

**SEASIDE PARK BOROUGH COUNCIL**

The Regular Meeting of the Borough Council of the Borough of Seaside Park was called to order at 8:55 p.m. on Thursday, May 14, 2009 in the Borough Council Meeting Room located at Sixth & Central Avenues, Seaside Park, with Mayor Thomas E. Connors presiding.

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

Present:

Thomas E. Connors, Mayor	Also Attending:
Randy Appleby	Eugenia Bermudez, CFO
Andy Kelly	Barbara Greger, Dep. Clerk
Dave Meyer	Adm. Julie Keizer
Robert Brennan	Attorney Michael McKenna
Dr. McHugh	Chief Ed Dickson
Jim Jablonski	Jim Mackie, Dir. DPW

Mayor Connors called the meeting to order at 8:55 P.M.  
Adm. Julie Keizer read the Statement of Compliance, the announcements and no smoking policy.  
Mayor Connors read the mission statement and asked all to stand for a moment of silence and Pledge of Allegiance remembering those in the Armed Forces.  
Adm. Julie Keizer takes roll call recorded above.

Approval of minutes for Regular Meeting April 9, Work Session/Regular Meeting April 23, 2009.  
Motion for approval made by Mr. Appleby and seconded by Mr. Brennan.  
AYES: Appleby, Brennan, Jablonski, (4/9 abstain 4/23), McHugh, Kelly, Meyer.  
MOTION CARRIED.

Reports: None

Public Hearings: Final reading of Ordinance No. 1479 entitled:  
**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:

J. Concession Stand Fees:

Breakfast Items	\$1.00	to	\$6.00
Lunch Items	\$1.50	to	\$8.50
Beverages	\$1.00	to	\$4.00
Snacks	\$0.50	to	\$7.00
Sun Products	\$1.00	to	\$15.00
First Aid Products	\$1.00	to	\$10.00
Clothing	\$1.00	to	\$30.00
Beach Supplies	\$1.00	to	\$25.00

**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. Meyer and seconded by Kelly.  
AYES: Appleby, Brennan, Jablonski, Kelly, Meyer

ABSTAIN: McHugh.  
MOTION CARRIED.

Ordinance Introductions: First reading of Ordinance 1480 entitled:

**BOROUGH OF SEASIDE PARK, OCEAN COUNTY, NEW JERSEY**

**AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, OCEAN COUNTY, NEW JERSEY, ESTABLISHING CHAPTER 65, ENTITLED "SIGNS" AND AMENDING CHAPTER 25 (DEVELOPMENT REGULATIONS) AS IT APPLIES TO SECTION 25-625, ENTITLED "SIGNS"**

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

**SECTION 1.** There is hereby created a new Chapter 65 of the Code of the Borough of Seaside Park reading as follows:

**Chapter 65**

**SIGNS**

**§65-1 DEFINITIONS**

**§65-2 GENERAL SIGN PROVISIONS**

**§65-3 REAL ESTATE FOR SALE, RENT, OR LEASE SIGNS**

**§65-4 RESIDENTIAL SIGNS**

**§65-5 COMMERCIAL AND NON-RESIDENTIAL SIGNS**

**§65-6 SIGNS ON PUBLIC PROPERTY AND STREET RIGHT-OF-WAYS**

**§65-7 ENFORCEMENT**

**§65-8 VIOLATIONS AND PENALTIES**

**§65-1 DEFINITIONS**

Definitions. The following words, terms and phrases used in this chapter shall have the indicated meanings:

**ATTACHED SIGN** – any sign erected, constructed or maintained on a building with the principal support of said sign being the building, including specifically the painting of signs or displays on the exterior surface of the building.

**AWNING, CANOPY OR MARQUEE SIGN** – a sign that is mounted or painted on or attached to an awning, canopy or marquee. Such sign shall not project above, below or beyond the awning, canopy or marquee.

**FREE-STANDING SIGN** – a sign supported by one or more upright poles, columns, or braces placed in or on the ground and not attached to any building or structures.

**PORTABLE SIGN** – any sign displayed only during business hours and located within the business property lines. Portable signs are temporary and/or seasonal by definition.

**ROOF SIGN** – a sign which is erected, constructed or maintained on, above or as part of the roof of any building.

**SEASONAL SIGN** – A temporary sign intended for seasonal use or a special event.

**SIGN** – Any announcement, display, advertisement or illustration placed to be seen from any street or public way.

**TEMPORARY SIGN** – any seasonal sign, exterior poster, handbill, advertisement, banner, or other material which is not intended to remain more than 120 days at a particular location, with the exception of political signs and real estate signs.

**§65-2 GENERAL SIGN PROVISIONS**

- A. No signs or any other advertising structure shall be erected, altered or replaced which is not in accordance with the standards established in this chapter and the Uniform Construction Code of the State of New Jersey. No signs or any other advertising structures or devices shall be permitted in the Borough except as specified in this ordinance. The Code Enforcement Officer or a duly-designated representative shall deem the type, location, use and/or purpose of each sign appropriate.
- B. All signs shall be maintained in good condition and state of repair. If the Code Enforcement Officer or a duly-designated representative shall find that any sign is unsafe, insecure or in need of repair, or is not maintained in proper condition, the Code Enforcement Officer shall give written notice to the permittee thereof. If the permittee fails to repair or remove it within ten (10) days after such notice, such sign may be removed by the Code Enforcement Officer at the expense of the permittee or owner of property on which it is located. The Code Enforcement Officer or a duly-designated representative may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily at the expense of the permit holder or owner of the premises upon which the sign is located and without notice to said persons.

- C. The area of a sign shall be measured around the outside edges of a framed or enclosed sign or by the area utilized by isolated words and/or symbols, including the background. The area shall not include any supporting framework and incidental bracing. A sign with two sides shall be measured for area by using the surface of one side of the sign only.
- D. Attached signs shall be firmly attached to the exterior wall of a building and shall not project more than fifteen inches (15") from the building or extend above the height of the building.
- E. Where permitted, all free-standing lighted signs shall be supplied with electric power from underground service.
- F. No sign may be placed on or attached to a building or erected on a property for any purpose other than to advertise an approved activity or use conducted on the same premises.
- G. No sign of any type shall be permitted to obstruct driving vision, traffic signal, traffic directional and identification signs, other signs, or windows of the building on which they are located. No sign shall be attached to trees, stumps, utility poles or other signs, but shall be free-standing or attached to the building exterior or fence in an approved manner.
- H. No sign shall use mechanical, electrical, or computerized devices to rotate, flash, display movement or the illusion of movement, project moving images, or use auditory devices to emit sound within any zone. Computerized signs, such as LED message boards which may exchange messages at timed intervals, are permitted in non-residential zones provided each message does not contain text or graphics that rotate, flash, display movement or the illusion of movement, project moving images, or use auditory devices to emit sound, and are further subject to the applicable sections of this ordinance.
- I. All illuminated signs shall be arranged to reflect the light and glare away from adjoining premises and away from adjoining highways. No sign with red, green, or blue illumination in a beam shall be erected in any location in order to avoid resembling an emergency light. Neon tubing or bare bulk illumination is prohibited on all signs.
- J. Informational and direction signs. Signs identifying street number designations, postal boxes, on-site directional and parking signs, and security warning signs shall be permitted, subject to a maximum area of one square foot (1 s.f.) which shall not be considered in calculating other sign limitations. Such signs shall be attached to the building or located within the property lines and shall not block any sidewalk or public right-of-way. Traffic control signs shall conform to the latest Manual on Uniform Traffic Control Devices for Streets and Highways, United States Department of Transportation, Federal Highway Administration.
- K. Signs shall not be permitted on any canopy, awning or marquee, other than signs built into and forming a part of the structure of the canopy, awning or marquee.

**§65-3 REAL ESTATE FOR SALE, RENT, OR LEASE AND "OPEN HOUSE" SIGNS**

- A. Only one (1) unlighted free-standing, attached, or window sign advertising the sale, rental, or lease of property, or portion of the property, shall be permitted on a lot or building.
- B. If there is more than one dwelling unit on a property, then one real estate sign may be displayed for each unit on the property which has a separate address and a separate owner. If the same owner owns two or more units on a property, then only one sign shall be permitted on the property for all units owned by that owner.
- C. The dimensions of a free-standing, attached, or window sign shall be a maximum of twenty-four and one-half inches (24.5") by thirty inches (30") measured around the outside edges of the frame or enclosure or by the area utilized by isolated words and/or symbols, including the background. A sign with two sides shall be measured for area by using the surface of one side of the sign only. The area shall not include any supporting framework and incidental bracing. For the purposes of this ordinance, an informational container (e.g., brochure box) intended to complement the information on the sign shall not be included in the sign area, provided that the container is attached to the one permitted sale, rent, or lease sign and that the dimensions of the container are no larger than is necessary to hold 8 ½" x 11" brochures
- D. Free-standing signs shall be located on the subject property in plain view, shall not block any sidewalk or public right-of-way, and shall be removed when the property is no longer available for sale, rent, or lease. The top of each sign shall not be higher than forty-two inches (42") above the ground, measured from the average grade at the supporting structure line to the top of the sign.
- E. Open House signs. The following restrictions shall apply to "open house" real estate signs:
  - 1. Only one sign may be placed on each lot or building being sold. A maximum of three (3) directional signs may be placed off-site, but shall not be placed on private property owned by another person without that owner's written permission.
  - 2. The person(s), real estate firm, or entity that conducts any "open house" and places signs as described herein shall notify the borough code enforcement office via electronic mail to [sspoem@optonline.net](mailto:sspoem@optonline.net). Said notice shall be delivered upon placement of the "open

house” sign on the lot or building being sold, and shall contain the name and telephone number of the individual responsible for said “open house;” certification that signs have been placed in accordance with all provisions of this ordinance; and the time at which said “open house” shall conclude. The individual responsible for said “open house” shall, by noon (12:00 p.m.) of the day immediately following any “open house” notify the borough code enforcement office via electronic mail as described above that all related signs have been removed in accordance with the provisions of this ordinance.

3. The single open house sign placed on the lot or building being sold shall include, at minimum, the name and telephone number of the person(s), real estate firm, or entity conducting said open house. Said sign shall not be larger than twenty-four and one-half inches (24.5") by thirty inches (30"), and the top of said sign shall not be higher than forty-two inches (42") above the ground. Said sign shall be located on the subject property in plain view, but shall not block any sidewalk or public right-of-way.
4. Directional “open house” signs shall, at minimum, identify the person(s), real estate firm, or entity that owns said signs. Directional signs for said “open house” shall be placed not more than seven (7) hours in advance of the time at which said “open house” is to conclude. Directional signs shall not block any sidewalk or public right-of-way.
5. The “open house” sign on the lot or building being sold shall be placed not more than seventy-two (72) hours in advance of the time at which said “open house” is to conclude. The “open house” signs, placed on the subject property, and all directional signs, shall be removed immediately, that day, upon the conclusion of said “open house.”
6. No “open house” sign shall be illuminated. Attachments to “open house” signs shall be attached firmly thereto and must be constructed of material that is certified as biodegradable or otherwise environmentally sensitive.

#### §65-4 RESIDENTIAL SIGNS

For the purposes of this section, residential signs are defined as follows:

**SIGN, RESIDENTIAL** – Any sign depicting the name, location, or occupants of a home, multiple-dwelling apartment, townhouse, and/or condominium facility on properties used for approved residential activities.

Permitted residential signs:

- A. One (1) residential sign attached to each building which identifies the premises name, location, or occupants, and subject to a maximum height of six (6) inches and width of eighteen (18) inches.
- B. One (1) free-standing or attached sign which identifies the premises name, location, or occupants or indicating the private nature of a driveway or premises, subject to a maximum area of nine (9) square feet and maximum height of four (4) feet measured to the highest point of the sign which is located within the property lines and shall not block any sidewalk or public right-of-way.
- C. Multiple-dwelling apartment, townhouse, and condominium facilities shall only be permitted one (1) sign on the lot or building subject to a maximum area of nine (9) square feet and maximum height of four (4) feet measured to the highest point of the sign. Such signs shall be attached to the building or located within the property lines and shall not block any sidewalk or public right-of-way.

#### §65-5 COMMERCIAL AND NON-RESIDENTIAL SIGNS

Signs on properties used for approved commercial and non-residential activities shall be subject to zoning approval and permitted as follows:

- A. Upon the termination of any business, all signs connected with that business must be removed within ten (10) days of the tenant vacating the space.
- B. Civic, religious, philanthropic, or political organizations may erect temporary signs prior to a special event provided that permission is granted by the governing body.
- C. Temporary and/or seasonal signs. Temporary special event or seasonal-type signs may be permitted under the following conditions:
  1. The Code Enforcement Officer or a duly-designated representative deems the type, location, use and/or purpose of such sign appropriate.
  2. A temporary or seasonal sign permit is obtained.
  3. One (1) portable sign, one-sided or two-sided, shall be permitted on the lot or building subject to a maximum height of four (4) feet measured to the highest point of the sign, width of three (3) feet, and depth of three (3) feet, including frame and support features.

Portable signs shall not block any sidewalk or public right-of-way. All other signs may not exceed twelve (12) square feet.

4. The sign is not illuminated.
5. The sign is displayed for no more than 120 days in any one year.
6. No more than one temporary sign per enterprise or establishment may be displayed and not more than one permit shall be issued in any one year.

D. Signs Advertising Contractors, Architects, Builders, Artisans, or Other Trades.

1. One temporary, unlighted sign advertising the contractor, architect, builder, artisan, or other trade may be permitted on a vacant lot, in addition to one sign temporarily
2. Unlighted signs advertising contractors, architects, builders, artisans, or other trades shall be permitted on a lot actively under construction. Such signs shall be removed immediately upon the issuance of a certificate of occupancy.
3. In a case where limited construction is being performed on a developed property (e.g., building addition, driveway replacement, painting, etc.), one temporary sign advertising the contractor, architect, builder, artisan, or other trade may be permitted on a residential lot, in addition to one sign temporarily advertising the sale, rental, or lease of property, or portion of the property, during the actual performance of the service being provided by the specific contractor, architect, builder, artisan, or other trade as specified on the advertising sign. Such temporary sign shall be removed immediately upon the completion of the described service.
4. The dimensions of a free-standing sign advertising contractors, architects, builders, artisans, or other trades shall be a maximum of twenty-four inches (24") by twenty-four inches (24") measured around the outside edges of the frame or enclosure or by the area utilized by isolated words and/or symbols, including the background. The area shall not include any supporting framework and incidental bracing. A sign with two sides shall be measured for area by using the surface of one side of the sign only. Such signs shall be located at least two feet from the property line or one-half of the distance to the building line if the setback is less than two feet and shall not block any sidewalk or public right-of-way. The top of each sign shall not be higher than thirty inches (30") above the ground, measured from the average grade at the supporting structure line to the top of the sign.

E. Attached Signs. One (1) or more signs attached to the building subject to an aggregate maximum area of twenty (20) square feet. Such signs shall be permitted for one street on which the building has frontage. In buildings with more than one (1) commercial or non-residential unit, the maximum sign area shall be calculated for the building frontage of each unit separately. Any building having a frontage of more than fifty (50) feet shall be permitted an additional four (4) square feet of sign area for each additional fifty (50) feet of building frontage.

F. Interior Window Signs. Interior signs on windows shall not be considered in computing the number or area of permitted signs. Interior window signs shall not exceed twenty-five (25) percent of the individual window where the sign is displayed.

G. Boardwalk Signs. Attached and free-standing signs shall be permitted for approved commercial activities located in the Boardwalk Zoning District subject only to the following limitations:

1. Signs which are visible from Ocean Avenue shall be subject to the requirements of Paragraph E (Attached Signs) above.
2. All other signs shall not be subject to these limitations or subject to the prohibition on mechanical or electrical devices to revolve, flash, or display movement or the illusion of movement; the prohibition on the use of red, green, or blue illumination in a beam in order to avoid resembling an emergency light; or the prohibition on the use of neo tubing or bare bulk illumination.
3. No sign attached to a building shall extend above the building height.
4. No free-standing sign shall exceed the maximum permitted building height.
5. No sign shall extend from one building to another above any walkway or public right-of-way.

H. Church and School Signs. Churches and schools shall be permitted one (1) attached sign subject to a maximum area of twenty (20) square feet. Churches and schools shall also be permitted one (1) free-standing sign subject to a maximum area of twenty (20) square feet, height of ten (10) feet measured to the highest point of the sign, and set back a minimum of eight (8) feet from all property lines.

#### §65-6 SIGNS ON PUBLIC PROPERTY AND STREET RIGHT-OF-WAYS

The placement of any sign on public property or within any public right-of-way is prohibited without approval by resolution of the governing body.

#### §65-7 ENFORCEMENT

The Code Enforcement Officer of the Borough of Seaside Park or a duly-designated representative is hereby designated as the enforcement officer of the provisions of this Chapter.

#### §65-8 VIOLATIONS AND PENALTIES

Any person who violates any one (1) or more sections of this ordinance shall be subject to a fine of not more than one thousand (\$1,000) for each separate offense and/or confinement in the Ocean County Jail for a period of not more than ninety (90) days.

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

**SECTION 3.** If any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance but shall be confirmed in its effect to the action, subsection, paragraph, sentence or other part of this ordinance directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 4.** This Ordinance shall take effect immediately upon its final passage and publication as required by law.

Mr. Appleby states since this sign ordinance pertains to Realtors, he will abstain as he is a Realtor.  
Mr. Jablonski thanks the committee and all involved with this ordinance as it has been a long hard road.  
Motion for approval made by Mr. Jablonski and seconded by Dr. McHugh.  
AYES: Brennan, Jablonski, McHugh, Kelly, Meyer.  
ABSTAIN: Appleby.  
MOTION CARRIED.

First reading of Ordinance No. 1481 REMOVED  
BOND ORDINANCE PROVIDING FOR WATER IMPROVEMENTS IN THE FORM OF DRILLING A NEW WELL AT DECATUR AVENUE CAPITAL BY AND IN THE BOROUGH OF SEASIDE PARK, OCEAN COUNTY, NJ & THE BOROUGH APPROPRIATING \$ THEREFORE AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

The next ordinance becomes #1481 REMOVED  
ORDINANCE OF THE BOROUGH OF SEASIDE PARK, OCEAN COUNTY, NJ FIXING AND DESIGNATING THE SALARIES TO BE PAID TO DESIGNATED EMPLOYEES.  
This ordinance was tabled on a motion made by Mr. Meyer and seconded by Dr. McHugh.  
AYES: Appleby, Brennan, Jablonski, McHugh, Kelly, Meyer.  
MOTION CARRIED.

Motion to amend the agenda to include 4 more resolutions made by Mr. Meyer and seconded by Mr. Appleby.  
AYES: Appleby, Brennan, McHugh, Kelly, Meyer.  
NAYS: Jablonski.  
MOTION CARRIED.

Resolutions: Adm. Julie Keizer reviews the following resolutions:  
R2009-141 entitled:

#### **AUTHORIZING THE PAYMENT OF \$225.00 TO B&B DEPARTMENT STORE FOR PAYMENT OF PRIZES FOR HOLIDAY DECORATING CONTEST**

**Whereas**, the Borough's Recreation Department previously sponsored a holiday decorating contest within the Borough of Seaside Park; and

**Whereas**, the total of \$225.00 was charged for prizes relating to the Holiday Decorating Contest; and

**Whereas**, the purpose of the within Resolution is to recognize that the Borough of Seaside Park must pay B&B Department stores for said prizes which were "gift cards".

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

1. That the Borough Council of the Borough of Seaside Park hereby authorizes the payment of the sum of \$225.00 to the B&B Department Store.
2. That any future expenditures of funds for such a purpose will have to be in accordance with N.J.S.A. 40A:4-39 providing for the dedicated recreational trust fund with any receipts and expenditures being guided by New Jersey State Law.
3. That upon adoption of the within Resolution the Clerk is authorized to forward duly authenticated copies of it to the Borough Auditor, Oliwa & Company, the Borough CFO, the Borough Recreation Director and the B&B Department Store.

R2009-142 entitled:

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

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

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

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

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>
2008-06	Slonaker, Donald & Constance	87-17	N or D Remick Premium	\$2,232.16 75.00
			Total	\$2,307.16

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.

R2009-143 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN AUTHORIZING A CREDIT REFUND OF REAL ESTATE TAXES PAID IN THE AMOUNT OF \$5,058.32 TO BE CREDITED QUARTERLY OVER THE NEXT TWO (2) YEARS FOR BLOCK 35, LOT 10 BASED UPON THE BOROUGH'S FAILURE TO OMIT THE 2007 ASSESSMENT FOR THE STRUCTURE DEMOLISHED IN 2006**

**Whereas**, the owner of property known as Block 35, Lot 10 previously demolished the home located on said property during the year 2006; and

**Whereas**, said structure or improvement was taxed during the year 2007 when it should have been omitted; and

**Whereas**, the Borough's Tax Assessor has computed a credit amount for said improvement during 2007 as \$5,058.32; and

**Whereas**, the Borough Council and Borough Tax Assessor desire to credit said property owner's tax bills over the next two (2) years or eight (8) quarters subsequent to the adoption of the within Resolution and in eight (8) equal tax credit amounts totaling \$5,058.32; and

**Whereas**, the above referenced credited amounts are deemed to be fair and just under the circumstances presented in this instance.

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

1. That the Borough Council of the Borough of Seaside Park hereby approves a tax credit in eight (8) equal quarterly installments totaling \$5,058.32 for property known as Block 35, Lot 10, Seaside Park, New Jersey.

2. That upon adoption of the within Resolution the Clerk is authorized to forward a copy of same to the Borough Tax Assessor and the property owner, James Caruso.

R2009-144 entitled:

**RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE ESTABLISHMENT OF A \$9,000.00 CHANGE FUND FOR THE BEACH CONTROL FOR 2009**

WHEREAS, it is necessary to establish a Change Fund for the operation of the Borough's Beach Control for the 2009 summer season; and

WHEREAS, in accordance with regulations of the New Jersey Division of Local Government the establishment of such a fund must be authorized by the governing body and it is the desire of the Borough Council to provide such authorization.

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

1. The Beach Control Office under the direction of the Beach Director/Lifeguard Captain is hereby authorized to establish a Change Fund in the amount of \$9,000. for the year 2009.
2. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Beach Director/Lifeguard Captain and the Borough Treasurer/CFO.

R2009-145 entitled:

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

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

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

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

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

1. The following Amusement Games License applications are hereby approved.

<i>No. Applicant/Trade Name</i>	<i>Premises/bl. &amp; lot</i>	<i>Game/Cert./Mun .Fee</i>
Rosemary Most 2009-17	1919 Boardwalk Bl. 97 Lot 20.31	Cert. #1 \$650.00
2009-18 Mohamed Elaasser	1920B Promenade Bl. 97 Lot 10-10	Cert. #1 \$650.00
2009-19 Frank Longo	1901 Promenade Bl. 97 Bldg. 20:14	Cert. #2 \$650.00

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

R2009-146 entitled:

**RESOLUTION PROMOTING KAREN BARNA TO THE POSITION OF PROVISIONAL SENIOR CLERK/TYPIST IN THE BOROUGH OF SEASIDE PARK**

WHEREAS, a vacancy currently exists in the position of Senior Clerk/Typist in the Borough of Seaside Park; and

WHEREAS, the Department of Personnel performed a classification review of Ms. Barna's duties and found that Ms. Barna should be serving in the title of Senior Clerk/Typist and not classified as a Clerk/Typist; and

WHEREAS, the Borough Council desires to confirm the promotion of KAREN BARNA as Provisional Senior Clerk/Typist pursuant to the Department of Personnel Rules and Regulations.

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

1. The Borough Council of the Borough of Seaside Park hereby appoints KAREN BARNA as Provisional Senior Clerk/Typist within the Borough of Seaside Park at the rate established by contract with the Office and Professional Employees International Union, Local No. 32, said rate being \$28,589, retroactive to January 3, 2009.
2. Upon adoption of this Resolution the Clerk is directed to forward a certified copy of it to the New Jersey Department of Personnel and the Borough's CFO.

R2009-147 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF DONATED UMBRELLAS FROM POLAND SPRINGS**

WHEREAS, the Borough of Seaside Park, in the County of Ocean and State of New Jersey has been offered free beach umbrellas; and

WHEREAS, the Beach and Recreation Committee has recommended that the Borough accept this donation from Poland Springs; 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 that the Borough will accept the donated beach umbrellas at no cost to the Borough.

R2009-148 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY DESIGNATING SURFING BEACHES WITHIN THE BOROUGH OF SEASIDE PARK**

**WHEREAS**, pursuant to Chapter 9, Article I, Section 9-7 (G) the Borough Council shall designate, from time to time, areas to be used for protected bathing, surfing, fishing and other activities; and

**WHEREAS**, the Beach and Recreation Committee has recommended that the protected surfing beach be located at L Street; and

**WHEREAS**, the Beach and Recreation Committee has further recommended that surfing be allowed on any "unprotected" beach that is not a designated swimming beach at the discretion of the Life Guard Captain.

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

1. That the protected surfing beach is hereby designated at L Street.
2. A copy of this resolution shall be forwarded to the Life Guard Captain and Beach Director.

R2009-149 entitled:

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

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

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

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

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

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

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

1. That the Special Law Enforcement Officers set forth on Schedule A attached hereto be and hereby are appointed effective this date through May 31, 2010 for the purposes of attending an approved training course as aforesaid.
2. That should any Special Law Enforcement Officer set forth on Schedule A hereto fail to complete the aforesaid approved training course then his or her appointment shall immediately cease.
3. That a certified copy of this resolution shall be provided to Edward C. Dixon, Chief of Police, who is authorized to transmit copies of the same to the Ocean County Police Academy and the Special Law Enforcement Officer(s) so appointed.

R2009-150 entitled:

**RESOLUTION OF THE BOROUGH COUNCIL APPROVING DESIGNATED YEAR 2009 BINGO LICENSE APPLICATION**

**WHEREAS**, the designated year 2008 Raffle License Applications have been filed with the Borough Clerk; and

**WHEREAS**, said applicants have been issued non-profit organization Raffle Identification Numbers by the NJ Legalized Games of Chance Control Commission and have submitted the proper license fees and application; and

WHEREAS, it is the desire of the Borough Council to approve the said designated Raffle Licenses.

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

1. The following year 2009 Bingo License applications are hereby approved.

<i>No. Applicant:</i>	<i>Game Type</i>
Tri-Boro FAS	Bingo

2. The Borough Clerk is hereby authorized and directed to execute the documents necessary for this approval.

R2009-151 entitled:

**RESOLUTION OF THE BOROUGH COUNCIL APPROVING DESIGNATED YEAR 2009 RAFFLE LICENSE APPLICATIONS**

WHEREAS, the designated year 2009 Raffle License Applications have been filed with the Borough Clerk; and

WHEREAS, said applicants have been issued non-profit organization Raffle Identification Numbers by the NJ Legalized Games of Chance Control Commission and have submitted the proper license fees and application; and

WHEREAS, it is the desire of the Borough Council to approve the said designated Raffle Licenses.

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

1. The following year 2008 Raffle License applications are hereby approved:

<i>No. Applicant</i>	<i>NAME</i>	<i>date</i>	<i>raffle</i>
R2009-3	Tri-Boro FAS	Bingo dates	on premise
R2009-4	Tri-Boro FAS	July 11, 2009	on premise

2. The Borough Clerk is hereby authorized and directed to execute the documents necessary for this approval.

R2009-152 entitled:

**RESOLUTION OF THE BOROUGH COUNCIL APPOINTING BEACH CONTROL AND BEACH CONCESSION EMPLOYEES FOR THE SUMMER OF 2009**

WHEREAS, N.J.S.A.40A:14-146.8 authorizes a Municipality to appoint summer employees for various departments within a municipality; and

WHEREAS, in accordance with this authorization, the Borough's Director of Beach Operations has recommended the employment of the following individuals for the summer of 2009 in the Department of Beach Control and Beach Concession.

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

1. The following individuals as listed on Schedule A are hereby appointed as employees in the Department of Beach Control and Beach Concession for the summer of 2009.
2. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Director of Beach Operations and the Borough Chief Financial Officer.

R2009-153 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY OPPOSING CABLEVISIONS ELIMINATION OF ANALOG CHANNELS**

**WHEREAS**, as of May 1, 2009 Cablevision has made 16 channels available only to customers who have a digital cable box; and

**WHEREAS**, this change affects about 155,000 customers in New Jersey; and

**WHEREAS**, the requirement of this box will add a \$6.75 a month charge to Cablevision services after the period of a year which represents a increase in fees; and

**WHEREAS**, the Borough of Seaside Park opposes this increase.

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

1. The Borough Council of the Borough of Seaside Park opposes this additional charge by Cablevision.
2. A certified copy of this resolution be forwarded to the N.J.B.P.U. and all municipalities within the State of New Jersey.

R2009-154 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK AUTHORIZING THE BOROUGH CLERK TO SOLICIT QUOTATIONS FROM ENGINEERING FIRMS FOR THE DESIGN OF PHASE II WATER & SANITARY SEWER IMPROVEMENTS**

**WHEREAS**, the Borough of Seaside Park wishes to apply for funding for Phase II Water & Sanitary Sewer Improvements for the bayside section of the municipality east of Route 35; and

**WHEREAS**, most funding sources require “shovel ready” projects in order to be considered for stimulus funding or low interest loans; and

**WHEREAS**, it is the desire of the Borough Council of the Borough of Seaside Park to be fiscally responsible and to ascertain the best price for design of Phase II improvements.

**NOW, THEREFORE BE IT RESOLVED** that the Borough Council of the Borough of Seaside Park hereby authorized the Borough Clerk to solicit quotations from engineering firms for the design of Phase II Water and Sanitary Sewer Improvements for the Borough of Seaside Park.

R2009-155 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR THE O STREET PLAYGROUND IN AN AMOUNT NOT TO EXCEED \$61,000.00**

**WHEREAS**, the Borough of Seaside Park wishes to purchase playground equipment for the O Street Playground from Marturano Recreation Company, under State Contract #A59052; and

**WHEREAS**, the Borough of Seaside Park wishes to purchase under State Contract the aforesaid accessories for the price not to exceed \$61,000.00; and

**WHEREAS**, Marturano Recreation Company, P.O. Box 106, Spring Lake, NJ 07762, has been awarded New Jersey State Contract #A59052; and

**WHEREAS**, the Borough Council wishes to award the State Contract for the playground equipment to Marturano Recreation Company.

**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. Marturano Recreation Company is hereby awarded a contract in the amount not to exceed \$61,000.00 for playground equipment.
2. The award of the contract is contingent upon the issuance of a Certification of Availability of Funds certifying the existence of a sufficient appropriation to Fund the said contract.
3. The Mayor and Borough Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract.

This resolution is conditioned upon the following:

- A. Formal execution of a contract signed by the Mayor and Borough Clerk.
- B. Issuance of a Certification of Availability of Funds as aforesaid.
- C. Compliance by the vendor with signing the mandatory affirmative action language required by law
- D. Compliance by the Vendor with filing of Affirmative Action Form AA302 or AA201, or otherwise complying with Affirmative Action employee information reporting.

No contract shall be considered awarded unless and until the above requirements are executed.

R2009-156 entitled:

**RESOLUTION FOR MAY 28, 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:**

<b>1</b>	<b>Current Fund Appropriations:</b>		
	Administration		
	Salaries & Wages		\$ 20,000.00
	Other Expenses		\$ 5,000.00
	Mayor and Council		
	Salaries & Wages		\$ 2,500.00
	Financial Administration		
	Salaries & Wages		\$ 5,000.00
	Collection of Taxes		
	Other Expenses		\$ 2,000.00
	Assessment of Taxes		
	Salaries & Wages		\$ 2,500.00
	Planning Board:		
	Salaries & Wages		\$ 1,000.00
	Zoning Board:		
	Salaries & Wages		\$ 1,000.00
	Other Expenses		\$ 2,000.00
	Code Enforcement:		
	Salaries & Wages		\$ 10,000.00
	Other Expenses		\$ 5,000.00
	Insurance - Group Health		\$ 55,000.00
	Police Department		
	Salaries & Wages		\$ 200,000.00
	Other Expenses		\$ (66,517.00)
	Emergency Management Services		
	Salaries & Wages		\$ 1,000.00
	Fire Department:		
	Fire Hydrant		\$ 7,500.00
	Other Expenses		\$ 5,000.00
	Public Works		
	Salaries & Wages		\$ 70,000.00
	Vehicle Maintenance:		
	Other Expenses		\$ 5,000.00
	Traffic & Parking Meters:		
	Other Expenses		\$ 2,000.00
	Beach Clean Up		
	Salaries & Wages		\$ 5,000.00
	Other Expenses		
	Beach Boardwalk, Bayfront & Dock Maint: O/E		
	Beach Control		
	Salaries & Wages		\$ 30,000.00
	Beach Concession		
	Salaries & Wages		\$ 5,000.00
	Accumulated Leave		\$ (20,806.00)
	Seaside Park Board of Education-Janitorial Services		
	Bathhouse		\$ 5,000.00
	<b>Total - Current Fund</b>	<b>\$ -</b>	<b>\$ 359,177.00</b>

<b>2</b>	<b>Water Sewer Operating Fund Appropriations:</b>		
	Salaries & Wages		
	Other Expenses		
	<b>Total - Water Sewer Operating Fund</b>	<b>\$ -</b>	<b>\$ -</b>

<b>3</b>	<b>Marina Operating Fund Appropriations:</b>		
	Salaries & Wages		\$ 10,000.00
	Capital Improvement:		
	Replace Decking on Piers, Phase I		\$ 8,000.00
	Fencing at Marina Perimeter		\$ 12,000.00
	Resurfacing of Marina Yard		\$ 5,000.00
	<b>Total - Marina Operating Fund</b>	<b>\$ -</b>	<b>\$ 35,000.00</b>

R2009-157 entitled:

	<b>FUND ACCOUNT</b>	<b>CHECK NUMBERS</b>	<b>AMOUNT</b>
<b>Computer Checks:</b>	CURRENT ACCOUNT	025370 - 025419	\$ 561,574.59
	WATER & SEWER ACCOUNT	007474 - 007484	\$ 254,400.38
	MARINA OPERATING	002828 - 002829	\$ 122.03
	GENERAL CAPITAL ACCOUNT	003917 - 003921	\$ 5,059.00
	WATER SEWER CAPITAL	003809 - 003810	\$ 9,051.10
	MARINA CAPITAL	050204 - 050205	\$ 1,294.00
	GENERAL TRUST	000405	
	DEVELOPERS ESCROW	001526	\$ 1,320.00
	ANIMAL TRUST ACCOUNT	003104	
	RECREATION TRUST	001009 - '001011	\$ 1,107.00
<b>Manual Checks:</b>	CURRENT ACCOUNT		
	Unemployment		\$ 11,155.73
	County of Ocean-911 Emergency		\$ 2,500.00
	Group Health Insurance		\$ 51,383.58
	Kane, Carol-Change Fund		\$ 9,000.00
	WATER SEWER OPERATING		
	Group Health-Reimb to Current		\$ 3,211.47
	MARINA OPERATING		
	Payroll		
	Pension Payment to Payroll		

	<b>TOTAL*</b>	<b>\$ 911,178.88</b>
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R2009-158 entitled:

**RESOLUTION OF THE BOROUGH COUNCIL APPOINTING SEASONAL PUBLIC WORKS EMPLOYEES FOR THE SUMMER SEASON OF 2009**

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

WHEREAS, in accordance with this authorization, the Borough's Director of Public Works has recommended the employment of the following individuals for the summer of 2009.

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

3. The following individuals described in Schedule A, attached hereto are hereby appointed as employees in the Department of Public Works for the summer of 2009.
4. The Borough Clerk is hereby directed to forward a certified copy of this Resolution to the Director of Public Works and the Chief Financial Officer.

R2009-159 entitled:

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

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

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

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

5. The following individuals described in Schedule A, attached hereto are hereby appointed as employees in the Department of Beach Patrol for the summer of 2009.

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

R2009-160 entitled:

**RESOLUTION OF THE BOROUGH COUNCIL DETERMINING THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOL PURPOSES FOR THE CENTRAL REGIONAL SCHOOL DISTRICT FOR THE 2009-2010 SCHOOL YEAR**

WHEREAS, a majority of the voters of the Borough of Seaside Park within the Central Regional School District in the County of Ocean voted in the annual school election on April 14, 2009 to reject the proposed 2009-2010 General Fund budget tax levy; and

WHEREAS, in accordance with the provisions of N.J.S.A. 18A:22-37, the budget was submitted for review to the Governing Body of each of the municipalities included within the regional district for determination of the amount deemed necessary to provide a thorough and efficient education; and

WHEREAS, in accordance with said statutes, representatives of the municipal Governing Bodies consulted with the Central Regional Board of Education and its administration on May 4, 2009 in an attempt to reach an agreement on reductions to the General Tax Levy for the 2009-2010 school year; and

WHEREAS, the Central Regional School Board and the five regional Governing Bodies have reached an agreement to reduce the 2009-2010 General Fund tax levy by \$150,000.

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

The Borough Council hereby determines the Central Regional School District 2009-2010 General Fund tax levy which was defeated should be reduced by a total of \$150,000, as follows:

BE IT FURTHER RESOLVED, that the amount to be raised by taxation for the Borough of Seaside Park is determined to be \$3,919,911.49.

The Borough Clerk shall forward a copy of this Resolution to the Central Regional Board of Education, the Ocean County Superintendent of Schools, and the Municipal Clerk of the Boroughs of Seaside Heights, Island Heights, and Ocean Gate and the Township of Berkeley.

R2009-161 entitled: **REMOVED**

**RESOLUTION OF THE SEASIDE PARK BOROUGH COUNCIL APPOINTING GEOFFREY SCHWARTZ AS PART TIME CODE ZONING OFFICER AND FLOOD PLAIN MANAGER.**

R2009-162 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE BOROUGH OF SEASIDE PARK AND THE SEASIDE PARK BOARD OF EDUCATION FOR JANITORIAL SERVICES FOR THE CONCESSION STAND**

**WHEREAS**, the Borough of Seaside Park will be operating the concession stand for the 2009 summer season; and

**WHEREAS**, the Borough of Seaside Park has determined that it would be cost effective and efficient to share services with the Seaside Park Board of Education for the purpose of janitorial services; and

**WHEREAS**, the Borough of Seaside Park recognizes the benefits and cost saving measures that such a agreement will provide; and

**WHEREAS**, the Borough of Seaside Park has appropriated funds in the amount not to exceed \$5,000.

**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 Seaside Park Board of Education.
2. That a copy of this resolution and said agreement will be kept on file in the Municipal Clerk's office.
3. That a copy of this resolution together with the agreement will be forwarded to the Seaside Park Board of Education and to the Chief Financial Officer of the Borough of Seaside Park.

R2009-163 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE TURN OUT GEAR FOR THE SEASIDE PARK VOLUNTEER FIRE DEPARTMENT**

**WHEREAS**, the Borough of Seaside Park wishes to purchase turn out gear for the Seaside Park Volunteer Fire Department under State Contract #A71054 in the amount of \$4,997.70 and State Contract #A71048 in the amount of \$38,044.44; and

**WHEREAS**, the Borough of Seaside Park wishes to purchase under State Contract the aforesaid turn out gear for the price not to exceed \$43,043.00; and

**WHEREAS**, New Jersey Fire Equipment Co., 923 North Washington Avenue, Green Brook, NJ 08812, has been awarded New Jersey State Contracts #A71054 and #A71048; and

**WHEREAS**, the Borough Council wishes to award the State Contract for the turn out gear to New Jersey Fire Equipment Co.

**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. New Jersey Fire Equipment Co. is hereby awarded a contract in the amount not to exceed \$43,043,000.00 for turn out gear.
2. The award of the contract is contingent upon the issuance of a Certification of Availability of Funds certifying the existence of a sufficient appropriation to Fund the said contract.
3. The Mayor and Borough Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract.

This resolution is conditioned upon the following:

- A. Formal execution of a contract signed by the Mayor and Borough Clerk.
- B. Issuance of a Certification of Availability of Funds as aforesaid.
- C. Compliance by the vendor with signing the mandatory affirmative action language required by law
- D. Compliance by the Vendor with filing of Affirmative Action Form AA302 or AA201, or otherwise complying with Affirmative Action employee information reporting.

No contract shall be considered awarded unless and until the above requirements are executed.

R2009-164 entitled:

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARING A CONTRACT TO INNOVATIVE ENGINEERING FOR PLANNING SERVICES RELATING TO THE PLANNING BOARD**

**WHEREAS**, the Planning Board of the Borough of Seaside Park is in need of planning services; and,

**WHEREAS**, the Planning Board has recommended INNOVATIVE ENGINEERING to conduct these planning services; and

**WHEREAS**, the Borough Council desires to appoint INNOVATIVE ENGINEERING to provide planning services to the Planning Board; and

**WHEREAS**, the maximum amount of the contract to be awarded under this resolution is \$1,900 for Planning Board planning 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:

Planning Board – Planning Services

**WHEREAS**, INNOVATIVE ENGINEERING, has submitted a proposal; 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 INNOVATIVE ENGINEERING, be and is hereby authorized to perform planning services for the Planning Board not to exceed \$1,900.00.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to an agreement with INNOVATIVE ENGINEERING.
3. 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 May 14, 2009.
6. That the Borough Clerk shall forward a certified copy of this Resolution to the following:
  - A. Administrator;
  - B. Chief Financial Officer;
  - C. INNOVATIVE ENGINEERING

R2009-165 entitled:

**BOROUGH OF SEASIDE PARK**

**RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN AWARING AN EMERGENCY CONTRACT FOR THE REDEVELOPMENT OF WELL NUMBER 7 AT DECATUR AVENUE TO VARIOUS CONTRACTORS/VENDORS FOR THE AMOUNT NOT TO EXCEED \$110,000**

**Whereas**, the Borough's Water Operator and Borough Engineer have determined that there is significant water discoloration in water pumped at Well #7, located on Decatur Avenue in the Borough of Seaside Park;

**Whereas**, inspections of the well and testing of the water have been performed to determine the cause and suggested remediation; and

**Whereas**, the Borough Engineer has recommended the redevelopment of Well #7 ; and

**Whereas**, it is further determined that said current condition of Well #7 is a threat to the health, safety and welfare of the Borough of Seaside Park; and

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

**Whereas**, the Borough has sought and received 3 proposals to redevelop Well #7; 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 an emergency contract be awarded to the following vendors for the redevelopment of Well #7 in accordance with the Borough's bid specifications and in the following not to exceed amounts:

Reconstruction of existing pump	Schultes	\$24,578.00	
Redevelopment of Well	Layne Christiansen Co.	\$45,000.00	
Engineering	CME		\$35,000.00

2. This contract is awarded as an emergency contract based on the potential for the Borough to be without a viable source of water for the summer months.

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

Mr. Appleby requests we remove "u" and "V" and vote upon them separately.

Mr. Jablonski would like "h" voted upon separately.

Public: John Tweed, 8<sup>th</sup> Avenue: Would like a list of the names of summer employees. He can pick it up at Borough Hall tomorrow.

Motion to approve made by Mr. Appleby and seconded by Mr. Meyer.

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

MOTION CARRIED.

"u" regarding reappointment of Geoffrey Schwartz in the code office after his retirement.

Motion to table made by Mr. Brennan and seconded by Mr. Meyer.

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

MOTION CARRIED.

"v" regarding janitorial services at the concession, contract with Seaside Park Bd. of Ed. Carol Kane, Bd. President is present to explain what the job entails and all the particulars. Carol Kane will be running the concession. Attorney McKenna sees no problem with this agreement.

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

AYES: Jablonski, Kelly, McHugh, Meyer.

NAYS: Appleby

ABSTAIN: Brennan.

MOTION CARRIED.

"h" regarding the surfing beach. Captain Joe Gomulka explains his position and reasons for having the surfers on a protected beach. After discussion, it was decided to have the surfing beach on L Street.

Public Comments: Mr. Appleby in favor with the 3<sup>rd</sup> whereas in the resolution deleted; Mike Juliano, L Street in favor of L Street, Carol Kane, 9<sup>th</sup> Ave. in favor of L Street, Ray Roe, in favor of any decision Joe Gomulka makes.

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

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

NAYS: Jablonski

MOTION CARRIED.

Committee Reports: Adm. Julie Keizer: She reports she submitted two applications for grants for funding the 13th Avenue ramp and the parking lot by the boardwalk. She attended a JIF meeting, discussed statewide energy purchasing. She will have more information at the next meeting.

Mr. Meyer: No meeting, no report this week. He congratulates Chief Dickson and the department for the manner in which the Sawmill fire was handled.

Mr. Kelly: The union groups are still negotiating.

Mr. Appleby: Work at the bath house concession is ongoing. The boardwalk decking should be done today. We continue to explore shared services with the Court, Code Enforcement office and the dispatchers. We are working with Joe Gomulka regarding beach headquarters.

Mr. Brennan: We are working on a contract, going out tomorrow for phase 1 of the water project. He thanks the Fire Co. for a good job done at the Sawmill during their recent fire. June 1 is a flood seminar with FEMA in Council chambers at 10 AM.

Dr. McHugh: He requests a petty cash fund for the Marina; it will be on the agenda for the next meeting. We look forward to a class the end of June in how to tie knots for boats. The boat safety class will be May 11 and May 12. Electric and water are back on at the Marina. Clam shells have been delivered. The fence along K Street needs to be repaired. All the slips are full.

Mr. Jablonski: No meeting, no report this week. He thanks the Borough employees and department heads for their hard work. The traffic light at J Street is working.

Audience: Gail Coleman, 1001 SW Central Avenue: She objects to the Borough running the bath house concession; she also objects to delivering food on the beach.

Pat Kuchon, Ocean Avenue: She discusses fire pits on the beach. This has been referred to the beach committee. She discusses birds getting into garbage bags left on the curb for pick up; enforcement of surfers using the beach after hours.

Ed Gallagher, 144 K Street: He understands Gail Coleman's views on running the bath house. He discusses the Sawmill and the conflict between Construction Official from Berkeley Township.

John Vanna, Ocean Avenue: He discusses advertising on the beach, the umbrellas, and food being delivered on the beach.

Carol Kane, 9<sup>th</sup> Avenue: She also discusses the umbrellas on the beach, a deal was made for 11 of them with advertising to reduce the budget. She will be selling pretzels and water on the beach, no further than J Street.

Jim Iozia, 1010 SE Central Avenue: The department heads need to make more cuts. He is against advertising on the beach umbrellas. He suggests picking up garbage one day a week during the winter months.

Meeting adjourned at 10:50 P.M. for a closed session authorized by R2009-166.

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

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

MOTION CARRIED.

Attend: 30

Res. submitted,

Barbara Greger, Dep. Borough Clerk.