

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
December 2, 2014

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on December 2, 2014 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

MOMENT OF SILENCE IN MEMORY OF FAIR HAVEN COUNCILMAN JEROME A. KOCH, JR.:

Mayor Ekdahl requested that everyone remain standing at this time for a moment of silence in memory of Fair Haven Councilman Jerome A. Koch, Jr. who tragically passed away on Sunday, November 30th due to injuries from a bicycle accident in Fair Haven.

(Moment of Silence)

Jerome A. Koch served the residents of Fair Haven as a Councilman for the past nine years and as a member of the Planning Board for the four years prior.

We would like to extend our sincere sympathies to his wife Betsy, their four children and the members of the Koch family.

Thank you.

Present: Mayor Ekdahl, Councilwoman Atwell, Councilmen Broderick, Day, Hemphill, Rubin and Shanley.

Absent: None.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

David Marks of T & M Associates was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2014 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilman Rubin, seconded by Councilman Day, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

COMMUNICATIONS:

LETTER FROM RUMSON FIRE COMPANY ADVISING OF THE MEMBERS WHO WILL BE ELIGIBLE TO VOTE IN THEIR UPCOMING ELECTION FOR THE FIRE CHIEF AND ASSISTANT FIRE CHIEF FOR 2015:

The Municipal Clerk/Administrator advised of a letter to the Mayor and Council dated November 22, 2014 from Robert E. Halligan, Secretary of the Rumson Fire Company, reporting the members eligible to vote in the election for the 2015 Chief and Assistant Chief for the Rumson Fire Department at their December meeting.

On motion by Councilman Rubin, seconded by Councilman Hemphill, this communication was ordered received. All in favor.

LETTER FROM OCEANIC HOOK & LADDER CO. NO. 1, INC. ADVISING OF THE ELECTION OF THE FIRE CHIEF AND ASSISTANT FIRE CHIEF FOR 2015 TO BE

HELD FROM 7:00 P.M. TO 9:00 P.M. ON THURSDAY, DECEMBER 4TH AND AN INVITATION FOR THE MAYOR, COUNCIL MEMBERS AND ADMINISTRATOR TO ATTEND THE CELEBRATION AT THE OCEANIC FIREHOUSE IMMEDIATELY FOLLOWING:

The Municipal Clerk/Administrator advised of a letter dated December 1, 2014 from Robert Marass, Secretary of the Oceanic Hook & Ladder Co. No. 1, Inc., reporting that the election of the Fire Chief and Assistant Fire Chief for 2015 would be held from 7:00 p.m. until 9:00 p.m. on Thursday, December 4th. The Mayor, Council members and Administrator were invited to attend the celebration at the Oceanic Firehouse immediately following the election.

On motion by Councilman Rubin, seconded by Councilman Broderick, this communication was ordered received. All in favor.

LETTER FROM THE STATE OF NEW JERSEY DOT ADVISING OF THE APPROVAL OF THE BOROUGH'S REQUEST TO HAVE THE DEADLINE FOR THE DOT FY 2013 MUNICIPAL AID GRANT FOR THE AVENUE OF TWO RIVERS ROAD IMPROVEMENTS PROJECT TO BE EXTENDED TO JULY 23, 2015:

The Municipal Clerk/Administrator advised of a letter dated November 31, 2014 from Wendy S. Smith, State of New Jersey Department of Transportation Supervising Engineer, District 3, Local Aid, reporting that the Borough's request for an extension of the deadline for the DOT FY 2013 Municipal Aid Grant for the Avenue of Two Rivers Road Improvement Project was approved. The Borough had requested the extension because of the need for New Jersey American Water Company and New Jersey Natural Gas Company to replace utility mains on Avenue of Two Rivers, with the completion to be after the original deadline for the Grant.

On motion by Councilman Hemphill, seconded by Councilman Broderick, this communication was ordered received. All in favor.

LETTER FROM THE CHIEF FINANCIAL OFFICER/TAX COLLECTOR REPORTING ON THE 2014 TAX SALE OF 2013 DELINQUENCIES HELD THIS MORNING FOR THE DELINQUENT PROPERTY TAXES AND/OR MUNICIPAL SEWER CHARGES:

The Municipal Clerk/Administrator advised of a letter dated December 2, 2014 from Chief Financial Officer/Tax Collector Helen L. Graves on the results of the 2014 Tax Sale of the 2013 delinquencies held this morning for the delinquent property taxes and/or Municipal sewer charges.

On motion by Councilman Broderick, seconded by Councilman Hemphill, this communication was ordered received. All in favor.

LETTER FROM INSITE ENGINEERING, LLC ADVISING OF AN APPLICATION ON BEHALF OF SEAN AND MARION MORAN TO THE STATE OF NJ DEP FOR A GENERAL PERMIT AND INDIVIDUAL TRANSITION AREA WAIVER FOR PLACEMENT OF PAVEMENT AND THE CONSTRUCTION OF A DOCK, WALKWAY AND BULKHEAD ON PROPERTY LOCATED AT 9 NORTH WARD AVENUE:

The Municipal Clerk/Administrator advised of a letter dated October 29, 2014 from Thomas P. Santry, P.A. on behalf of Sean and Marion Moran. The letter advised of an application to the State of New Jersey Department of Environmental Protection, Division of Land Development Regulation for a General Permit and Individual Transition Area Waiver for placement of pavement and the construction of a dock, walkway and bulkhead on property located at 9 North Ward Avenue.

On motion by Councilman Rubin, seconded by Councilman Broderick, this communication was ordered received. All in favor.

COMMITTEE REPORTS:

Councilman Shanley reported that on November 20th, it was his pleasure to attend the annual awards breakfast of the New Jersey Chapter of the American Public Works Association during the New Jersey League of Municipalities Convention in Atlantic City to witness the presentation of the Joseph Maher, Jr. Award to Rumson DPW Superintendent Mark Wellner. Also in attendance at the award breakfast were DPW Foreman Tim Leonard and DPW Assistant Foremen Jamie Mellish, Larry D'Angelo and Butch Kochel.

Mark had been nominated by Mayor Ekdahl and selected by the NJ APWA to receive this prestigious award for innovative management ideas and expanding Shared Services with surrounding municipalities.

On behalf of the Mayor and Council, Councilman Shanley stated that he would like to thank DPW Superintendent Mark Wellner for his dedication to the Borough of Rumson and his Department and congratulate him on receipt of the Joseph Maher, Jr. award.

The Mayor and Council congratulated Mr. Wellner and thanked him for all of his hard work and the great job he was doing as DPW Superintendent.

Mr. Wellner stated that receiving the award was greatly appreciated and he thanked the Mayor, Council members and Municipal Clerk/Administrator for all of their support and for the nomination. He stated that the award was for the Borough of Rumson and the total team effort of all the employees in the Department and the Mayor, members of the Council and the Municipal Clerk/Administrator for giving him the equipment and opportunity to provide the high level of service to the residents of the Borough of Rumson. Mr. Wellner stated that he accepted the award for the Borough of Rumson and not just for himself.

UNFINISHED BUSINESS:

ORDINANCE 14-010 G TO AMEND THE GENERAL ORDINANCES OF THE BOROUGH OF RUMSON CHAPTER II (ADMINISTRATION – VOLUNTEER BLUE LIGHT PERMITS, RECREATION COMMISSION SETS FEES), CHAPTER III (POLICE REGULATIONS – STORAGE OF TRAILERS), CHAPTER VI (ALCOHOLIC BEVERAGE CONTROL – INCREASE ANNUAL FEE FOR DISTRIBUTION LICENSE), CHAPTER VII (TRAFFIC – COMMERCIAL TRUCK WEIGHT), CHAPTER VIII (BUILDING AND HOUSING – DWELLING UNIT CLARIFICATION), CHAPTER X (PARKS AND RECREATION – FIELD PERMIT REQUIREMENT CLARIFICATION) AND CHAPTER XVI (TREE PROTECTION – STREET TREES). PUBLIC HEARING:

The Municipal Clerk/Administrator stated that an ordinance entitled:

14-010 G

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON BY AMENDING CHAPTER II, ADMINISTRATION, CHAPTER III, POLICE REGULATIONS, CHAPTER VI, ALCOHOLIC BEVERAGE CONTROL, CHAPTER VII, TRAFFIC, CHAPTER VIII, BUILDING AND HOUSING, CHAPTER X, PARKS AND RECREATION AND CHAPTER XVI, TREE PROTECTION

was scheduled for public hearing at this time. He stated that the ordinance had been posted and published and the affidavit of publication is on file.

On motion by Councilman Rubin, seconded by Councilman Day, the public were given an opportunity to be heard on this ordinance in final reading. All in favor.

The following resident responded:

Richard Jones of 37 Navesink Avenue stated that he wanted to thank the Council for the following:

- The decision to strike the word “morals” from Section 8-3 Residential Certificates of Occupancy 8-3.2 Purpose that he felt was problematic for Code Enforcement to determine what the correct morals should be for residents.
- The decision to strike the words “every person” and clarifying with the addition of “group, organization or professional individual” in Section 10-1 Regulations for Parks and Public Recreation Areas 10-1.3 Registration Required, which he felt made a lot of sense.

Mr. Jones stated that, in Section 16-1 Tree Protection 16-1.3 Definitions and Word Usage for “Tree, street,” he wanted to know what size tree would this be—any tree or one with at least a 6” caliper?

The Municipal Clerk/Administrator stated that it was just as it read with no size restrictions.

Mr. Jones wanted to make sure that anyone couldn't just cut down any street tree even if it was less than a 6" caliper tree. He thanked the Mayor and Council.

On motion by Councilman Rubin, seconded by Councilman Hemphill, the public hearing on this ordinance was declared closed. All in favor.

Councilman Rubin moved the adoption of this ordinance in final reading. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

ORDINANCE 14-011 D TO AMEND THE DEVELOPMENT REGULATIONS OF THE BOROUGH OF RUMSON CHAPTER 22-3 (ADMINISTRATION – FEES), CHAPTER 22-5 (ZONING DISTRICT RESTRICTIONS – H-BP BUILDING HEIGHT), 22-7 (GENERAL ZONING PROVISIONS – GENERATORS, SIGNS AND AS-BUILT GRADING PLANS), AND SCHEDULE 5-1 (SCHEDULE OF ZONING DISTRICT REGULATIONS – REAR YARD MINIMUMS). PUBLIC HEARING:

The Municipal Clerk/Administrator stated that an ordinance entitled:

14-011 D

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON BY AMENDING CHAPTER XXII, DEVELOPMENT REGULATIONS

was scheduled for public hearing at this time. He stated that the ordinance had been posted and published and the affidavit of publication is on file.

On motion by Councilman Rubin, seconded by Councilman Hemphill, the public were given an opportunity to be heard on this ordinance in final reading. All in favor.

The following resident responded:

Richard Jones of 37 Navesink Avenue stated that he was concerned with the use of the term "caliper" of trees in Section 7 General Zoning Provisions.

Dave Marks, Borough Engineer, stated that throughout the Borough Ordinances and Development Regulations the words "caliper" and "diameter" were used interchangeably always meaning the diameter of the tree at chest height.

Mr. Jones commended the Council for requiring the grading plan to be "as-built" in Section 22-7.27 g. to insure the grading was done as planned.

Mr. Jones stated that his final concern was for the minimum rear yard requirements in Schedule 5-1, Schedule of Zoning District Regulations in the R-4, R-5 and R-6 Zones and asked how many properties this affected. He wondered if this issue would come before the Zoning Board of Adjustment over and over again for existing properties that do not comply.

The Municipal Clerk/Administrator stated that this wording change did not alter the Borough's current practice but was just a clarification of the wording.

On motion by Councilman Rubin, seconded by Councilman Broderick, the public hearing on this ordinance was declared closed. All in favor.

Councilman Rubin moved the adoption of this ordinance in final reading. Motion seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

The Municipal Clerk/Administrator added that he had been remiss in not advising prior to the public hearing that the Rumson Planning Board had found Ordinance 14-011 D amending the Development Regulations to be consistent with the current Master Plan and adopted a resolution to that effect at their meeting on November 3, 2014.

NEW BUSINESS:

RESOLUTION 2014-1202-159 AUTHORIZING THE RENEWAL OF THE BOROUGH'S SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH AND THE MONMOUTH COUNTY SHERIFF'S OFFICE FOR THE PERIOD OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2019 FOR EMERGENCY DISPATCH CALLS (911) BY THE PUBLIC SAFETY ANSWERING POINT (PSAP) SYSTEM:

2014-1202-159

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF MONMOUTH THROUGH THE MONMOUTH COUNTY SHERIFF'S OFFICE, COMMUNITY DIVISION AND THE BOROUGH OF RUMSON FOR EMERGENCY CALL SERVICE

WHEREAS, the Borough of Rumson's Shared Services Agreement with the County of Monmouth, through the Monmouth County Sheriff's Office for 911 Emergency Telephone Service expires on December 31, 2014; and

WHEREAS, the Monmouth County Sheriff's Office Communication Center is equipped to provide such service to Monmouth County local police departments; and

WHEREAS, the Borough of Rumson currently has such service and wishes to continue to have the Monmouth County Sheriff's Office, Communications Division serve as the Public Safety Answering Point (PSAP) for a period of five (5) years beginning January 1, 2015; and

WHEREAS, the Monmouth County Sheriff's Office shall determine the annual service fee for each calendar year on or about November 15th of the prior year and it shall be payable on or about April 1st of each year of the Agreement; and

WHEREAS, for the year 2015 the Monmouth County Sheriff's Office has assessed a service fee to the Borough of Rumson in the amount of \$5,416.73 for the year 2015;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves the renewal of the Borough's Interlocal Shared Services Agreement with Monmouth County through the Monmouth County Sheriff's Office to serve as the Public Safety Answering Point (PSAP) for the Borough of Rumson beginning January 1, 2015 through December 31, 2019; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk/Administrator are hereby authorized to sign the aforementioned Interlocal Services Agreement with the County of Monmouth through the Monmouth County Sheriff's Office on behalf of the Borough of Rumson; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer and three certified copies of this Resolution and the executed Agreement to the Clerk of the Board of Chosen Freeholders of the County of Monmouth.

Resolution seconded by Councilwoman Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

RESOLUTION 2014-1202-160 AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BOROUGH BUDGET FOR THE SUPERSTORM SANDY FEMA REIMBURSEMENT IN THE AMOUNT OF \$103,370:

2014-1202-160

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S. 40A:4-87

WHEREAS, N.J.S. 40A:40-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, due to Super Storm Sandy, the Borough of Rumson 2014 Municipal Budget anticipated FEMA Receipts in the amount of \$1,446,481 and appropriated \$1,446,481 for Special Emergency Authorization, 5 year; and

WHEREAS, the Borough of Rumson has received \$1,549,851 in FEMA Receipts;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$103,370.00, which is now available from FEMA; and

BE IT FURTHER RESOLVED that an additional sum of \$103,370.00 is hereby appropriated under the caption Special Emergency Authorization, 5 year.

Resolution seconded by Councilman Shanley and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley

In the negative: None.

Absent: None.

RESOLUTION 2014-1202-161 AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BOROUGH BUDGET FOR THE SUPERSTORM SANDY INSURANCE REIMBURSEMENT IN THE AMOUNT OF \$761,198:

2014-1202-161

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S. 40A:4-87

WHEREAS, N.J.S. 40A:40-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, due to Super Storm Sandy, the Borough of Rumson has \$3,306,605 Special Emergency Notes maturing on December 24, 2013; and

WHEREAS, the Borough of Rumson has received \$1,549,851.00 in FEMA receipts in 2014; and

WHEREAS, the Borough of Rumson has received \$761,198.00 from Insurance claims due to Super Storm Sandy and would like to reduce the notes upon maturity by this amount;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$761,198.00, which is now available from Insurance; and

BE IT FURTHER RESOLVED that an additional sum of \$761,198.00 is hereby appropriated under the caption Special Emergency Authorization, 5 year.

Resolution seconded by Councilman Shanley and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

RESOLUTION 2014-1202-162 AUTHORIZING THE GASOLINE AND CELLULAR PHONE ALLOWANCES FOR CERTAIN BOROUGH EMPLOYEES AND VOLUNTEERS FOR 2014:

2014-1202-162

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, there are various Borough Officials/Employees who use their personal vehicles and cellular phones for Borough Business on a regular basis and therefore receive monetary allowances for gasoline and cellular phone service; and

WHEREAS, the Borough Council has determined the 2014 Annual allowances be paid according to the following schedule:

- Animal Control Officer: \$360 Annual Cellular Phone Allowance
- Borough Administrator: \$480 Annual Cellular Phone and \$500 Annual Gasoline Allowance
- Borough Custodian: \$360 Annual Cellular Phone Allowance
- Construction Official: \$480 Annual Cellular Phone and \$500 Annual Gasoline Allowance
- Electrical Inspector: \$400 Annual Gasoline Allowance
- First Aid 1st Lieutenant: \$750 Annual Gasoline Allowance
- Fire Chief: \$360 Annual Cellular Phone Allowance
- Fire Officials: \$400 Annual Gasoline Allowance
- Police Chief: \$480 Annual Cellular Phone Allowance
- Plumbing Inspectors: \$400 Annual Gasoline Allowance
- Public Works Foreman: \$360 Annual Cellular Phone Allowance
- Public Works Assistant Foremen (3): \$360 Annual Cellular Phone Allowance
- Public Works Assistant Foremen/Recycling Coordinator: \$360 Annual Cellular Phone Allowance
- Public Works Assistant Foremen/Wastewater Management: \$360 Annual Cellular Phone Allowance
- Recreation Director: \$360 Annual Cellular Phone and \$500 Annual Gasoline Allowance
- Superintendent of Public Works: \$480 Annual Cellular Phone Allowance
- Tax Assessor: \$500 Annual Gasoline Allowance

WHEREAS, the above amounts shall be pro-rated for any officials/employees that did not work the full calendar year; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that 2014 gasoline and cellular phone service allowances be paid to the Borough Officials/ Employees according to the schedule above; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Chief Financial Officer.

Resolution seconded by Councilman Day and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

RESOLUTION 2014-1202-163 AUTHORIZING THE CANCELLATION OF PROPERTY TAXES FOR BLOCK 54, LOT 5 THAT IS OWNED BY THE BOROUGH OF RUMSON AS AN AFFORDABLE HOUSING PROPERTY:

2014-1202-163

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION CANCELLING TAXES
FOR BLOCK 54, LOT 5

WHEREAS, on January 22, 2013 the Borough of Rumson Affordable Housing Trust Fund acquired Block 54, Lot 5, otherwise known as 68 Blackpoint Road; and

WHEREAS, effective 2014 Block 54, Lot 5 should have been classified 15C, exempt from property taxes; and

WHEREAS, Peter Barnett, Tax Assessor has advised that due to a clerical error, this property was classified 2, Residential for 2014; and

WHEREAS, due to this clerical error, there is a balance for 2014 property taxes in the amount of \$3,158.78; and

WHEREAS, the Borough Tax Collector has recommended cancellation of the property taxes in the amount of \$3,158.78, as the property is owned by the Borough of Rumson;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the 2014 property tax balance in the amount of \$3,158.78 for Block 54, Lot 5 be cancelled; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer.

Resolution seconded by Councilman Shanley and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

RESOLUTION 2014-1202-164 AUTHORIZING AN APPROPRIATIONS TRANSFER:

2014-1202-164

Councilman Day offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, it has become necessary to expend for certain purposes specified in the budget an amount in excess of the respective amounts appropriated therefore, and there shall be an excess in one or more appropriations;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson (by 2/3 vote) that the following transfers between appropriations be and the same are hereby approved:

TO:

Shade Tree Other Expenses	\$ 7,000.00
Public Works Other Expenses	<u>\$ 15,000.00</u>
Total:	\$ 22,000.00

FROM:

Park Maintenance	<u>\$ 22,000.00</u>
Total:	\$ 22,000.00

BE IT FURTHER RESOLVED that the Borough Chief Financial Officer be and is hereby authorized and directed to debit and credit said accounts for 2014 accordingly.

Resolution seconded by Councilwoman Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

RESOLUTION 2014-1202-165 AUTHORIZING THE REFUND OF A PERFORMANCE SURETY BOND AND CASH PERFORMANCE BOND TO RUMSON COUNTRY CLUB FOR THE YACHT CLUB PROJECT AT PROPERTY LOCATED AT 163 RUMSON ROAD:

The Municipal Clerk/Administrator advised that this resolution was accompanied by a letter dated December 2, 2014 from T & M Associates recommending that the Rumson County Club Performance Surety Bond and Cash Performance Bond be released.

2014-1202-165

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Rumson Country Club posted a Performance Surety Bond, in the amount of \$122,292.00 and a Performance Cash Bond in the amount of \$13,588.00 to guarantee the completion of the bonded improvements in accordance with the Performance Guarantee Estimate dated May 16, 2012; and

WHEREAS, Rumson Country Club also posted an engineering escrow fee in the amount of \$5,670.00 to cover the cost of engineering inspection in conjunction with the Yacht Club Improvement Site Plan; and

WHEREAS, the Borough Engineer, in their letter dated December 2, 2014, advised that all work associated with this project is now complete, with the exception of the submission of a Certification from the Country Club's Land Surveyor certifying that the required easement markers have been set; and

WHEREAS, the Borough Engineer has recommended that the Performance Surety Bond and Performance Cash Bond be released by formal resolution subject to the submission of the Land Surveyors Certification, the posting of a Maintenance Guarantee and the payment of any outstanding invoices; and

WHEREAS, the Chief Financial Officer has confirmed that all outstanding invoices have been paid and that there are no additional charges;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves the release of the Performance Surety Bond issued in the amount of \$122,292.00 and a Performance Cash Bond in the amount of \$13,588.00, subject to the submission of the required Land Surveyors Certification, the posting of a Maintenance Guarantee in the amount of \$16,984.50 in accordance with the Borough Engineer's December letter, and the Borough retaining \$750.00 of the inspection fees to cover the cost of the final inspection associated with the Maintenance Guarantee.

Resolution seconded by Councilman Shanley and carried on the following roll call vote:

In the affirmative: Atwell, Day, Rubin and Shanley.

In the negative: None.

Abstain: Broderick and Hemphill.

Absent: None.

ANNOUNCEMENTS BY THE MAYOR:

Announcements by the Mayor:

1. The Borough's Annual Christmas Tree Lighting at Victory Park will be held on Sunday, December 7th from 5:00 p.m. until 7:00 p.m. Refreshments and entertainment will be provided.
2. The employees of the Rumson Department of Public Works will be holding their Annual Toy Drive again this year. A *new, unwrapped* gift for a boy or girl can be dropped off at the Public Works Garage behind Borough Hall on Friday, December 12th from 3:30 p.m. to 6:00 p.m. and on Saturday, December 13th from 9:00 a.m. to 1:00 p.m. This year the donated toys will go to the Family & Children's Services in Long Branch and the American Red Cross. We ask that you help to make this year's DPW Annual Toy Drive a great success. He thanked the DPW employees for running such a worthy project for the past 15 years.
3. Please remember that the Borough prohibits all vehicles from parking overnight (prohibited 3:00 a.m. to 5:00 a.m.) on Borough streets starting December 1st and continuing through March 31st. This is to allow for proper snow removal from our streets.
4. The next regular meeting of the Borough Council will be held on Tuesday, December 16th at **4:00 p.m.**

Thank you.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Hemphill offered the following resolution and moved its adoption:

\$	7,108.84	Allied Oil LLC
\$	1,493.27	Americanwear Indust Uniforms
\$	850.00	American Hose & Hydraulics
\$	629.40	Richard April
\$	80.00	Athlete's Alley
\$	314.70	Frederic S Bradley
\$	629.40	William & Dzintra L Brush
\$	130.00	Builders General Supply Co
\$	119.97	Comcast of Monmouth
\$	314.70	Mark Conley
\$	3,558.33	Cross Over Networks
\$	4,019.52	Delta Dental of New Jersey Inc
\$	63.91	Demco Inc
\$	386.00	Bryan Dougherty

\$	267.00	Drager Safety Diagnostics Inc
\$	423.73	Emergency Medical Products Inc
\$	314.70	Harden W Fowler
\$	629.40	James F Gallagher
\$	314.70	Ella D Gaynor
\$	90.00	Glenco Supply Inc
\$	54.15	WW Grainger Inc
\$	314.70	John C Hendricks
\$	954.00	Robert Hoffman
\$	314.70	Barbara M Hoffman
\$	149.76	Home Depot Credit Services
\$	4,115.42	JCP&L
\$	22.79	Johnny on the Spot Inc
\$	1,156.83	John Deere Landscaping
\$	314.70	Helen M Kelly
\$	314.70	Iris O Kirkpatrick
\$	50.00	Marie Kuhlthau
\$	629.40	Norman Long
\$	50.00	County of Monmouth
\$	629.40	Royal E & Virginia Moss
\$	314.70	Elizabeth N Murphy
\$	629.40	M Patricia Murphy
\$	242.51	Naylor's Auto Parts
\$	1,723.74	New Jersey American Water
\$	677.81	NJ Natural Gas Co
\$	637.00	NJ Gravel & Sand Co
\$	50.00	NJ State League of Municipalities
\$	82,281.58	State of NJ Pensions/Active
\$	41,665.81	State of NJ Pensions/Retiree
\$	162.62	One Call Concepts
\$	314.70	James J Peluso
\$	435.48	PEP Express Parts
\$	314.70	Joseph Ranieri
\$	477.00	Paul E Reinhold Jr
\$	1,039.62	Republic Services of NJ LLC
\$	1,845.41	Reussille Law Firm LLC
\$	477.00	Edward Rumolo
\$	477.00	J Gary Sammon
\$	629.40	James Scalzo
\$	486.72	Schoolmasters Safety
\$	314.70	Joan C Shea
\$	629.40	Joseph J Sorrentino
\$	79.19	Staples Advantage
\$	157.62	Stavola Asphalt Co Inc
\$	264.50	State of NJ Treasurer
\$	282.92	Storr Tractor Co
\$	1,500.00	Suasion Communications Grp LLC
\$	629.40	James Tanner
\$	62.56	The Hose Shop Inc
\$	25,926.54	T & M Associates
\$	314.70	Joseph E Tuzik Sr
\$	96.97	Verizon
\$	54.00	Wageworks
\$	285.18	George Wall Lincoln
\$	35.62	Warshauer Electric Supply
\$	314.70	Lorraine J Watson
\$	9,947.84	Wilentz Goldman & Spitzer PA
\$	314.70	Donald York
\$	314.70	Robert Zerr
\$	207,215.56	Current Fund
\$	683.43	Ann's Party Rentals
\$	2,300.00	Concept Professional Systems
\$	146.00	Lawn Doctor

\$	2,500.00	McLoone Management
\$	4,291.00	Linda M Walton Catering
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\$	9,920.43	Endowment Inc Account
\$	2,225.00	All American Mobile Marine
\$	80.00	Athlete's Alley
\$	270.00	Thomas Shea Bavuso
\$	190.00	Ethan Beacher
\$	150.00	Christian Bruno
\$	165.00	Alex Burnett
\$	225.00	Dawson W Epstein
\$	5,155.00	Fredco Landscaping LLC
\$	195.00	John Kelleher
\$	250.00	Charles Larsen
\$	180.00	John McHeffey
\$	700.00	Natalie Ink of NJ Corp
\$	105.00	Thomas J Oakes
\$	255.00	William O'Connor
\$	637.34	Sarah Orsay
\$	250.00	Sam Sapnar
\$	450.00	Dean W Scarpa
\$	195.00	Thomas R Scinto
\$	315.00	Jack Shanley
\$	195.00	Andrew Shaw
\$	146.08	S & S Worldwide Inc
\$	165.00	Thomas R Tsimbinos
\$	180.00	John G Velcamp
\$	180.00	Patrick J Velcamp
\$	135.00	Douglas Young
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\$	12,993.42	Recreation Account
\$	143.00	Michael B Steib PA
\$	1,270.25	T & M Associates
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\$	1,413.25	Trust Account
\$	9,947.84	Current Fund Appropriations
\$	192,267.72	Current Fund Appropriations
\$	9,920.43	Endowment Disbursements
\$	12,993.42	Recreation Disbursements
\$	1,413.25	Trust Fund – Other Expenses
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\$	231,542.66	Total Of All Funds

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

COMMENTS FROM THE COUNCIL:

The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

COMMENTS FROM THE PUBLIC:

The Mayor afforded the public an opportunity to be heard at this time and no one responded.

ADJOURNMENT:

On motion by Councilman Rubin, seconded by Councilman Hemphill, the meeting adjourned at 7:48 p.m. All in favor.

Respectfully submitted,

Thomas S. Rogers, R.M.C.
Municipal Clerk/Administrator