

SEASIDE PARK BOROUGH COUNCIL

The Regular Meeting of the Borough Council of the Borough of Seaside Park was called to order at 8:00 p.m. on Thursday September 10, 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: Mayor Connors, Robert Brennan, David Meyer, Andy Kelly, Fritz McHugh, Jim Jablonski.

Absent: Randy Appleby

Mayor Connors called the meeting to order at 8:10 P.M.

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

Adm. Julie Keizer takes roll call recorded above.

Mayor asked all to stand for a moment of silent prayer remembering those in the Armed Forces and the Pledge of Allegiance.

Approval of minutes: Regular Meeting Aug. 13, 2009.

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

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

MOTION CARRIED.

Reports: Mr. Meyer reports most of our 7th grade students will be attending Toms River, a contract between the parents and the school. It is a 5 year pilot program and we will see a savings in next year's budget of between \$250,000.00 and \$500,000.00. It is perfectly legal despite the rumors. Thanks to Board members Carol Kane, Mary Jo Sites and Sherry Cairns for standing firm on this issue and bring it to fruition.

Audience: Ed Gallagher, 144 K Street reminds Council that Special Litigation Attorney Vito Gagliardi was brought in by the Democrats and he is moving in the right direction.

Al Vassallo, 609 Central Avenue questions when the savings will take place.

Adoption of the 2009 budget: Adm. Julie Keizer reads a letter from Susan Jaccobucci, Dir. Of the Div. of Local Government Services regarding the lateness of our budget which will result in a personal fine to each Council member of \$25.00 per day for each day after this evening the budget is not adopted.

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

RESOLUTION ADOPTING MUNICIPAL BUDGET FOR 2009

BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes of the sums therein as set forth as appropriations, and authorization of the amount of \$4,990,903.48 for municipal purposes.

SUMMARY OF REVENUES

1. General Revenues

Surplus Anticipated	\$450,000.00
Miscellaneous Revenues Anticipated	3,139,055.41
Receipts from Delinquent Taxes	331,000.00

2. Amount to be Raised by Taxation for Municipal Purposes 4,990,903.48

TOTAL REVENUES \$8,910,958.89

3. General Appropriations:

Within "CAPS"

Operations Including Contingent	\$6,797,010.00
Deferred Charges and Statutory Expenditures - Municipal	715,018.00

Excluded from "CAPS"

Operations - Total Operations Excluded from "CAPS"	473,512.41
Capital Improvements	69,600.00
Municipal Debt Service	446,000.00
Deferred Charges - Municipal	25,500.00
Reserve for Uncollected Taxes	384,318.48

TOTAL GENERAL APPROPRIATIONS \$8,910,958.89

AYES: Brennan, Jablonski, McHugh, Kelly, Meyer. R2009-273

MOTION CARRIED. Adm. Julie Keizer will personally deliver the budgets to Trenton tomorrow.

Second reading of Ordinance No. 1489 entitled:

AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN STATE OF NEW JERSEY FIXING AND DETERMINING SALARIES TO BE PAID TO DESIGNATED BOROUGH EMPLOYEES

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

SECTION 1. In accordance with the Memorandum of Agreement with the Borough of Seaside Park and the Office & Professional Employees International Union, Local No. 32, for the years 2008-2010, the annual base salaries for the designated titles shall be as follows:

TITLE	2007	2008	2009	2010
<u>Deputy Municipal Court Administrator</u>				
Fourth Year	38,798	40,156	41,561	42,808
Third Year	36,557	37,836	39,161	40,336
Second Year	34,304	35,505	36,747	37,850
First Year	32,051	33,173	34,334	35,364
Senior Account Clerk/Typing	32,051	33,173	34,334	35,364
Senior Clerk Typist	28,589	29,590	30,625	31,544
Senior Account Clerk	28,589	29,590	30,625	31,544
Violations Clerk	28,589	29,590	30,625	31,544
<u>Clerk Typist, Account Clerk, & Assistant Violations Clerk</u>				
Fourth Year	23,016	23,822	24,655	25,395
Third Year	21,511	22,264	23,043	23,734
Second Year	20,373	21,086	21,824	22,479
First Year	19,760	20,452	21,167	21,802
Senior Public Safety Telecommunicator Public Safety Telecommunicator/ Senior Police Records Clerk	38,205	39,542	40,926	42,154
Public Safety Telecommunicator, Police Records Clerk				
Fourth Year	34,335	35,537	36,781	37,884
Third Year	32,808	33,956	35,145	36,199
Second Year	31,357	32,454	33,590	34,598
First Year	29,981	31,030	32,116	33,080
Public Safety Telecommunicator Trainee	26,351	27,273	28,228	29,075
Off Scale Senior Account Clerks A. Shadiack, A. Rice, & C. Wroblewski	34,586	35,797	37,049	38,161
Technical Assistant to Construction Official	2,000	2,070	2,142	2,207

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

SECTION 3. This Ordinance shall become effective retroactively to January 1, 2008 upon adoption and publication as required by law.

No comments from the audience.

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

AYES: Brennan, Jablonski, McHugh, Kelly Meyer.

MOTION CARRIED.

Second reading of Ordinance No. 1492 entitled:

AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 38 ENTITLED “GARBAGE TRASH AND RECYCLING” OF THE BOROUGH CODE IN ORDER TO COMPLY WITH NEW JERSEY STATE RECYCLING REGULATIONS

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

SECTION 1. Section 38-1.2 of the Code of the Borough of Seaside Park entitled, “Definitions”, is hereby deleted and in its place and stead the following shall be inserted:

“§38-1.2 Definitions.

The words, terms and phrases used in this Chapter shall have the following meanings:

ALUMINUM CANS — Empty all-aluminum beverage and food containers.

BRUSH –means branches, woody plants and other like vegetative material. Leaves and grass do not constitute brush

BULK WASTE — Trash items such as appliances, carpets, furniture, tires and other large items exceeding fifty (50) pounds in weight or of irregular shape or size.

CARDBOARD – corrugated cardboard containers, no chipboard or pizza boxes.

COMMERCIAL ESTABLISHMENTS — Those properties used primarily for commercial purposes.

DESIGNATED RESIDENTIAL RECYCLABLE MATERIALS – those materials designated within the Ocean County Solid Waste Management Plan to be source separated for the purpose of recycling. These materials include: commingled bottles, cans and plastic containers, newspaper, mixed paper, cardboard, leaves, white goods (refrigerators, stoves, microwaves etc.) tires, motor oil, brush, ferrous and non ferrous scrap metal as described in §38-3.2.

DESIGNATED COMMERCIAL, INDUSTRIAL & INSTITUTIONAL RECYCLABLE MATERIALS – those materials designated within the Ocean County Solid Waste Management Plan to be source separated for the purpose of recycling. These materials include commingled bottles, cans and plastic containers, newspaper, cardboard, high grade office paper, concrete, asphalt, brick, block, tree stumps, tree parts, leaves, automobile batteries, motor oil, white goods (refrigerators, stoves, microwaves etc. etc.) tires, ferrous and non-ferrous scrap metal as described in §38-3.2.

DUAL STREAM – Commingled glass and plastic bottles, aluminum and steel cans; Paper – newspaper, magazines, catalogs, junk mail, office paper, school paper, corrugated cardboard.

ELECTRONIC WASTE – Items such as computer central processing units and associated hardware including keyboards, modems, printers, scanners, faxes, CRT’s (cathode ray tubes) flat panel displays, or similar video display devices with a screen greater than 4 inches measured diagonally, and that contains one or more circuit boards, including televisions, and cell phones.

FERROUS CONTAINERS — Empty steel or tin food or beverage containers.

GLASS CONTAINERS — Bottles and jars made of clear, green or brown glass. Expressly excluded are non-container glass, plate glass, blue glass and porcelain and ceramic products.

INDUSTRIAL ESTABLISHMENTS – Those properties used primarily for industrial purposes.

INSTITUTIONAL ESTABLISHMENTS — Those facilities that house or serve groups of people, including but not limited to, hospitals, schools, nursing homes, libraries and governmental offices.

MIXED PAPER – magazines, catalogs, junk mail, school paper, computer paper.

MULTI-FAMILY DWELLING – means any building or structure, or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see N.J.S.A. 13:1E-99.13a) and shall include hotels, motels, or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the “Hotel and Multiple Dwelling Law,” P.L. 1967, c. 76 (C55: 13-A-1 et seq.)

MULTI-PAPER – consists of cardboard, newspaper, and mixed paper as defined in this section.

MUNICIPAL RECYCLING COORDINATOR – means the person or persons appointed by the municipal governing body and who shall be authorized to, among other things, enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder.

MUNICIPAL SOLD WASTE (MSW) STREAM – means all solid waste generated as residential, commercial, and institutional establishments within the boundaries of the municipality of the Borough of Seaside Park.

NEWSPAPERS — Paper of the type commonly referred to as newsprint and distributed at fixed intervals, having printed thereon news and opinions and containing advertisements and other matters of public interest. Expressly excluded, however, are newspapers which have been soiled. Newspapers shall be deemed soiled if they have been exposed to substances or conditions rendering them unusable for recycling.

PERSON — Every owner, lessee and occupant of a residence, commercial or institutional establishment within the boundaries of the Borough of Seaside Park.

PLASTIC CONTAINERS – plastic containers that have a neck narrower than the container.

RECYCLABLE MATERIALS — Those materials which are designated in §38-3.2 and are required to be separated from other garbage and trash.

RESIDENCE — Any occupied single or multi-family dwelling.

SINGLE STREAM – The combination of commingled and paper listed under “dual stream” in one container. Do not included plastic bags, food waste, paper towels, paper napkins, pizza boxes, egg cartons, aluminum foil, plastic cups and utensils. No plastic other than bottles. No juice boxes or bags. No garbage.

SOURCE SEPARATED RECYCLABLE MATERIALS – means recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

SOURCE SEPARATION – means the process by which recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.”

SECTION 2. Section 38-2.4 of the Code of the Borough of Seaside Park entitled, “Preparation of garbage and trash for municipal collection”, is hereby amended to delete Sections C, D, and F and to insert in its place and stead the following:

- “C. The Borough shall not collect any industrial waste or industrial equipment.
- D. No part of any article shall exceed three (3) feet in length or weigh more than fifty (50) pounds, except for bulk trash as described in §38-2.8
- F. Filled containers shall not exceed fifty (50) pounds in weight or exceed forty-five (45) gallons in capacity.”

SECTION 3. Section 38-2.5 of the Code of the Borough of Seaside Park entitled, “Garbage and trash containers” is hereby amended to delete Subsection A and to insert in its place and stead the following:

- “A. Garbage must be placed in heavy gauge, two (2) to three (3) mil black plastic bags or metal, plastic or vinyl containers which are designed for such purpose with handles and a tight lid. No cardboard boxes may be used in place of bags or metal, plastic or vinyl containers.”

SECTION 4. Section 38-2.5 of the Code of the Borough of Seaside Park entitled, “Garbage and trash containers” is hereby supplemented to include the following additional Subsections:

- “D. Containers used for garbage shall not exceed forty-five (45) gallons in capacity.
- E. Use of “Robo-Cans” or “Roll-out Cans” are prohibited.”
- F. The Borough is not liable for broken or missing garbage cans/lids.

SECTION 5. Section 38-2.7 of the Code of the Borough of Seaside Park entitled, “Use of public litter receptacles for household garbage and trash prohibited” is hereby supplemented by the inclusion of the following sentence:

“Violators shall be subject to penalties as described in Section 38-4.2.”

SECTION 6. Section 38-3.1 of the Code of the Borough of Seaside Park entitled, “Recycling program established; municipal recyclable material collections” is hereby supplemented by the inclusion of the following Subsections:

“§38-3.1a Residential Dwelling Compliance Requirements

The owner of any property shall be responsible for compliance with this Ordinance. For multifamily units, the management or owner is responsible for setting up and maintaining the recycling system, including collection for recyclable materials, in accordance with guidelines or regulations established by the Borough of Seaside Park. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every 6 months during their occupancy.

§38-3.1b Non-Residential Establishment Compliance Requirements

- A. All commercial and institutional generators of solid waste shall be required to comply with the provisions of this Ordinance.
- B. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, unless the municipality provides for collection of designated recyclable materials. All commercial, institutional or industrial properties which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.
- C. Every business, institution, or industrial facility shall report on an annual basis to the Recycling Coordinator, on such forms as may be prescribed, on recycling activities at their premises, including the amount of recycled material, by material type, collected and recycled and the vendor or vendors providing recycling service.
- D. All food establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

§38-3.1c New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties (Pursuant to N.J.S.A. 13:1E-99.13a and 99.16c).

- A. Any application to the planning board of the municipality of the Borough of Seaside Park, for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan. The plan must contain at a minimum, the following;
 - 1. A detailed analysis of the expected composition and amount of solid waste and recyclables generated at the proposed development and
 - 2. Locations documented on the application’s site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the municipal recycling coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the municipality of the Borough of Seaside Park, the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.

- C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the municipal engineer.

SECTION 7. Section 38-3.2 of the Code of the Borough of Seaside Park entitled, “Recycling materials designated” is hereby deleted and in its place and stead the following shall be inserted:

“§38-3.2 Recyclable materials designated.

The following materials are hereby designated as recyclables:

A. Residential Recyclable Materials

1. Leaves
2. Aluminum Cans
3. Ferrous Containers
4. Glass Containers
5. Newspaper
6. Plastic Containers (neck smaller than container)
7. Motor Oil
8. Oil Filters
9. Automobile Batteries
10. Cardboard
11. Mixed Paper
12. White Goods
13. Brush
14. Ferrous & Non Ferrous Scrap Metal
15. Household batteries
16. Electronic Waste

B. Commercial, Industrial, and Institutional Recyclable Materials

1. Leaves
2. Aluminum Cans
3. Ferrous Containers
4. Glass Containers
5. Newspaper
6. Plastic Containers (neck smaller than container)
7. Motor Oil
8. Oil Filters
9. Automobile Batteries
10. Cardboard
11. High Grade Office Paper
12. White Goods
13. Tree Parts & Stumps
15. Concrete, Asphalt, Block, & Brick
16. Ferrous & Non Ferrous Scrap Metal
17. Electronic Waste
18. Cooking oil/grease

SECTION 8. Section 38-3.4 of the Code of the Borough of Seaside Park entitled, “Source separation and proper disposal required” is hereby supplemented by the following Subsection:

“§38-3.4a Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials

- A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.
- B. It shall be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article and the local sanitary code.
- C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

SECTION 9. Section 38-3.5 of the Code of the Borough of Seaside Park entitled, “Use of public litter receptacles and public recycling containers for household recyclable materials prohibited” is hereby deleted and in its place and stead the following shall be inserted:

“§38-3.5 Use of public litter receptacles and public recycling containers for household recyclable materials prohibited.

Disposal of household recyclable materials in public litter receptacles and/or public recycling containers is prohibited.”

SECTION 9a. Section 38-3.6 of the Code of the Borough of Seaside Park entitled. “Preparation of recyclable materials for municipal collection” is hereby amended to delete subsection B and to insert in its place and stead the following:

- B. Containers for the collection of recyclable materials shall be clearly labeled “RECYCLABLES” and shall not exceed fifty (50) pounds in weight or thirty two (32) gallons in capacity and must have removable lids.

SECTION 10. Section 38-3.8 of the Code of the Borough of Seaside Park entitled, “Alternative collection of recyclable materials” is hereby deleted in its entirety.

SECTION 11. Section 38-3.10 of the Code of the Borough of Seaside Park entitled, “Exemptions from recycling regulations” is hereby deleted and in its place and stead the following shall be inserted:

“§38-3.10 Exemptions from recycling regulations.

Pursuant to N.J.S.A. 13:1E-99.16(d), the Borough Council may exempt persons occupying commercial and institutional establishments within its municipal boundaries from the source separation requirements of this Chapter if those persons have otherwise provided for the recycling of the designated recyclable materials. To be eligible for an exemption, the persons seeking the same shall, file an application for exemption with the municipal recycling coordinator on forms to be provided for this purpose. The form shall include, at a minimum the following information: the name of the commercial or institutional entity; the street address locations and lot and block designation; the name, official title and phone number of the person making the application on behalf of the commercial or institutional entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, said recycling service provider or commercial/institutional generator shall provide, prior to April 1st of each year, written documentation to the Borough of the total amount of materials recycled during the preceding calendar year.”

SECTION 12. Section 38-4.1 of the Code of the Borough of Seaside Park entitled, “Enforcement” is hereby deleted and in its place and stead the following shall be inserted:

“§38-4.1 Enforcement.

- A. The Police Department, Code Enforcement Officers, Recycling Coordinator and Assistants and the Public Works Superintendent or Director, the Ocean County Health Department, are hereby authorized and directed to enforce the provisions of this Chapter and any implementing regulations adopted hereunder.
- B. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material.”

SECTION 13. Section 38-4.2 of the Code of the Borough of Seaside Park entitled “Violations and penalties” is hereby deleted and in its place and stead the following shall be inserted:

“§38-4.2 Violations and penalties.

- A. Any person who violates any one (1) or more sections of this ordinance shall be subject to a fine of not less than two hundred fifty (\$250) dollars and not more than two thousand (\$2,000.00) dollars for each separate offense and/or confinement in the Ocean County Jail for a period of not more than ninety (90) days. The Municipal Court shall have the option of imposing community service for a violation of any offense under this ordinance.
- B. Each and every day in which a violation of any of the provisions of this Chapter exists shall constitute a separate offense.

- C. Fines levied and collected pursuant to the provisions of this Ordinance shall be immediately deposited into the Municipal Recycling Trust Fund (or equivalent). Monies into the MRTF (or equivalent) shall be used for the expenses of the municipal recycling program.

SECTION 14. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

SECTION 15. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

No comments from the audience.

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

AYES: Brennan, Jablonski, McHugh, Kelly, Meyer

MOTION CARRIED.

Second reading of Ordinance No. 1493 entitled:

BOND ORDINANCE PROVIDING FOR THE DESIGN PORTION OF PHASE II OF THE WATER & SEWER INFRASTRUCTURE IMPROVEMENTS IN AND BY THE BOROUGH OF SEASIDE PARK, IN THE COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING \$92,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$92,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Seaside Park, in the County of Ocean, New Jersey (the "Borough"). For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$92,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$92,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3(a). The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for the design portion of Phase II of the water & sewer infrastructure improvements, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$92,000, but that the net debt of the Borough determined as provided in the Local Bond Law

is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$92,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

No comments from the audience.

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

AYES: Brennan, Jablonski, McHugh, Kelly, Meyer

MOTION CARRIED.

Ordinance Introductions: First reading of Ordinance No. 1491 entitled:

AN ORDINANCE OF THE BOROUGH OF SEASIDE PARK, OCEAN COUNTY, NEW JERSEY, ESTABLISHING CHAPTER 2, ENTITLED "ADMINISTRATIVE CODE," ESTABLISHING RULES OF ORDER FOR COUNCIL COMMITTEES.

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. Chapter 2 of the Code of the Borough of Seaside Park (previously reserved) shall state as follows.

§2-1. Standing Committees. At its annual reorganization meeting, the Borough Council shall, pursuant to N.J.S.A. 40A:60-3e, establish for its members such committees [Standing Committees] of the Council as will assist it for the ensuing year. [1]

§2-2. Advisory Committees. In addition to the Standing Committees established pursuant to §2-1, Advisory Committees shall be organized as deemed necessary by the Mayor or a majority of the members of the Borough Council.

§2-3. 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.

§2-4. 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] **NOTE:** On January 4, 2009, the Borough Council adopted Resolution 2009-20, thereby establishing the Standing Committees of Council for 2009.

- (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.

§2-5. 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.

§2-6. Limitations on Authority of Committees. The members of Committees, and the Committees as a whole, may make recommendations to the Borough Council, but shall have no authority to take formal action independent of the Borough Council.

§2-7. Committees and the Work Session. The proper platform for further discussion of the work of the Committees, including the making of recommendations to Council for possible implementation and/or possible implementation, is the Work Session of the Mayor and Council.

§2-8. Formal Action. In the absence of compelling and emergent circumstances, all items or proposals or recommendations (including proposed Ordinances or Resolutions) that are presented to the Borough Council for further consideration and/or formal action that have not gone through the work session shall be immediately tabled.

§2-9. Rules of Order. 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 for 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
 1. Call to order.
 2. Statement of compliance with the Open Public Meetings Act.
 3. Announcements.
 4. Moment of Silent Prayer & Flag Salute.
 5. Roll Call.
 6. Approval of Minutes.

7. Receipt of Report.
8. Scheduled Public Hearings.
9. Ordinance Introductions.
10. Resolutions, preceded by questions and comments on resolutions.
11. Council Committee Reports & Announcements
12. Public Comment
13. Adjournment

§2-10. Department Heads. All Department Heads shall be required to do the following:

- a. Create and maintain a Procedural Manual for all tasks assigned to the department.
- b. Produce an agreed upon reporting process and report format.
- c. Present a summary of the written report (*see* §2-11) to the Mayor and Council and the public at the first Borough Council meeting of each month.
- d. Highlight monthly tasks.

§2-11. Reports by Department Heads. In addition to the tasks identified in §2-10, all Department Heads shall also do the following:

- a. Submit a written monthly report to the Business Administrator no later than the Tuesday before the first Borough Council meeting of each month for inclusion in the meeting packet.
- b. Present an oral summary of the written report to the Mayor and Council and the public at the first Borough Council meeting of each month.

§2-12. Borough Council Members. Members of Borough Council shall be responsible for the following:

- a. At the second Borough Council meeting of each month, the Chairperson of each Standing Committee and, as may be necessary, the Chairperson of each Advisory Committee, shall present a summary of the specific items that take place or are of concern in their respective departments. In addition, the Chairperson shall report on the committee meeting and shall discuss the status of present projects and future projects.
- b. Maintain a copy of the Procedural Manuals required by §2-10 a.
- c. Discuss the monthly report with the Department Heads that correspond with their Committee assignments.
- d. Report on the general progress of the departments that correspond with their Committee assignments.
- e. Report on the Committee Meetings.

§2-13. Business Administrator. The Business Administrator shall be responsible for the following:

- a. Receipt, maintenance, and distribution of all reports required by this Chapter.

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

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

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

AYES: Brennan, Jablonski, McHugh,

NAYS: Kelly, Meyer.

MOTION CARRIED.

RESOLUTIONS:

R2009-262 entitled:

RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING THE DESIGNATED MISCELLANEOUS REFUND.

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

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

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

The following refund is hereby authorized.

Refund to:	Address:	Refund amount:
Denise Larsen	1004 S. Bayview Ave. Seaside Park, NJ	Dev. Escrow \$94.00
St. Catharine of Siena Church	50 E Street, Seaside Park, NJ	Dev. Escrow \$214.00
Kenneth Mather	23 Island Ave., Seaside Park NJ	Dev. Escrow \$773.00
Antonina Coffey	11 2 nd Avenue, Seaside Park, NJ	Beach Fire Dep. \$300.00

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

R2009-263 entitled:

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

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

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

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

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

Robert J. Viershilling
 Patrick Gorman
 Samuel C. Mason

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

R2009-264 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 2009 Raffle License applications are hereby approved:

<i>No.</i>	<i>Applicant</i>	<i>NAME</i>	<i>date</i>	<i>raffle</i>
RA2009-7	Seaside Park School		Sept. 24, 2009	on premise raffle 50/50

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

R2009-265 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>
08-00011	Lyle, Thomas	68/13	US Bank Cust For CCTS Capital LLC	\$2,445.36 0
			TOTAL	\$2,445.36

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.

R2009-266 entitled:

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

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

WHEREAS, the below designated accounts were previously billed for amounts which need to be adjusted due to leaking water meter.

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

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

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

<i>Block & Lot</i>	<i>Property Owner</i>	<i>Property Location</i>	<i>Billing Period</i>	<i>Amount Cancelled</i>	<i>Revised Billing</i>
49/30	Schilling	9 H Street	2009-3	\$1040.30	-

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

R2009-267 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY GRANTING A LEAVE OF ABSENCE TO WAYNE KIERNEY

WHEREAS, Wayne Kierney is employed by the Public Works Department of the Borough of Seaside Park; and

WHEREAS, Wayne Kierney has requested a medical unpaid leave of absence; and

WHEREAS, the Borough of Seaside Park wishes to grant the leave of absence from September 6, 2009 to December 6, 2009 if required; and

WHEREAS, the Borough Administrator has recommended that this request be approved by the Borough Council.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean, State of New Jersey that the request for a medical leave of absence be and hereby is granted to Wayne Kierney.

R2009-268 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING CHANGE ORDER #1 FOR IMPROVEMENTS TO 1ST, 2ND, 3RD AVENUES DECREASING THE CONTRACT FROM

WHEREAS, the Borough Council has previously awarded a Contract for 1ST, 2ND, 3RD Avenues to Earle Asphalt Company in the amount of \$243,013.13; and

WHEREAS, the Borough Engineer has recommended acceptance of this project; and

WHEREAS, the Borough Engineer has recommended that Change Order #1 be authorized to decrease the amount of the Contract by \$3,404.98; 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 Change Order #1 for said Contract is authorized.
2. That the Mayor is authorized to execute and the Clerk to attest to the appropriate change order form of contract aforesaid attached hereto as Schedule A.
3. That the modified cost of Improvements after this Change Order is as follows:

ORIGINAL CONTRACT	\$ 243,013.13
CHANGE ORDER #1	- <u>3,404.98</u>
TOTAL AMOUNT	\$ 239,608.15
TOTAL AMOUNT OF CHANGE ORDER	- 3,404.98

4. That said authorization shall be conditioned upon the certification of availability of funds by the Chief Financial Officer.

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

- A. Chief Financial Officer;
- B. Borough Engineer;

Earle Asphalt Company

R2009-269 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A MAINTENANCE BOND IN THE AMOUNT OF \$23,960.00 FOR EARLE ASPHALT FOR IMPROVEMENTS TO 1ST, 2ND, 3RD AVENUES

WHEREAS, the Borough Clerk of the Borough of Seaside Park has received the following:

ITEM: Maintenance Bond
NAME OF CONTRACTOR: Earle Asphalt Company
ADDRESS OF CONTRACTOR: P.O. Box 556, Farmingdale, NJ 07727
NUMBER: 82141553M
INSURANCE COMPANY: Federal Insurance Company
IN THE AMOUNT OF: \$23,960.00
FOR: Improvements to 1st, 2nd, 3rd Avenues

WHEREAS, the Borough Engineer, after inspection, recommended release of the Performance Bond and acceptance of the two year maintenance bond.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Seaside Park, County of Ocean and State of New Jersey that the aforesaid Maintenance Bond in the amount of \$23,960.00 be and is hereby accepted.

R2009-270 entitled:

RESOLUTION OF THE BOROUGH OF SEASIDE PARK, COUNTY OF OCEAN AWARDED A CONTRACT TO J. E. HANNON, INC. T/A BIRD CONSTRUCTION FOR SEASIDE PARK MARINA BREAKWATER IMPROVEMENTS IN THE AMOUNT OF \$145,125.00

Whereas, the Borough of Seaside Park previously advertised for the receipt of bids on August 26, 2009; and

Whereas, at the time and place for the receipt of bids six (6) were received ranging from a low of \$134,900.00 to a high of \$220,500.00; and

Whereas, the Borough Engineer has reviewed said bid submissions and has notified the Borough that the low bid submitted by R. Kremer & Son in the amount of \$134,900.00 did not include the required Business Registration Certificate; and

Whereas, the Borough Attorney has reviewed said bid deficiency and has indicated that N.J.S.A. 40A:11-23.2 requires the submission of a Business Registration Certificate and failure to include said documentation is considered a fatal defect to the bid submission of R. Kremer & Son making the bid non-responsive; and

Whereas, the Borough Engineer has recommended the award to the second low bidder, Bird Construction, noting that the bid submission met all requirements of the Borough's Bid Specifications; and

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

Whereas, it is the desire of this Governing Body to award a contract to Bird Construction as the second low bidder on the project for the Seaside Park Marina Breakwater Improvements.

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 awards a contract to J. E. Hannon, Inc., t/a Bird Construction, 105 Harbor Inn Road, Bayville, New Jersey 08721, in the bid amount of \$145,125.00.
2. That the Borough Council deems the low bid of R. Kremer & Son to be non-responsive and incurable pursuant to New Jersey Statute and, accordingly, has not been considered for award.
3. That upon adoption of the within Resolution the Clerk/Administrator is authorized to forward duly authenticated copies of it to the Borough Engineer, the Borough of Public Works Director, the Borough CFO, and the successful bidder.
4. The Clerk/Administrator is authorized to release the bid security to the first, fifth and sixth low bidders on the project.

R2009-271 entitled:

2009 BILL LIST BOROUGH OF SEASIDE PARK

September 10, 2009

	FUND ACCOUNT	CHECK NUMBERS	AMOUNT
Computer Checks:	CURRENT ACCOUNT	025766 - 025800	\$ 30,718.77
	WATER & SEWER ACCOUNT	007535 - '007537	\$ 2,336.00
	MARINA OPERATING	002859 - 002860	\$ 232.35
	GENERAL CAPITAL ACCOUNT	003951 - 003955	\$ 48,201.14
		003956	\$ 198,508.31
	WATER SEWER CAPITAL	003822 - '003823	\$ 3,478.78
	MARINA CAPITAL	050214 - 050216	\$ 3,623.20
	GENERAL TRUST	000426 - '000427	\$ 2,745.36
	DEVELOPERS ESCROW	001529 - '001531	
	ANIMAL TRUST ACCOUNT		

	RECREATION TRUST		001034 - '001036	\$ 740.21
Manual Checks:	CURRENT ACCOUNT:			
	Unemployment			\$ 9,606.95
	Treasury State NJ/Green Trust			\$ 6,218.32
	TOTAL*			\$ 306,409.39

R2009-272 entitled:

RESOLUTION OF THE BOROUGH COUNCIL SUSPENDING METERED PARKING FOR CLEAN OCEAN ACTION

WHEREAS, the Borough of Seaside Park has received a request from Clean Ocean Action to suspend metered parking in order to provide free parking for a beach clean up for Clean Ocean Action on October 24, 2009 from 7:00 am to 12:30 pm; and

WHEREAS, the Borough of Seaside Park is grateful for the efforts of Clean Ocean Action and wishes to provide free parking for the volunteers who assist in the cleaning of the beach;

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

1. That metered parking is hereby suspended on October 24, 2009 from 7:00 am to 12:30 pm.
2. That a certified copy of this Resolution be given to the Chief of Police.

There were no comments from the audience.

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

AYES: Brennan, McHugh Jablonski, Kelly, Meyer.

MOTION CARRIED.

COMMITTEE REPORTS:

Mr. Brennan: Work for the water/sewer project is on schedule. Mr. Brennan mentions a group installing dune fencing at the 7th Ave. beach; the Borough has no knowledge of this. Adm. Julie Keizer will check into this.

Dr. McHugh: Awarding the contract for the Marina breakwater project which will start soon. A boat sunk in the Marina and was towed out; one piling broke at ground level. A diver will check the pilings in the fall. The committee is reviewing the rules and regulations. We have Marina shirts for sale, \$15.00 each. Shirts have a picture of the Marina done by Beverly Golembeski.

Mr. Kelly: No report.

Mr. Meyer: The police have been busy with the Holiday week-end. We had the annual Arts and Crafts Show, Antiques show, and the Winkel run. Beach badge sales are up, beach operations were very successful. The concession stand did a good business; they also had volleyball leagues on the beach as well as movies on the beach. We had a talent show last Saturday night on the beach, very well attended and a great deal of fun.

Mr. Jablonski: He reports Phase 1 of the W/S project is ready to go; we will experience a foul odor during the process. Well #7 project \$10,000.00 over the bid amount, we are looking for funding. Public Works Director is spending a great deal of time with Code Enforcement and working of staffing recommendations for 2010 with Mr. Mackie and Mr. Walker. We are also working on water and sewer rates for 2010. Notices were sent out regarding ground contamination; the DEP is working on this, a problem from 12 years ago and not serious. Bacteria notices were sent in the water bill. OSHA inspection completed; training classes are due. Water consumption was down this summer which was good as well #7 was down. O Street bulkhead project will be starting in the fall. The energy audit is complete and the results will be in for the next meeting.

Adm. Julie Keizer: RFP's are out for the well for the engineering portion. Garbage collection re-bid. I-Boat ramp project will be awarded at the next meeting. We will be starting on the 2010 professional RFP's.

Mayor Connors: Thanks to Council for their work, Borough employees for their work and dedication; and to our summer employees, we had a great summer with good family activities. The town looks neat; we must work together to get things accomplished.

Audience: Ed Gallagher, 144 K Street: He discusses the pilings at the Marina; pilings are breaking due to bugs at ground level.

Pat Kuchon, Ocean Avenue: She discusses Marina fees which are being reviewed. Dog stations are great but some need bags. She will keep track of the 2nd Avenue station and report when bags are needed. She also discusses yoga on the beach and the fees. She suggests holding an open meeting with department heads and the public to see how the summer went. She is in favor of no smoking on the beach; she discusses the budget process.

Nancy Koury 6th Avenue: She discusses water and sewer rates for the boardwalk and how they are billed. Each business will have a meter. She also discusses shared services, Mr. Meyer states we are working on but have no definite figures yet

Al Vassallo, 609 SW Central Avenue: He discusses the water and sewer rates for 2010; replacing the water mains on Central Avenue; who is responsible for curb and sidewalk replacement when disrupted during a project.

Ed Gallagher, 144 K Street: He discusses all the roads that were done and assessments were never sent out for curbs and sidewalks. Now, curbs will be done as the streets are being done.

Maryann Palmisano, 1 S. Ocean Avenue: She discusses the re-decking of the finger piers at the Marina as well as the little first aid building at the Marina which was donated in memory of Steve Nuess, a lifeguard who passed away 2 years ago. It will not remain the Marina. She discusses the lifeguard station on the boardwalk currently going under renovations. She questions Mr. Kelly regarding employee evaluations

Joe Saferin, 10th Avenue: He reads the memorial "Stars and Stripes Forever."

Pat Kuchon, Ocean Avenue: She discusses the lifeguard building on the boardwalk.

Faye Haring, 21 I Street: she discusses the boards on the boardwalk project which was not considered due to the expense of the board and the engraving of the names; it would be too costly.

Meeting adjourned at 9:45 P.M.

Attend: 15

Res. submitted,

Barbara Greger, Dep. Borough Clerk