sound, and instead, offered two additional sites off the Jersey shore and south shore of Long Island for LNG facilities. Indeed, a proposed LNG facility similar to that in Long Island Sound, was vetoed in California due to significant impacts to marine life and air quality, and

WHEREAS, LNG is a bad choice for the ocean. LNG facilities will: devastate important fish habitat, and impact endangered, threatened, and protected species; damage seafloor habitat; destroy vast quantities of marine life by refilling huge emptied tankers with billions of gallons of seawater to replace LNG cargos; and be exposed to stronger and more frequent hurricanes, nor'easters, and wind and wave risks; and

WHEREAS, LNG is unsafe and risky business. The proposed facilities will straddle shipping lanes in the NY/NJ Harbor region—the busiest port on the east coast, and third in the US. This will dramatically affect shipping traffic patterns when tankers approach the facility; ship traffic and navigation will be altered in the busy region. LNG tankers leaving and entering shipping lanes amidst port traffic raise the risk of accidents with all vessels (i.e., cargo, oil tankers); and

WHEREAS, LNG is a polluting, climate-changing foreign fossil fuel. The entire lifecycle of extraction, liquefaction, transportation, and gasification emits harmful greenhouse gases (GHG). LNG produces 20%-40% more greenhouse gases (GHG) than domestic natural gas; and

WHEREAS, we do not need LNG ports in this region. Currently, 97% of the natural gas used in the United States is from domestic sources, and recent new discoveries of huge new natural gas fields in the US and Canada supplement an already growing domestic supply. Further, importing LNG will force the region to pay high global rates for LNG, which can be double the price of domestic natural gas sources. As a result, home energy bills will significantly increase. Also, existing LNG ports are significantly under-utilized and can more than meet our region's energy needs; and

WHEREAS, LNG is not domestic and is produced in Middle Eastern countries, Russia, and Algeria, among others, where environmental laws and controls are often less stringent. These LNG schemes will increase the burning of polluting, GHG-emitting fossil fuels, and increase our use and dependence on unstable foreign energy sources; and

(over)

WHEREAS, the ever-increasing amounts of GHG from burning fossil fuels is changing the chemistry of the sea by increasing its acidity, and thereby diminishing the ocean's ability to serve the free and vital role as the Earth's largest and most effective absorber of major GHG emissions, as well as making the sea itself harmful to marine life; and

WHEREAS, LNG projects will permanently exclude the public from the ocean. Vast areas of ocean will be off limits to the public, including boaters and fishing vessels; and

WHEREAS, the Atlantic Sea Island Group's "Safe Harbor Energy" project (a massive manmade island in the open ocean for a LNG facility), ExxonMobil's "BlueOcean Energy" project (a floating terminal for LNG), and Excalibur Energy's "Liberty Natural Gas Project" (a buoy LNG importation facility) have been proposed and identified for the region; and

WHEREAS, ExxonMobil's reputation to the environment is known around the world as horrendous, and the company's proposed floating barge technology is experimental, making the NY/NJ region's ocean waters a lab rat; and

WHEREAS, solutions are available. We need to support energy efficiency, conservation, and renewable energy technologies and projects, which are readily available. Six to eight medium-sized power plants worth of energy could be saved if NJ citizens were more energy efficient. By focusing efforts on efficiency, conservation measures, and renewable technologies, the region can create a win-win situation: decreasing GHG, and long-term job creation with green technologies.

R2009-64 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN APPLICATION OF A GRANT AND/OR LOW-INTEREST LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM FOR PHASE II OF THE SANITARY SEWER IMPROVEMENT PROJECT TO REPLACE SANITARY SEWER PIPING IN THE BAYSIDE AREA OF THE BOROUGH

WHEREAS, the Borough of Seaside Park intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for phase II of the sanitary sewer improvement project to replace sanitary sewer piping in the Bayside area of the Borough; and

WHEREAS, it is the desire of the Governing Body to designate the Borough Administrator as the authorized representative to represent the Borough of Seaside Park with regard to the application; and

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

1. That the Governing Body does hereby designate and authorize Julie Horner-Keizer, Borough Administrator for the Borough of Seaside Park, to act as the authorized representative to represent the Borough in all matters relating to the project undertaken pursuant to the aforementioned New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust.
2. That the authorized representative may be contacted at the office of the Borough Administrator, Seaside Park Municipal Building, located at 1701 North Ocean Avenue, Seaside Park, NJ 08752 (732) 793-3700
3. That a certified copy of this Resolution shall be forwarded by the Township Clerk to the New Jersey Department of Environmental Protection and the New Jersey Environmental Trust.

R2009065 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ON-LINE AUCTION WEBSITE

WHEREAS, the Police Department of the Borough of Seaside Park has determined that the property listed in Schedule A is property no longer needed for public use; and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of an on-line auction services pursuant to Local Finance Notice 2008-9.

WHEREAS, the Borough of Seaside Park has the property listed in Schedule A, attached to this resolution, and desires to sell this property at an on-line auction site at Propertyroom.com;

WHEREAS, the terms and conditions of the agreement entered into with the vendor Propertyroom.com are available on the vendor's website which is Propertyroom.com and available at the Municipal Clerk's Office, 1701 N. Ocean Avenue, Seaside Park, New Jersey.

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 of Seaside Park is hereby authorized to post an offer to sell the items listed below:

- 1 Channel Islands Al Merrick Surf Board

- 1 Honda SS Powerwasher
- 1 Slotline Classic Golf Putter

R2009-66 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK
AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT
FOR WEB SITE SERVICES**

WHEREAS, the Borough of Seaside Park is in need of development and maintenance of a website for the Borough of Seaside Park; and

WHEREAS, the Borough of Lavallette has agreed to provide for the development and maintenance of the Borough of Seaside Park's website; and

WHEREAS, the Borough of Seaside Park recognizes the financial benefit from sharing this service with the Borough of Lavallette; and

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 Mayor and Borough Clerk are hereby authorized and directed to enter into a intergovernmental agreement with the Borough of Lavallette for the development and maintenance of the Borough of Seaside Park Website.
2. That the fee for this service shall not exceed \$800.00 for initial design and startup. The maintenance fee shall be charged at a hourly rate of \$40.00 for maintenance for an amount not to exceed \$6,400.00.
3. The Borough of Lavallette shall submit a voucher with a documented time sheet for reimbursement on a monthly basis.
4. That a copy of this resolution and said agreement will be kept on file in the Municipal Clerk's office.
5. That a copy of this resolution together with the agreement will be made available to the Chief Financial Officer of the Borough of Seaside Park and forwarded to the Clerk of the Borough of Lavallette.

R2009-67 entitled:

**TRANSFER RESOLUTION FOR FEBRUARY 12, 2009, FOR APPROPRIATION
TRANSFERS DURING FIRST 3 MONTHS OF SUCCEEDING YEAR, ACCORDING TO
40A:4-59:**

The following Current Fund appropriation transfers are		
hereby authorized:		
FROM:		
Mayor & Council		
Other Expenses	\$ 500.00	
Administrative & Executive		
Other Expenses	\$ 1,250.00	
Financial Administration		
Other Expenses	\$ 2,000.00	
Code Enforcement		
Other Expenses	\$ 1,750.00	
Police		
Other Expenses	\$ 5,000.00	
Emergency Management		
Other Expenses	\$ 750.00	
Fire Dept.		
Other Expenses	\$ 1,000.00	
Recycling	\$ -	
Other Expenses	\$ 2,000.00	

Traffic & Parking Meter		
Other Expenses	\$ 1,000.00	
Municipal Court		
Salaries & Wages - Seasonal & Temp	\$ 189.00	
Solid Waste Disposal		
Other Expenses	\$ 1,750.00	
Total FROM - Current Fund	\$ 17,189.00	\$ -
TO:		
Administrative & Executive		
Salaries & Wages		\$ 1,000.00
Tax Collector		
Salaries & Wages		\$ 1,000.00
Code Enforcement		
Salaries & Wages		\$ 1,250.00
Recreation		
Other Expenses		\$ 2,500.00
Zoning Bd of Adjustment		
Legal-Special Litigation		\$ 5,000.00
Public Defender		
Other Expenses		\$ 500.00
Municipal Court		
Salaries & Wages O/T		\$ 189.00
Electricity		
Other Expenses		\$ 2,500.00
Street Lighting		
Other Expenses		\$ 3,250.00
		\$ -
Total TO - Current Fund		\$ 17,189.00

The following Water Sewer Utility Operating Fund appropriation transfers are hereby authorized:		
FROM:		
Water & Sewer Misc.		
Other Expenses	\$ 1,300.00	
Total FROM - Water Sewer Operating	\$ 1,300.00	\$ -
TO:		
Water & Sewer		
Salaries & Wages		\$ 1,300.00
Total TO - Water Sewer Operating		\$ 1,300.00

The following Marina Utility Operating Fund appropriation		
transfers are hereby authorized:		
FROM:		
Marina Misc.		
Other Expenses	\$ 1,500.00	
Total FROM - Marina Operating	\$ 1,500.00	
TO:		
Marina		
Salaries & Wages		\$ 1,500.00
Total TO - Marina Operating		\$ 1,500.00

R2009-68 entitled:
RESOLUTION OF THE BOROUGH COUNCIL APPROVING THE BILL LIST DATED 2/12/09.

R2009-69 entitled:

**RESOLUTION FOR FEBRUARY 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:		
Administrative & Executive		
Other Expenses	\$ 10,000.00	
Planning Board		
Other Expenses	\$ 25,000.00	
Fire Dept.		
Other Expenses	\$ 5,000.00	
Fire Dispatch		
Other Expenses	\$ 2,500.00	
Gasoline		
Other Expenses	\$ 15,000.00	
Road Repairs & Maintenance		
Other Expenses	\$ 3,000.00	
Buildings & Grounds	\$ -	
Other Expenses	\$ 20,000.00	
Recycling		
Other Expenses	\$ (20,000.00)	
Vehicles & Maintenance		
Other Expenses	\$ 10,000.00	
Traffic/Parking Meter Maintenance		
Other Expenses	\$ 2,000.00	
Beach, Bay, Boardwalk, Dock Maintenance		
Other Expenses	\$ 4,000.00	
Green Trust Loan		
Principal & Interest	\$ 16,700.00	
Capital Improvements:		

Reconstruction of 3 Pavillions	\$ 16,000.00	
Municipal Court Renovations-flooring	\$ 6,000.00	
Total - Current Fund	\$115,200.00	\$ -

Water Sewer Appropriations:		
Water & Sewer		
Other Expenses	\$100,000.00	
Total Water Sewer Fund	\$100,000.00	\$ -

R2009-70 entitled:

A RESOLUTION EXCLUDING THE PUBLIC FROM A PUBLIC MEETING

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the “Open Public Meetings Act” states that, except as provided by in Section 7.a, all meetings of a public body, such as the Borough Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Borough Council may exclude the public only from the portion of a meeting at which Borough Council discusses certain subjects which are listed in the aforementioned Section; and.

WHEREAS, the Borough Council desires to discuss certain subject(s) which are listed in the aforementioned section and desires to exclude the public from the portion of the meeting held on February 12, 2009 at which the Borough Council will discuss said subject(s); and,

WHEREAS, Section 8 of Chapter 231, Public Law 1975 states that no public body shall exclude the public from any meeting to discuss any matter described in Section 7.b until the public body shall, at a meeting to which the public shall be admitted, first adopt a resolution making certain statements with respect to the subject(s) to be discussed;

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. That the Borough Council hereby declares that the general nature of the subject(s) to be discussed by the Borough Council in closed session is as follows:

Litigation – Central Regional Joint Executive Session with Board of Education
Sawmill v. SSP

Contract Negotiations – Blue & White Collar

Personnel- Tax Collector’s Office
Chief of Police Contract Negotiations

2. That the Borough Council hereby declares that it’s discussion of the aforementioned subject(s) may be made public at a time when the Borough Solicitor advised the Borough Council that the disclosure will not detrimentally affect any right, interest, or duty of the Borough or any other entity with respect to said discussion.

3. That the Borough Council for the aforementioned reasons hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Borough Clerk to take the appropriate action to effectuate the terms of this resolution.

R2009-71 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY INSTITUTING A SPENDING FREEZE

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:

2. The Borough shall institute an immediate and ongoing spending freeze for any additional new capital projects and non-essential services.

R2009-72 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY DESIGNATING DAVE MEYER AS THE COUNCIL LIAISON TO THE CENTRAL REGIONAL LITIGATION

WHEREAS, the Borough of Seaside Park is currently involved in litigation with the Central Regional School District; and

WHEREAS, the Borough Council wishes to designate a liaison to communicate with the Special Counsel and provide updates.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey that Dave Meyer is hereby designated as Liaison to the Central Regional Litigation.

The resolutions will be voted upon minus 2009-55 regarding the reassessment. That will be voted on separately.

Mr. Jablonski points out discrepancies in the wording on the resolutions implementing salary and hiring freezes.

Audience comments: Chuck Appleby, 10th Ave. states there is a freeze where he works.

Jim Iozia states the flag on Delaney Plaza is torn and the rope is broke.

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

AYES: Appleby, Jablonski, McHugh, Kelly, Meyer

MOTION CARRIED.

Vote on resolution 2009-55. Mr. Jablonski points our errors in the wording and the resolution will be referred to attorney Steve Secare. There were no public comments.

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

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

MOTION CARRIED.

Committee/Adm. Reports:

ADM. JULIE KEIZER: All the DOP issues are done for public works but one. We have three outside desks audits being done. Website development is underway with the help from Lavallette.

Mr. Appleby: Recreation had a bus trip to Winding River for ice skating. The next senior lunch is 2/18. The recreation budget for 2009 is in. Had a meeting 1/30 with Seaside Heights to coordinate summer events. Ocean County St. Patrick's Day parade scheduled as usual, bring a food item to donate. The beach control and patrol budgets have been received. Still working on the lifeguard headquarters building and bath house. Boardwalk construction is being done. Public Works will do the decking. The fee to adopt a board would be \$50.00. We would need a router to inscribe the names.

Dr. McHugh: The Marina is being readied for summer. There will be a pre-construction meeting Thursday. There will be a committee meeting tomorrow night to review the rules and regulations.

Mr. Meyer: We are trying to create a list of projects that the community service people can do. We are exploring shared services with the court and dispatch area. We are now the owner of the Borough seal and anyone else will need permission to use. We have the copyright.

Mr. Kelly: We have a new purchasing system in use. Three budget meetings are scheduled, 2/25, 3/4 and 3/11. All are welcome. Public Works and White Collar contracts have been activated. The sign at boardwalk indicating the county is paying for it is down.

Mr. Jablonski: Will be meeting with Public Works Committee regarding the budget. We are looking for information on Borough vehicles and the retirement dates of the vehicles for replacement or elimination. The energy audit will be done soon, the RFP's are out.

Public comments: Pat DeGutis, Stockton Avenue. Discusses budget meetings and public attendance. Council gives her the schedule which will be posted on a bulletin board. She advises Council to check the rules for shared services. There is a community at the recycling center no one looks at or uses, perhaps we could move it to another location. She is still against elected officials receiving health benefits.

Jim Mackie, Director Public Works: He questions Ordinance 1474 making his job a part time position. Second reading will be Feb. 26th. He also expresses his opinion. He had no knowledge of this.
Carol Kane, 25 9th Avenue: She has no budget yet for 2009 and needs a meeting regarding her appointment.
Jim Iozia, 1010 SE Central Avenue: He would like the meeting schedule on the website, it will be.
Connie Slonaker, Farragut Avenue: Discusses the w/s project and Gov. Corzine's budget.

Meeting adjourned at 10:50 P.M.
Attend 49

Res. submitted,

Barbara Greger, Dep. Borough Clerk.