

Seaside Park Mayor and Borough Council

The Re-Organization Meeting of the Seaside Park Borough Council was called to order at 1:00 P.M. by Mayor Thomas E. Connors on Jan. 4, 2009 in the Borough Council Meeting Room located at 6th & Central Avenue, Seaside Park, New Jersey.

"In accordance with the requirements of N.J.'s Open Public Meeting 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; forwarded to the Island Gazette, Star Ledger, Atlantic City Press, Asbury Park Press and to all persons requesting notice and providing self-addressed postage paid envelopes."

Present:

Mayor Tom Connors
Robert Brennan
Jim Jablonski
Andy Kelly
Dr. McHugh
Randy Appleby
Dave Meyer

Also Attending: Clerk Adm. Julie Keizer
Dep. Clerk Barbara Greger
Chief Ed Dickson
DPW Dir. Jim Mackie

Mayor Connors called the meeting to order at 1:00 P.M.
Adm. Julie Keizer read the Statement of Compliance and the announcements.
The Invocation was given by Fr. Emmett Carroll.
The Pledge of Allegiance was led by Midshipman First Class Christopher Meyer USN.

Oaths of Office: Randy Appleby was administered the Oath of Office by Melanie Donohue, Esq. as his father J.R. Appleby IV. Mr. Appleby takes his seat on Council.

Dave Meyer was administered the Oath of Office by Terrance Farley as his wife Carol held the Bible. Mr. Meyer took his seat on Council.

Adm. Julie Keizer took roll call recorded above.

Mayor Connors introduced the following guests: Melanie Donohue, Former Council Members Nancy Koury, Ed Gallagher, Nancy Carlson, Maryann Palmisano, Robert Matthies, Alex Condos, (former Mayors) Jack Moyse, Fred and Sue Maday and Congressman Elect Adler.

Council President: Dr. McHugh nominated Jim Jablonski which was seconded by Mr. Brennan.

RESOLUTION OF THE BOROUGH COUNCIL SELECTING COUNCILMAN JAMES JABLONSKI AS THE PRESIDENT OF THE COUNCIL FOR THE YEAR 2009

Resolution No. 2009-1

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 40A:60-3 requires the Borough Council at the annual meeting to select from its members a President of the Council who shall preside at all meetings when the Mayor does not preside and to perform all the duties of the Mayor during any period in which the Mayor is absent from the Borough for three (3) consecutive days or more, or is unable to perform the duties of the office; and

WHEREAS, it is the desire of the Borough Council to select Councilman JAMES JABLONSKI as President of the Council 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, as follows:

1. In accordance with N.J.S.A. 40A:60-3, Councilman JAMES JABLONSKI is hereby selected as President of the Council for the year 2009 and until the next annual meeting.
2. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to Mayor Thomas E. Connors and Councilman JAMES JABLONSKI.

AYES: McHugh, Brennan, Jablonski

NAYS: Appleby, Kelly, Meyer.

Mayor Connors broke the tie with a yes vote. R2009-1

MOTION CARRIED.

**RESOLUTION OF THE BOROUGH COUNCIL APPOINTING COUNCILMAN RANDY APPLEBY AS
THE PLANNING BOARD CLASS III MEMBER FOR THE YEAR 2009**

Resolution No. 2009-2

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 40:55D-23, requires the governing body to appoint a governing body member as the Class III Member of the Planning Board: and

WHEREAS, it is the desire of the Borough Council to appoint Councilman Randy Appleby as the Planning Board Class III Member 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, as follows:

1. In accordance with N.J.S.A. 40:55D-23, Councilman Randy Appleby is hereby appointed the Planning Board Class III Member for the year 2009 and shall serve a term of one (1) year and until a successor shall be appointed.
2. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to Councilman Randy Appleby and the Planning Board.

Motion for approval made by Mr. Jablonski seconded by Mr. Kelly.
AYES: Appleby, Brennan, Jablonski, Kelly, McHugh, Meyer.
MOTION CARRIED.

**RESOLUTION OF THE BOROUGH COUNCIL APPOINTING MEMBERS TO THE ZONING BOARD
OF ADJUSTMENT**

Resolution No. 2009-3

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 40:55D-69 requires every municipality, upon the adoption of a zoning ordinance, to establish a Zoning Board of Adjustment and provide the method of appointment of all such members; and

WHEREAS, pursuant to 25-404 of the Code of the Borough of Seaside Park, a Zoning Board of Adjustment has been established consisting of seven (7) regular and (2) alternate members who shall be appointed by the Borough Council; 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. Andrew Sbordone is hereby appointed to the Seaside Park Zoning Board of Adjustment as a Regular Class IV member for the term of 4 years, to expire December 31, 2012.
2. Frank Losey is hereby appointed to the Seaside Park Zoning Board of Adjustment as a Regular Class IV member for the term of 4 years, to expire December 31, 2012.
3. Patricia Kuchon is hereby appointed as Alternate 1, for a two year term to expire December 31, 2010.
4. Carl Bartolucci is hereby appointed as Alternate II, for a unexpired two year term December 31, 2009.

The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the appointees and the Zoning Board of Adjustment.

Motion for approval made by Mr. Kelly seconded by Mr. Appleby.
AYES: Appleby, Brennan, Jablonski, Kelly, McHugh, Meyer.
MOTION CARRIED.

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO AND AUTHORIZING THE
APPOINTMENT OF HIERING, GANNON & MCKENNA
AS BOROUGH ATTORNEY PURSUANT TO AND IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.**

Resolution No. 2009-4

Adopted: January 4, 2009

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 **HIERING, GANNON & MCKENNA**, to the position of Borough Attorney; 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:

Borough Attorney - Legal Department; and,

WHEREAS, **HIERING, GANNON & MCKENNA**, has submitted a proposal in accordance with the “Pay to Play” Law; 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. That , **HIERING, GANNON & MCKENNA** be and is hereby appointed Borough Attorney for a term of one (1) year commencing on January 4, 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 **HIERING, GANNON & MCKENNA**.

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 January 4, 2009.

6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:

- A. Administrator;
- B. Chief Financial Officer;
- C. **HIERING, GANNON & MCKENNA**, 29 Hadley Avenue, P.O. Box 5258, Toms River, New Jersey 08754

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

AYES: Brennan, Jablonski, McHugh

NAYS: Appleby, Kelly, Meyer. Mayor Connors cast the aye vote to break the tie.

MOTION CARRIED.

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO AND AUTHORIZING THE
APPOINTMENT OF SECARE & RYAN
AS CONFLICT BOROUGH ATTORNEY PURSUANT TO AND IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.**

Resolution No. 2009-5

Adopted: January 4, 2009

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 **SECARE & RYAN**, to the position of CONFLICT BOROUGH ATTORNEY; 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:

CONFLICT BOROUGH ATTORNEY - Legal Department; and,

WHEREAS, SECARE & RYAN, has submitted a proposal in accordance with the “Pay to Play” Law; 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. That , **SECARE & RYAN** be and is hereby appointed CONFLICT BOROUGH ATTORNEY for a term of one (1) year commencing on January 4, 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 **SECARE & RYAN**.
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 January 4, 2009.
6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Administrator;
 - B. Chief Financial Officer;
 - C. **SECARE & RYAN**, 16 Madison Avenue, Building 1, Toms River, New Jersey 08753.

Motion for approval made by Dr. McHugh seconded by Mr. Brennan.

AYES: Brennan, Jablonski, McHugh.

NAYS: Appleby, Kelly, Meyer. Mayor Connors cast the aye vote to break the tie.

MOTION CARRIED.

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO AND AUTHORIZING THE
APPOINTMENT OF OLIWA & COMPANY
AS BOROUGH AUDITOR PURSUANT TO AND IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.**

Resolution No. 2009-6

Adopted: January 4, 2009

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 **OLIWA & COMPANY**, to the position of Borough Auditor; 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 Audit 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:

Borough Auditor – Auditing services; and,

WHEREAS, OLIWA & COMPANY, has 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 **OLIWA & COMPANY**, be and is hereby appointed Borough Auditor for a term of one (1) year commencing on January 4, 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 **OLIWA & COMPANY**.
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 January 4, 2009.
6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Administrator;
 - B. Chief Financial Officer;
 - C. **OLIWA & COMPANY**, 3 Broad Street, Freehold, New Jersey 07728-1742.

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

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

MOTION CARRIED.

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO AND AUTHORIZING THE
APPOINTMENT OF McMANIMON & SCOTLAND, L.L.C.
AS BOROUGH BOND COUNSEL PURSUANT TO AND IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.**

Resolution No. 2009-7

Adopted: January 4, 2009

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 **McMANIMON & SCOTLAND, L.L.C.**, to the position of Borough Bond Counsel; 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 bond counsel 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:

Borough Bond Counsel - Legal Department; and,

WHEREAS, **McMANIMON & SCOTLAND, L.L.C.**, has 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 **McMANIMON & SCOTLAND, L.L.C.**, be and is hereby appointed Borough Bond Counsel for a term of one (1) year commencing on January 4, 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 **McMANIMON & SCOTLAND, 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 January 4, 2009.
6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Administrator;
 - B. Chief Financial Officer;
 - C. **McMANIMON & SCOTLAND, L.L.C.**, One Riverfront Plaza, Fourth Floor, Newark, New Jersey 07102-5408.

Motion for approval made by Mr. Jablonski seconded by Mr. Brennan.
AYES: Brennan Jablonski, McHugh.
NAYS: Appleby, Kelly, Meyer. Mayor Connors cast the aye vote to break the tie.
MOTION CARRIED.

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO AND AUTHORIZING THE
APPOINTMENT OF CME ASSOCIATES
AS BOROUGH ENGINEER PURSUANT TO AND IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.**

Resolution No. 2009-8

Adopted: January 4, 2009

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 **CME ASSOCIATES**, to the position of Borough Engineer; 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 engineering 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 Finance Officer has certified that funds are available in the year 2009 temporary budget and will be available in the final budget when adopted under:

Borough Engineer – Engineering services; and,

WHEREAS, **CME ASSOCIATES** has submitted a proposal in accordance with the "Pay to Play" Law; 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. That **CME ASSOCIATES**, be and is hereby appointed Borough Engineer for a term of one (1) year commencing on January 4, 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 **CME ASSOCIATES**.
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 January 4, 2009.
6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Administrator;
 - B. Chief Financial Officer;
 - C. **CME ASSOCIATES**, 1460 Route 9 South, Howell, New Jersey 07731.

Motion for approval made by Mr. Brennan seconded by Dr. McHugh.

AYES: Brennan, Jablonski, McHugh.

NAYS: Appleby, Kelly, Meyer. Mayor Connors cast the aye vote to break the tie.

MOTION CARRIED.

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO AND AUTHORIZING THE
APPOINTMENT OF BONNIE R. PETERSON
AS BOROUGH PROSECUTOR PURSUANT TO AND IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.**

Resolution No. 2009-9

Adopted: January 4, 2009

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 Bonnie R. Peterson to the position of Borough Prosecutor; 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 prosecutorial 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 Borough Treasurer has certified that funds are available in the year 2009 temporary budget and will be available in the final budget when adopted under:

Borough Prosecutor; and,

WHEREAS, Bonnie R. Peterson, has 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 Bonnie R. Peterson be and is hereby appointed Borough Prosecutor for a term of one (1) year commencing on January 4, 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 Bonnie R. Peterson.

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 January 4, 2009.

6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:

- A. Administrator;
- B. Chief Financial Officer;
- C. Bonnie R. Peterson, 1201 S.W. Central Avenue, P.O. Box J, Seaside Park, New Jersey 08752.

Motion for approval made by Dr. McHugh seconded by Mr. Brennan.
AYES: Appleby, Brennan, Jablonski, Kelly, McHugh, Meyer.
MOTION CARRIED.

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO AND AUTHORIZING THE
APPOINTMENT OF HIERING, DUPIGNAC, STANZIONE & DUNN
AS PUBLIC DEFENDER PURSUANT TO AND IN
ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.**

Resolution No. 2009-10

Adopted: January 4, 2009

WHEREAS, the Borough of Seaside Park has advertised for 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 **HIERING, DUPIGNAC, STANZIONE & DUNN** to the position of Public Defender; 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 Public Defender 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 Borough Treasurer has certified that funds are available in the year 2009 temporary budget and will be available in the final budget when adopted under:

Public Defender ; and,

WHEREAS, HIERING, DUPIGNAC, STANZIONE & DUNN has 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 **HIERING, DUPIGNAC, STANZIONE & DUNN** be and is hereby appointed Borough Public Defender for a term of one (1) year commencing on January 4, 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 .
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 January 4, 2009.
6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Administrator;
 - B. Chief Financial Officer;
 - C. **HIERING, DUPIGNAC, STANZIONE & DUNN**, 64 Washington Street, CN 2015, Toms River, New Jersey 08754.

Motion for approval made by Mr. Jablonski seconded by Dr. McHugh.
AYES: Appleby, Brennan, Jablonski, Kelly, McHugh, Meyer.
MOTION CARRIED.

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK APPOINTING SPECIAL COUNSEL VITO
GAGLIARDI, JR. OF THE FIRM OF PORZIO, BROMBERG & NEWMAN TO REPRESENT THE
BOROUGH OF SEASIDE PARK WITH REGARD TO LITIGATION WITH CENTRAL REGIONAL
SCHOOL DISTRICT**

WHEREAS, the Borough of Seaside Park has retained the services of Vito A. Gagliardi, Jr. of the firm Porzio, Bromberg & Newman; and

WHEREAS, the Borough of Seaside Park wishes to continue with the services of Vito A. Gagliardi, Jr. as Special Counsel; and

WHEREAS, Vito A. Gagliardi, Jr. of the firm Porzio, Bromberg & Newman is a law firm practicing a recognized profession, which practice is regulated by law, and which practice includes the rendering of services to public school districts and municipalities; and

WHEREAS, the Local Public Contracts Law allows for a Resolution authorizing the award of contracts for "Professional Services" without competitive bids; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Seaside Park that Vito Gagliardi, Jr. of the firm of Porzio, Bromberg & Newman is hereby appointed as Special Counsel with regard to litigation with the Central Regional School District.

BE, IT FURTHER RESOLVED that this contract shall not exceed the amount agreed to in the attached agreement for the year 2009.

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

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

MOTION CARRIED.

Motion to postpone the appointment of Public Defender and Conflict Public Defender made by Mr. Brennan seconded by Dr. McHugh.

AYES: Brennan, Jablonski, McHugh

NAYS: Appleby, Kelly, Meyer. Mayor Connors cast the aye vote to break the tie.

MOTION CARRIED.

**RESOLUTION OF THE BOROUGH COUNCIL CONFIRMING THE APPOINTMENT OF
BARBARA A. GREGER AS DEPUTY BOROUGH CLERK AND DEPUTY BOROUGH
TREASURER FOR THE YEAR 2009 AND AUTHORIZING A TWELVE (12) MONTH LEAVE OF
ABSENCE FROM THE POSITION OF SENIOR CLERK TYPIST**

WHEREAS, the Mayor has nominated Barbara A. Greger to serve as Deputy Borough Clerk and Deputy Borough Treasurer for the year 2009 and it is the desire of the Borough Council to confirm this nomination; and

WHEREAS, Barbara A. Greger has requested a twelve (12) month extension of the previously authorized Leave of Absence from the position of Senior Clerk Typist in order to accept appointment as Deputy Borough Clerk and Deputy Borough Treasurer.

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. Barbara A. Greger is hereby appointed Deputy Borough Clerk and Deputy Borough Treasurer for the year 2009 and shall serve a term of one (1) year and until a successor shall be appointed.
2. The Deputy Borough Clerk/Deputy Borough Treasurer shall be eligible to participate in the Borough Health Benefits Plan and shall be paid the salary established by ordinance.
3. The previously authorized Leave of Absence for Barbara A. Greger from the position of Senior Clerk Typist is hereby extended for a period of twelve (12) months to December 31, 2009.
4. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the appointee and the Borough Chief Financial Officer.

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

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

MOTION CARRIED.

**RESOLUTION OF THE BOROUGH COUNCIL CONFIRMING THE APPOINTMENT OF
WENDY PRIOR AS TAX SEARCH OFFICER FOR THE YEAR 2009**

WHEREAS, the Mayor has nominated Wendy Prior to serve as Tax Search Officer for the year 2009 and it is the desire of the Borough Council to confirm this nomination.

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. Wendy Prior is hereby appointed Tax Search Officer for the year 2009 and shall serve a term of one (1) year and until a successor shall be appointed.
2. The Tax Search Officer shall not be eligible to participate in the Borough Health Benefits Plan and shall be paid the salary established by ordinance.
3. The Borough Clerk is hereby directed to forward a certified copy of this resolution to the appointee and the Chief Financial Officer.

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

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

MOTION CARRIED.

**RESOLUTION OF THE BOROUGH COUNCIL DESIGNATING JULIE L. HORNER-KEIZER,
BOROUGH CLERK AS THE OFFICIAL AUTHORIZED TO ISSUE "CERTIFICATES AS TO
LIABILITY FOR ASSESSMENT FOR MUNICIPAL IMPROVEMENTS" FOR THE YEAR 2009**

Resolution No. 2009-14

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 54:5-18.3 requires the governing body of each municipality to designate either the Municipal Clerk or the Municipal Engineer as the official authorized to issue "Certificates as to Liability for Assessment for Municipal Improvements."

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:

The Borough Clerk is hereby designated as the authorized official to issue "Certificates as to Liability for Assessment for Municipal Improvements" for the year 2009 and shall serve a term of one (1) year or until a successor shall be appointed.

Motion for approval made by Mr. Jablonski seconded by Mr. Meyer.

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

MOTION CARRIED.

**RESOLUTION OF THE BOROUGH COUNCIL CONFIRMING THE APPOINTMENT OF
KATHY SHADIACK TO THE UNCLASSIFIED POSITION OF SCHOOL CROSSING GUARD
FOR THE YEAR 2009**

Resolution No. 2009-15

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 40A:9-154.1 authorizes the governing body of a municipality to appoint adult school crossing guards for terms not exceeding one (1) year; and

WHEREAS, the Chief of Police has recommended the appointment of Kathy Shadiack to serve as an adult school crossing guard for the year 2009; and

WHEREAS, the Mayor has nominated Kathy Shadiack as School Crossing Guard and it is the desire of the Borough Council to confirm this nomination.

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. Kathy Shadiack is hereby appointed to the unclassified position of school Crossing Guard for the year 2009 and shall serve a term of one (1) year and until a successor shall be appointed.
2. The School Crossing Guard shall be paid the annual salary established by ordinance; shall not be eligible to participate in Borough Health Benefits Plan; shall be entitled to a maximum annual clothing allowance of 450.00; shall receive an annual allotment of twelve (12) days of sick leave; and shall not receive holiday pay or any vacation, personal, or bereavement leave.
3. The Borough Clerk is hereby directed to forward a certified copy of this resolution to the appointee and the Borough Chief Financial Officer.

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

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

MOTION CARRIED.

**RESOLUTION OF THE BOROUGH COUNCIL CONFIRMING THE APPOINTMENT OF EDWARD
DICKSON AS EMERGENCY MANAGEMENT COORDINATOR**

Resolution No. 2009-16

Adopted: January 4, 2009

WHEREAS, N.J.S.A. App.A:9-40.1 requires the Mayor of every municipality to appoint a municipal Emergency Management Coordinator from among the residents of the municipality for a term of three (3) years; and

WHEREAS, in accordance with the provisions of N.J.S.A.App.A:9-40.4, the Emergency Management coordinator shall be responsible for the planning, activating, coordinating, and the conduct of emergency management operations within the municipality and shall serve as chairman of the Borough's Emergency Management Council in accordance with the provisions of N.J.S.A.App.A:9-41; and

WHEREAS, the Mayor has nominated Edward Dickson as Emergency Management Coordinator and it is the desire of the Borough Council to confirm this nomination.

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

1. Edward Dickson is hereby appointed Emergency Management Coordinator for a term of three (3) years commencing January 4, 2009 and shall serve until a successor shall be appointed.
- 2.
3. The Borough Clerk is hereby directed to forward a certified copy of this resolution to the appointee, the Ocean County Director of Emergency Management and the Chief Finance Officer.

Motion for approval made by Mr. Jablonski seconded by Mr. Appleby.

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

MOTION CARRIED.

RESOLUTION OF THE BOROUGH COUNCIL CONFIRMING THE APPOINTMENT OF MEMBERS TO THE BOROUGH'S EMERGENCY MANAGEMENT COUNCIL FOR THE YEAR 2009

Resolution No. 2009-17

Adopted: January 4, 2009

WHEREAS, N.J.S.A. Appendix A: 9-41 requires every municipality to create an Emergency Management Council of not more than fifteen (15) members to serve at the will and pleasure of the appointing authority to assist the municipality in establishing the various local volunteer agencies needed to meet the requirements of all local emergency management activities; and

WHEREAS, the Borough's Emergency Management Coordinator has recommended the appointment of individuals to serve on this Council for the year 2009, the Mayor has nominated them and it is the desire of the Borough Council to confirm this nomination.

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 following individuals are hereby appointed members of the Borough's Emergency Management Council for the year 2009 and shall serve for a term of one (1) year and until a successor Emergency Management Council shall be appointed:

Emergency Management Coordinator	Edward Dickson
Assistant Emergency Management Coordinator	Geoffrey Schwartz
Mayor	Thomas E. Connors
Police Chief	Edward Dickson
Public Works Director	James Mackie
Fire Chief	Paul Wroblewski, Jr.
Tri-Boro First Aid Squad Captain	Marie Rice
Welfare Director	Diana Turrian
Construction Official	William Schultz
Borough Administrator	Julie Horner-Keizer
Representative, Broadcast Media/Meteorologist	Alan Kasper
Representative, Sand Dollar Garden Club	Faye Haring
Representative, Ocean County Health Department as designated by the O.C. Health Dept	

2. Members of the Emergency Management Council shall not be eligible to participate in the Borough Health Benefits Plan and shall be paid no salary.
3. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Borough's Emergency Management Coordinator.

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

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

MOTION CARRIED.

RESOLUTION OF THE BOROUGH COUNCIL CONFIRMING THE APPOINTMENT OF MEMBERS TO THE BOROUGH'S EMERGENCY MANAGEMENT VOLUNTEER STAFF FOR THE YEAR 2009

Resolution No. 2009-18

Adopted: January 4, 2009

WHEREAS, the Borough's Emergency Management Coordinator has recommended the appointment of designated individuals as members of the Borough's Emergency Management Volunteer Staff for the year 2009 to

assist in traffic control, public information and other purposes during declared emergencies and training exercises; and

WHEREAS, it is the desire of the Borough Council to approve these appointments.

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 following are hereby appointed members of the Borough's Emergency Management Volunteer Staff for the year 2009 and shall serve for a term of one (1) year and until a successor Emergency Management Volunteer Staff shall be appointed:

Robert Cardwell Communications
Alan Kasper Meteorologist
Cindy Kleva Operations/Security
Nancy Klumb Communications
Christopher Bonner Communications
Carol Wroblewski Operations
James Boag/Security Communications

2. Members of the Emergency Management Volunteer staff shall not be eligible to participate in the Borough Health Benefits Plan and shall be paid no salary.
3. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Borough's Emergency Management Coordinator and the Borough Chief Financial Officer.

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

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

MOTION CARRIED.

RESOLUTION OF THE BOROUGH COUNCIL APPOINTING MEMBERS TO LOCAL ASSISTANCE BOARD

Resolution No. 2009-19

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 44:8-114 requires every municipality to provide public assistance to eligible persons and that said public assistance be administered by a Local Assistance Board; and

WHEREAS, the Borough previously established a Local Assistance Board and the Mayor has nominated David Meyer and Sue Maday for appointment to this Board, and it is the desire of the Borough Council to confirm these nominations.

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. David Meyer is hereby appointed to the Local Assistance Board and shall serve for a term of one (1) year, term to expire 12/31/09.
2. Sue Maday is hereby appointed to the Local Assistance Board and shall serve for a term of two (2) years, term to expire 12/31/10.
3. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the appointees.

Motion for approval made by Mr. Jablonski seconded by Mr. Appleby.

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

MOTION CARRIED.

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A CONTRACT TO AND AUTHORIZING THE APPOINTMENT OF CMX FOR ENGINEERING SERVICES PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.

Resolution No. 2009-32

Adopted: January 4, 2009

WHEREAS, the Borough of Seaside Park has received responses to requests for proposals 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 following outstanding engineering work has been determined to remain with the firm CMX for completion of the bid process, and/or project closeout; and

Project: Municipal Marina Site Remediation

Scope: Coordinate removal of additional contaminated soils either with existing contractor or through new proposal.

Anticipated Cost: \$3,000.00

Project: Replacement of the 'O' Street Bulkhead

Scope: Submit for permits, respond to review questions. Advertise, receive and review bids and make Recommendation of Award.

Anticipated Cost: \$5,000.00

Project: Route 35 Phase I Sewer Improvements

Scope: Phase I Water & Sewer Improvements

Anticipated Cost:

WHEREAS, the Borough Council desires to appoint CMX Associates to completed the above projects; 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 Borough Treasurer has certified that funds are available in the year 2008 temporary budget and will be available in the final budget when adopted under:

Engineering Capital Improvements,

WHEREAS, CMX, has 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 CMX, be and is hereby authorized to provide engineering services for the completion of aforementioned projects through bid process and/or project closeout.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to an agreement with CMX..
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 January 23, 2008.
6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
 - A. Administrator;
 - B. Chief Financial Officer;
 - C. CMX

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

The following resolutions were voted upon by consent.
Motion for approval made by Mr. Jablonski seconded by Mr. Appleby.
AYES: Appleby, Brennan, Jablonski, Kelly, McHugh, Meyer.
MOTION CARRIED.

RESOLUTION OF THE BOROUGH COUNCIL ESTABLISHING COUNCIL COMMITTEES AND ADOPTING RULES OF ORDER FOR THE YEAR 2009

Resolution No. 2009-20

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 40A:60-3 authorizes the Borough Council to establish for its members such committees of the Council as will assist it for the ensuing year; and

WHEREAS, it is the desire of the Borough Council to establish Council Committees and adopt Rules of Order for the operation of the Council during 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, as follows:

1. The following Committees of the Council are hereby established for the year 2009:

A. Standing Committees. The Borough Council shall be organized into the following Standing Committees:

Administration, Finance, Insurance & Labor Negotiations

Chairman Andy Kelly, James Jablonski, Randy Appleby

Beach and Recreation & Marina Utility

Co-Chairman Randy Appleby Beach & Recreation

Co-Chairman Fritz McHugh Marina Utility

Committee members Randy Appleby, Fritz McHugh, Dave Meyer

Public Safety, Court, Health and Welfare & Code Enforcement, Zoning & Planning

Chairman David Meyer, Andy Kelly, Robert Brennan

Public Works, Water/Sewer Utility, Energy & Environment

Co-Chairman Robert Brennan Public Works, Water/Sewer Utility

Co-Chairman James Jablonski Energy & Environment

Committee members Robert Brennan, James Jablonski, Fritz McHugh

- B. Advisory Committees. Advisory Committees shall be organized as deemed necessary by the Mayor or a majority of the members of the Borough Council.
- C. Appointment. The Mayor shall be the ex-officio member of all committees but shall only participate in Committee meetings when the Mayor's presence will not violate the provisions of the Open Public Meetings Act.
- D. Duties and Powers. Council committees are appointed to expedite and facilitate the work of the Council, but only within statutory limits as the entire Council is held responsible for any and all of its acts performed within the scope of authority.

(1) A Committee shall:

- a. File notice of all committee meetings with the Mayor and Borough Clerk/Administrator.
- b. Meet when requested by the Chairperson or a majority of the Committee, and all members shall participate actively in committee deliberations, performance of duties and formulation of its recommendation to Council.
- c. Plan, study, direct, make commitments within budgetary limitations, and carry on routine activities for which it has primary responsibility.
- d. Perform such acts as may be assigned by Council.
- e. Report and make recommendations to the Council regarding its responsibilities and activities.

(2) A Committee shall not:

- a. Make promises or commitments to anyone which directly, or by inference, binds the Council.
- b. Act in any manner or make decisions, which set a precedent or violate established Council policy.

E. Reports. The Chairman of each Standing or Advisory Committee shall be prepared to report in writing to the Mayor and Council at each regular meeting on the principal activities of the Committee.

2. The following Rules of Order governing meetings of the Borough Council are hereby adopted:

- a. Rules of Order. Except as otherwise mandated by New Jersey law, Borough Ordinance or specifically outlined in the Rules of Order, all meetings of the Mayor and Borough Council shall be governed by Robert's Rules of Order, Newly Revised.
- b. Agenda. The Borough Clerk shall prepare an agenda of all matters to be brought before the Mayor and Council. All matters requiring the attention of the Mayor and Borough Council at any meeting shall be filed with the Borough Clerk no later than noon the Monday prior to the scheduled meeting. A copy of the Agenda shall be prepared and made available to the Mayor and Borough Council no later than the close of business on the Monday prior to the scheduled meeting.
- c. Order of Business. The following order of business shall be observed for all Regular Meetings unless changed by the Mayor with the consent of Council, or by majority vote of the Council:

- a. Call to order.
- b. State of compliance with the Open Public Meetings Act
- c. Announcements
- d. Moment of Silent Prayer & Flag Salute
- e. Roll Call
- f. Approval of Minutes
- g. Receipt of Reports
- h. Scheduled Public Hearings
- i. Ordinance Introductions
- j. Resolutions, preceded by questions and comments on resolutions
- k. Council Committee Reports & Announcements
- l. Public Comment
- m. Adjournment

**RESOLUTIONS OF THE BOROUGH COUNCIL ESTABLISHING MEETING DATES FOR THE YEAR
2009**

Resolution No. 2009-21

Adopted: January 4, 2009

WHEREAS, the New Jersey Open Public Meetings Law, N.J.S.A. 10: 4-6 et seq., requires the municipal governing body to establish a schedule of regular meetings to be held during the year and cause said schedule to be posted, published and provided to those requesting said schedule in the manner required, within seven (7) days following the annual organization meeting; 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 following schedule of Work Session Meetings beginning at 7:00 p.m. is hereby established for the year 2009:

WORK SESSIONS:

January 8	January 22
February 12	February 26
March 12	March 26
April 9	April 23
May 14	May 28
June 11	June 25
July 9	July 23
August 13	August 27
September 10	September 24
October 8	October 22
November 12	November 24
December 10	December 22

2. The following schedule of Regular Session Meetings beginning at 8:00 p.m. is hereby established for the year 2009:

REGULAR SESSIONS:

January 8	January 22
February 12	February 26
March 12	March 26
April 9	April 23
May 14	May 28
June 11	June 25
July 9	July 23
August 13	August 27
September 10	September 24
October 8	October 22
November 12	November 24
December 10	December 22

3. Resolutions may be adopted at these Regular Meetings providing for the Mayor and Borough Council to exclude the public and meet in Executive (Closed) Session in accordance with the Open Public Meetings Law.
4. Resolutions may be adopted at these Regular Meetings canceling or re- scheduling any of these meetings provided that adequate notice is given in accordance with the Open Public Meetings Law.
5. The Borough Clerk is hereby directed to prepare the Annual Notice of these meetings required by the Open Public Meetings Law and to prominently post a copy throughout the year on the bulletin board maintained for such purpose in the Borough Hall.
6. The Borough Clerk is hereby directed to forward copies of the required Annual notice to the Island Gazette, Star Ledger, Atlantic City Press and the Asbury Park Press and to any individuals providing self- addressed stamped envelopes for such purposes.

**RESOLUTION OF THE BOROUGH'S COUNCIL DESIGNATING THE BOROUGH'S OFFICIAL
NEWSPAPERS FOR THE YEAR 2009**

Resolution No. 2009-22

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 40:53-1 authorizes the governing body of a municipality to designate an official newspaper of newspapers for the publication of all advertisements and notices required by law to be published by the municipality; and

WHEREAS, it is the desire of the Borough Council to designate such newspapers so that citizens and interested parties may have the opportunity to become informed and be heard on matters of the Borough.

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:

The Island Gazette, Star Ledger, Atlantic City Press and the Asbury Park Press are hereby designated official newspapers for the publication of advertisements and notices required by law to be published by the Borough for the year 2009.

**RESOLUTION OF THE BOROUGH COUNCIL ADOPTING THE TEMPORARY
OPERATING BUDGET FOR THE YEAR 2009**

Resolution No. 2009-23

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the annual municipal budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, as required by said statute, this resolution is adopted during the first thirty (30) days of the 2009 fiscal year; and

WHEREAS, the total appropriations in the 2008 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, were as follows:

CURRENT FUND	\$8,595,113.30
DEDICATED WATER-SEWER UTILITY	\$1,951,561.75
DEDICATED MARINA UTILITY	\$303,698.00

WHEREAS, 26.25% of the total appropriations in the 2008 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2008 budget were as follows:

CURRENT FUND	\$2,084,004.12
DEDICATED WATER-SEWER UTILITY	\$434,322.46
DEDICATED MARINA UTILITY	\$41,067.60

WHEREAS, the Chief Financial Officer has prepared the attached Temporary Operating Budget and recommends its adoption.

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 attached Temporary Operating Budgets for the Current Fund, Water-Sewer Utility and Marina Utility are hereby adopted.

**RESOLUTION OF THE BOROUGH COUNCIL ADOPTING A CASH MANAGEMENT PLAN FOR THE
YEAR 2009; DESIGNATING THE CUSTODIAN AND OFFICIAL DEPOSITORY OF BOROUGH FUNDS;
DIRECTING THE INVESTMENT OF IDLE FUNDS; AND DESIGNATING REQUIRED SIGNATURES
ON BOROUGH CHECKS**

Resolution No. 2009-24

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 40A: 5-14 requires every municipality to adopt a Cash Management Plan and deposit its funds pursuant to that plan; and

WHEREAS, the Cash Management Plan shall include the designation of a bank or trust company, having its place of business in the state and organized under the laws of the United States or the State of New Jersey, as the depository for municipal funds; and

WHEREAS, it is necessary to designate the required signatures on Borough checks; and

WHEREAS, the Chief Financial Officer has prepared the Cash Management Plan and recommends its adoption.

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 Chief Financial Officer is hereby designated Custodian of all Borough funds and is directed to deposit such funds in interest bearing accounts at a designated depository pending investment or reinvestment thereof.
2. The following financial institution are hereby designated as depositories of funds for the Borough of Seaside Park:
 - a. Shore Community Bank, or its assignee
 - b. TD North, or its assignee
 - c. Bank of America, or its assignee
 - d. Wachovia Bank, or its assignee
 - e. New Jersey Cash Management Fund, or its assignee
3. The Chief Financial Officer is hereby authorized to established such accounts in the above designated depositories for the deposit of Borough funds as necessary and is further authorized to transfer funds between the various Borough accounts in order to provide necessary cash for the continuance of Borough operations during periods of limited cash flow.
4. The Chief financial Officer is hereby directed to solicit bids to invest idle funds in authorized investments from the following financial institutions:
 - a. Shore Community Bank, or its assignee
 - b. TD North, or its assignee
 - c. Bank of America, or its assignee
 - d. Wachovia Bank, or its assignee
 - e. New Jersey Cash Management Fund, or its assignee

The Chief Financial Officer is hereby authorized to place orders and direct transfers necessary to complete said investments. In accordance with N.J.S.A. 40A:5-15.2, the Chief Financial Officer shall transmit a written report of said investments to the Mayor and Borough Council which shall be noted in the minutes of the next scheduled regular meeting.

5. The following Borough Officials are hereby authorized to sign checks, including checks drawn to their own account, or withdrawal requests where the following combination of three (3) principal signatures is required:
 - a. Mayor or Council President
 - b. Chief Financial Officer or Deputy Borough Treasurer
 - c. Borough Clerk or Deputy Borough Clerk
6. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Chief Financial Officer.

RESOLUTION OF THE BOROUGH COUNCIL FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAX PAYMENTS AND PROVIDING FOR A TEN (10) DAY GRACE PERIOD FOR THE PAYMENT OF TAXES FOR THE YEAR 2009

Resolution No. 2009-25

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 54:4-67 authorizes the governing body of a municipality by resolution to fix the rate of interest to be charged on delinquent taxes and;

WHEREAS, the same statute also authorizes the governing body to provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became payable.

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) In accordance with N.J.S.A. 54:4-67 as amended, the rate of interest to be charged for the non payment of taxes on or before the date when they would become delinquent is hereby fixed at the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency and eighteen percent (18%) per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date of actual payment, and if the delinquency is in excess of \$10,000 and remains in arrears beyond December 31st, an additional penalty of six percent (6%) shall be charged against the delinquency.
- 2) In accordance with N.J.S.A. 54:4-67 no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became payable.
- 3) The Borough Clerk is hereby directed to forward a certified copy of this resolution to the Borough Tax Collector.

**RESOLUTION OF THE BOROUGH COUNCIL DESIGNATING THE TAX ASSESSOR AS THE
OFFICIAL AUTHORIZED TO ACT AS THE AGENT FOR THE TAXING DISTRICT OF THE
BOROUGH OF SEASIDE PARK AND FILE PETITIONS OF APPEAL AND EXECUTE
STIPULATIONS OF SETTLEMENT FOR THE YEAR 2009**

Resolution No. 2009-26

Adopted: January 4, 2009

WHEREAS, from time to time the Tax Assessor discovers an error in calculations, transposing, measurement, or typographical errors in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the year; and

WHEREAS, if the discovered errors are not corrected, the affected taxpayer would not be paying their fair share of taxes; and

WHEREAS, the method for correcting such errors is to file a Petition of Appeal with the Ocean County Board of Taxation.

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 Tax Assessor is hereby designated as the official authorized to act as the agent for the taxing district of the Borough of Seaside Park and file Petitions of Appeal with the Ocean County Board of Taxation to correct tax assessments for the year 2009.
2. The Tax Assessor is hereby authorized to execute Stipulations of Settlement with regards to all appeals filed on behalf of the Borough or the taxpayer for the year 2009.
3. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Tax Assessor and the Ocean County Board of Taxation.

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW
JERSEY APPOINTING JULIE L. HORNER-KEIZER AS PUBLIC AGENCY COMPLIANCE OFFICER
AFFIRMATIVE ACTION
BOROUGH OF SEASIDE PARK**

Resolution No. 2009-27

Adopted: January 4, 2009

WHEREAS, N.J.A.C. 17:27-1.1 provides that no public work contracts can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

WHEREAS, N.J.A.C. 17:27-3.5 provides that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey hereby appoints Julie L. Horner-Keizer as the Public Agency Compliance Officer for a one-year term ending December 31, 2009.

**RESOLUTION OF THE BOROUGH COUNCIL DESIGNATING RANDY APPLEBY AS THE
BOROUGH'S REPRESENTATIVE AND JULIE L. HORNER-KEIZER ALTERNATE
REPRESENTATIVE TO THE OCEAN COUNTY COMMUNITY DEVELOPMENT BLOCK
GRANT STEERING COMMITTEE**

Resolution No. 2009-28

Adopted: January 4, 2009

WHEREAS, the Borough of Seaside Park has entered into a cooperative agreement with the County of Ocean to participate in the County's Community Development Block Grant Program; and

WHEREAS, participation in this program requires the Borough to designate a representative and alternate for the year 2009; and

WHEREAS, it is the desire of the Borough Council to designate Rand Appleby as the Borough's representative for the year 2009 CDBG Steering Committee and Julie L. Horner-Keizer as the Borough's alternate representative 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, as follows:

3. That Randy Appleby is hereby designated the Borough's representative to the year 2009 CDBG Steering Committee.
4. That Julie L. Horner-Keizer is hereby designated the Borough's alternate representative to the year 2009 CDBG Steering Committee.
5. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Ocean County Community Development Block Grant Program Steering Committee.

RESOLUTION RESCINDING PETTY CASH FUNDS FOR THE YEAR 2009

Resolution No. 2009-29

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county of municipality by application and resolution, and,

WHEREAS, the Borough of Seaside Park has previously established the following Petty Cash Funds:

Recreation	\$2,000.00	Established 5/7/93
Public Assistance	\$7,000.00	Established 6/8/92

WHEREAS, these funds are no longer needed and are hereby rescinded.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Seaside Park, County of Ocean hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs and be removed from list of approved Petty Cash Funds in the Bureau of Financial Regulations and Assistance.

RESOLUTION ESTABLISHING PETTY CASH FUNDS FOR THE YEAR 2009

Resolution No. 2009-30

Adopted: January 4, 2009

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county of municipality by application and resolution, and,

WHEREAS, it is the desire of the Borough of Seaside Park, County of Ocean to establish such a fund for the following Departments within the Borough:

Finance Department	\$100.00
Police Department	\$250.00
Public Works Department	\$250.00

WHEREAS, the custodians for these funds are bonded through the Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Seaside Park, County of Ocean hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

RESOLUTION OF THE BOROUGH COUNCIL DESIGNATING DATES FOR THE OBSERVANCE OF HOLIDAYS AND ESTABLISHING EMPLOYEE HOLIDAY SCHEDULES FOR THE YEAR 2009

Resolution No. 2009-31

Adopted: January 4, 2009

WHEREAS, during December of each year, the Borough Council must designate dates for the observance of holidays in order to establish employee Holiday schedules for the subsequent year.

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

1. Holidays shall be observed by all Borough of Seaside Park Departments and Offices on the following dates during the year 2009.

New Year's Day	
Police Department	Thursday, January 1 st .
All other Departments and offices	Thursday, January 1 st .
King's Birthday	Monday, January 19 th .

Lincoln's Birthday	
Police Department	Monday, February 9 th
All other Departments & Offices	Monday, February 9 th
President's Day	Monday, February 16 th
Good Friday	Friday, April 10 th
Memorial Day	Monday, May 25 th
Independence Day	Friday, July 3 rd
Labor Day	Monday, Sept. 7 th
Columbus Day	
Police Department	Monday, Oct. 12 th
All other Departments & Offices	Monday, Oct. 12 th
General Election Day	Tuesday, Nov. 3 rd
Veteran's Day	Wednesday, Nov. 11 th
Thanksgiving Day	Thursday, Nov. 26 th
Friday after Thanksgiving	Friday, Nov. 27 th
Christmas Day	Friday, Dec. 25 th

2. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to all Department Supervisors for posting to all Borough employees.

Audience: Gail Coleman, SW Central Ave: She will be looking forward to having Council work with Summer in the Park as we expect a difficult year economically. She also welcomes the new Councilmen.

Meeting adjourned at 12:45 P.M.
Attend: 59

Res. submitted,

Barbara Greger, Dep. Borough Clerk.