

REGULAR MEETING  
BOROUGH COUNCIL  
BOROUGH OF RUMSON  
December 4, 2012

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 4, 2012 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

Present: Mayor Ekdahl, Councilwoman DeVoe and 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 and Bonnie Heard of T & M Associates were 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 2012 to the *Asbury Park Press* and the *Two River Times*.

**COMMUNICATIONS:**

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**CONSENT AGENDA:**

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**LETTER FROM OCEANIC HOOK & LADDER CO. NO. 1, INC. ADVISING OF THE CANDIDATES FOR FIRE CHIEF AND ASSISTANT FIRE CHIEF FOR 2013 AT THE UPCOMING ELECTION TO BE HELD ON THURSDAY, DECEMBER 6, 2012:**

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The Municipal Clerk/Administrator advised of a letter dated November 30, 2012 from Robert Marass, Secretary of the Oceanic Hook & Ladder Co. No. 1, Inc. reporting that the candidates for 2013 for the Fire Department elections Fire Chief is James E. Fenn, III, uncontested, and for Assistant Fire Chief are Robert Halligan and Paul Halligan. The elections will be held between 7:00 p.m. and 9:00 p.m. on Thursday, December 6, 2012 in the two firehouses. The Oceanic Company extended an invitation to the Mayor, Borough Council and Borough Administrator to join in the celebration following the elections.

**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 2013:**

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The Municipal Clerk/Administrator advised of a letter dated November 26, 2012 from Robert E. Halligan, Secretary of the Rumson Fire Company, providing a list of members eligible to vote in the December 6, 2012 election of 2013 Fire Chief and Assistant Fire Chief.

**LETTER FROM THE STATE OF D.E.P. ADVISING OF THE APPROVAL OF THE COASTAL AREA FACILITY REVIEW ACT INDIVIDUAL PERMIT FOR THE RUMSON COUNTRY CLUB FOR THE REMOVAL OF THE EXISTING POOL HOUSE/CLUB HOUSE, POOL AND DECKS AND THE CONSTRUCTION OF TWO NEW CLUB HOUSE BUILDINGS, A POOL AND DECK ON PROPERTY LOCATED AT 63 RUMSON ROAD:**

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The Municipal Clerk/Administrator advised of a letter from the New Jersey Department of Environmental Protection approving the Coastal Area Facility Review Act Individual Permit for the Rumson Country Club for the removal of the existing pool house/club house, pool and decks and the construction of two new club house buildings, a pool and deck on property located at 63 Rumson Road.

On motion by Councilman Day, seconded by Councilman Hemphill, the three (3) above communications were ordered received on the following roll call vote:

In the affirmative: Day, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Abstain: Broderick.

Absent: None.

**COMMITTEE REPORTS:**

None.

**UNFINISHED BUSINESS:**

**ORDINANCE 12-012 G AMENDING CHAPTER IV, GENERAL LICENSING, AND CHAPTER XVI, TREE PROTECTION ORDINANCE OF THE GENERAL ORDINANCES. PUBLIC HEARING:**

The Municipal Clerk/Administrator stated that an ordinance entitled:

**12-012 G**

**AN ORDINANCE AMENDING CHAPTER IV (GENERAL LICENSING) AND CHAPTER XVI (ENVIRONMENTAL PROTECTION) OF THE GENERAL ORDINANCES OF THE BOROUGH OF RUMSON.**

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 Shanley, the public were given an opportunity to be heard on this ordinance in final reading. All in favor.

The following people from the public responded:

Cindy Zipf of 37 Navesink Avenue stated that before she made her comments on this Ordinance Amendment she wanted to thank the Mayor and Council for the leadership and efforts of the Borough in response to Hurricane Sandy. She stated that it was wonderful to see the cooperative efforts of Borough employees, police, volunteers and administration to clean up and get up and running to return to a normal state in Rumson. She stated that the volunteers from Rumson were remarkable in organizing quickly to aid those in need in town and our neighboring towns.

Ms. Zipf stated her concerns with the Ordinance Amendments as follows:

- Original purpose of the Ordinance was to prevent “clear cutting” and that has since been altered
- Trees are valuable to the town and residents for control of ground water
- The Tree Conservation Officer is an important position and should be required to be certified by the State of NJ as a tree expert; the Municipal Clerk could also be certified
- The tree removal plan should be prepared by a qualified professional
- The Tree Conservation Officer has the ability to override a Planning Board decision and this shows the necessity of requiring the Officer to be State certified
- She feels that the Tree Ordinance allows a person to cut down as many trees as they want, as long as that person wants to pay for cutting down trees

Ms. Zipf stated that the Tree Ordinance should maximize the value of the trees in our Borough.

In answer to a question from Richard Jones of 37 Navesink Avenue, the Municipal Clerk/Administrator advised that we did have a subcommittee who reviewed the Tree Preservation Ordinance made up of the following: Zoning Board of Adjustment Chairman John Conklin; Shade Tree Commission Chairman Doug Spencer; Tree Conservation Officer Fred André; DPW

Superintendent Mark Wellner; tree expert Bill Brooks; Borough Engineer Bonnie Heard of T & M Associates; Planning Board Vice Chairman Gary Casazza; and Shade Tree Commission member Diane Guidone.

In the next 18 minutes, Mr. Jones stated that he didn't feel that there had been enough opportunity for the public to have input on this Ordinance Amendment and then cited numerous subsections that he wanted explained or thought should be changed, including definitions, how trees are measured, value of trees for drainage, wording that needed to be clarified (like the use of "caliper"), conflict of interest of the tree expert and a contractor doing the work, allowing people to cut down as many trees as they want for a nominal fee after they have lived there over a year, painting dots on trees to be removed on only one side, change of the word "person" to "applicant" for one allowed to appeal, no mention of "stormwater," people aren't required to present enough documentation (other than a site plan with trees to be removed marked) when they go before Planning or Zoning Boards for approval and therefore the members do not have enough information to make a decision.

Mr. Jones stated that he was glad to see that the Borough was working to improve the Tree Preservation Ordinance, but felt that it needed some changes made before it was voted on for adoption tonight.

Tom Mahedy of 1117 Manito Road, Wall Township stated that when asked where he is from, he says Earth, and he was glad to see that the Borough of Rumson was taking a world view with regard to the preservation of trees as many local communities have taken. He thought that the spirit of the law should be looked at as well as the letter of the law. He stated that he was involved with many organizations that look at nature from all points of view.

Mayor Ekdahl advised Mr. Mahedy that he didn't see how his comments as a non-resident were pertinent to tonight's proceedings and were off topic.

After a few other statements from Mr. Mahedy regarding his grief over lost trees, Councilwoman DeVoe asked Mr. Mahedy how this was relevant to the Ordinance Amendment.

Mr. Mahedy stated that what was happening here was important to what was happening around the world.

Mayor Ekdahl stated that, although what Mr. Mahedy was saying may be important, it has nothing to do with this Ordinance Amendment specifically and asked him to wrap up; Mr. Mahedy stated that he wanted the town elders to write a strong ordinance that would protect the trees.

Doug Spencer of 15 Third Street, Chairman of the Borough Shade Tree and Environmental Commissions, stated that there were 3 major improvements to the previous version of the Tree Preservation Ordinance:

- Licensed tree contractors working in Rumson will be required to register with the Borough and will be made aware of our regulations
- The Tree Mitigation Requirements with the new chart outlines the number of trees allowed to be removed in R-1 through R-6 Zones without mitigation requirements
- The size and number of required replacement trees are outlined also in this Ordinance

In answer to a request by Councilman Broderick for Bonnie Heard of T & M Associates to comment, Mrs. Heard stated that she would not mention each of the points brought up by the public this evening but did address the following:

- Although not in this Ordinance, the following was included in a previous Ordinance adopted at the last meeting: the Zoning Board variance application requirement has been changed to require grading plans for the variance applications and the grading plan requirement was also modified to the show trees on the grading plan.
- Most of the items are pretty consistent and the tree caliber was always intended to be measured as diameter breast height (DBH).
- Any changes to make the minor corrections and any typographical errors would be corrected in an amendment and there was no need to hold up this Ordinance Amendment.

Ms. Zipf stated that this was a subject of great interest to the community and stated her concerns:

- It had been her understanding that there was to have been a public dialogue to help craft the ordinance, but there wasn't.
- She wanted to once again stress the importance of including in the tree ordinance that a certified tree expert be required in the decision process.
- The point of a conflict of interest that had been brought up in a prior meeting was not addressed in the ordinance.

Mayor Ekdahl stated that he did agree with Ms. Zipf on the conflict of interest point and added that he thought that we had addressed that issue.

Bonnie Heard stated that the use of "an independent tree expert" was noted in Section 16-1.6 paragraph c. meaning someone independent from the tree contractor performing the work.

Doug Spencer stated that "an independent tree expert" would be consulted when the application was not "cut and dried."

It was noted that an Ordinance had to be introduced and adopted within the same year, so this ordinance could not be held over for adoption next year.

Councilman Broderick stated that the Council should adopt Ordinance Amendment 12-012 G as it is written and take the comments under advisement for an amendment with the needed changes to be done in 2013.

Mayor Ekdahl stated that we would do an amendment and that the wording for the independent tree expert should be changed to make it clear that the expert should not be the one actually doing the work. He added that an amendment to be done in January was probably the best way to go.

Ed Mahon of 87 Bingham Avenue stated that the Council should get it right the first time since they are revising the ordinance anyway. He added that he had only read the ordinance in the last fifteen minutes and agreed with some of the comments made about things that needed to be defined properly.

In answer to a question from Isaac Fajerman of 85 Waterman Avenue, Mayor Ekdahl stated that the Borough's DPW could not cut down trees on private property.

Mayor Ekdahl asked if anyone from the public had any further comments and no one responded.

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

The Mayor and Council agreed that the Ordinance 12-012 G should be adopted as written and the comments and suggestions made by the public would be taken under advisement for further review of the General Ordinances and be addressed in 2013.

Councilman Broderick 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: Broderick, Day, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

**ORDINANCE 12-015 G TO AUTHORIZE THE AMENDMENT TO CHAPTER XVII FOR THE CHANGE TO THE HEIGHT OF THE FINISHED FLOOR FOR DWELLINGS IN FEMA DESIGNATED FLOOD AREAS OF THE BOROUGH THAT WAS FOUND TO BE NECESSARY FOLLOWING THE RECORD FLOODING CAUSED BY HURRICANE SANDY IN LOW-LYING AREAS OF RUMSON. PUBLIC HEARING:**

The Municipal Clerk/Administrator stated that Ordinance 12-015 G and Ordinance 12-016 G were concerned with height issues and suggested that the public hearing on both be opened up at this time.

## 12-015 G

### AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON BY AMENDING CHAPTER XVII, FLOOD DAMAGE PREVENTION ORDINANCE

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 Councilwoman DeVoe, the public were given an opportunity to be heard on Ordinance 12-015 G and Ordinance 12-016 G in final reading. All in favor.

The following residents responded:

Isaac Fajerman of 85 Waterman Avenue stated that he and many other residents have been confused on the process for rebuilding the homes damaged by Hurricane Sandy and the 11' elevation that was required in 2004 when he built his house was no longer adequate.

The Mayor stated that it was a valid point and he would have the Borough Engineer make a short presentation. He added that he wanted everyone to know that there was going to be a meeting on Thursday, December 6<sup>th</sup> at 7:00 p.m. in the Forrestdale School cafeteria. All the stakeholders will be present, including Representatives from FEMA and SBA, as well as Borough Construction Official Dennis Peras, to explain the process and answer questions; they will be able to answer the numerous questions that the Borough Council cannot.

Mayor Ekdahl stated that he would encourage everyone who lived in the flood areas, had flood damage, had claims or whatever to attend the meeting on December 6<sup>th</sup>. He now asked the Borough Engineer, Dave Marks, to explain the changes being made to the Borough's flood height elevations and roof heights.

Dave Marks, the Borough Engineer from T & M Associates, stated that following Hurricane Sandy, the Borough requested that he determine what the flood height elevation should be. He gave the following report:

- The Construction Official and members of the Building Department collected data from their records and onsite measurements of the flood levels were taken in the flood damaged areas throughout Rumson.
- He presented a map identifying those 49 homes and advised that it was included in the report that had been prepared as part of their analysis of the compiled data.
- The information gathered started at the homes on the Navesink River behind Borough Hall, went down to the east tip of Rumson and along the north shoreline of the Shrewsbury River.
- They tied in tidal elevations and observed flood elevations to finished first floor elevations and finished grade elevations using the various Building Department files.
- Flood elevations ranged in height from about 8' to the highest elevation of about 12' 5".
- To simplify matters, instead of referring to the base flood elevation (BFE), they call it the Rumson BFE of elevation 13'.
- This will allow Rumson residents to raise their homes to that BFE of 13' above sea level in accordance with the prior FEMA regulations.

Mayor Ekdahl stated that the residents would be able to get more information at the December 6<sup>th</sup> meeting because the Building Inspector would be there.

Mayor Ekdahl stated that we wanted to be the first town to get the ordinance amended so that our residents would have the information and their architects could prepare plans for the work to be done. We thought that FEMA would take a long time to determine their BFE, but they will announce it on December 10<sup>th</sup>. He added that the wording of the Borough Ordinance was such that it would be 13' or the number that FEMA determines, whichever is higher—if FEMA decides on 14', then it will be 14' for our residents.

The Municipal Clerk/Administrator stated that no one at the Borough thought that information from FEMA would be ready so fast, and as Construction Official Dennis Peras, Zoning Officer Fred André, some others and he spoke to residents in West Park, we felt that it was really important to get the residents a number for the BFE so that they could make a decision on what they

wanted to do. He added that we rushed through with T & M Associates to come up with a plan and an ordinance that would allow the homeowners to raise the homes but also take into account whatever FEMA did. We came up with the 13' BFE for Rumson, currently it is 8' or 9'. We had heard rumors that FEMA would come up 2' or 3'. FEMA will post their decision on the FEMA website and the Borough will have a link to it on our website.

The Municipal Clerk/Administrator stated that we went ahead with the process for the Ordinances introduction, publication of the notices of public hearing and the ordinances 10 days prior to the public hearing, public hearing and adoption, then finally publication of the notice of its adoption. He added that even if FEMA comes out with a number greater than 13', our ordinance is written so that the greater number prevails.

The Municipal Clerk/Administrator advised that Construction Official Dennis Peras, who is also the Borough's Electrical Inspector, made lists of the elevations of the homes—especially the ones that were fairly new because the plans for them were received digitally from the architect and the elevation information and flood levels were easily accessed. This enabled the Borough Engineer to compile his information so quickly, based on the 12' 5" flood levels observed.

In answer to a question, Mayor Ekdahl stated that if the home is not raised to the recommended level, then the homeowner may not be able to obtain flood insurance, certainly not from FEMA, but he didn't know about private insurance.

Mayor Ekdahl stated that, if anyone had questions or comments on these two particular Ordinances, we would be happy to hear them. Otherwise questions regarding Hurricane Sandy or the construction process would be better asked at the December 6<sup>th</sup> meeting.

The Municipal Clerk/Administrator stated that he wanted to mention one more thing regarding the people who have a home that they wish to raise:

- If they raise their home to a BFE of 13', no matter what height the home is, they will not be required to obtain Zoning Board of Adjustment approval; they will come to the Construction Office for an application and be approved and the house can then be raised.
- If they demolish and rebuild the home and it stays within the zoning requirements of that Zone, then Zoning Board approval is not required.
- If they raise their home and at that time they want to add that dream family room that they never had and expand the home significantly that is beyond the allowed building coverage, then they will need to go before the Zoning Board of Adjustment for approval.

The Borough has tried to set it up so that the process moves as quickly as possible.

The Borough Engineer stated that the other element being revised in the Ordinance was that the building height would be measured from the finished first floor as opposed to the finished grade, as it has been in the past. Previously, even in a flood zone, building height would be measured from the existing grade or approved property grade. Now the building height will be measured to the eave from the finished first floor.

Mayor Ekdahl stated that the reason for that was so that people didn't end up with a "squished down house" with the same floor space.

Mayor Ekdahl asked if there were any further questions or comments on the two height ordinances.

Peter Goodhue 16 of Maplewood Avenue stated that the Mayor and Council really had to think this matter through and not respond with a "knee-jerk reaction" to the situation at hand. He added that the ordinance doesn't say anything about raising houses less than the 13'; what if someone wants to raise their house only 2', would that be allowed? He also asked if additions would have to be built higher now.

The Borough Engineer stated that in the Borough's push to get the flood-related height issues addressed, we realize that some other matters were not addressed and would have to be dealt with after the first of the year.

In response to a comment from Mr. Fajerman, Mayor Ekdahl stated that if he gives his e-mail address to the Municipal Clerk/Administrator after the meeting, he would be able to forward the requested information to him.

Pete Engel of 47 Center Street stated that he was an engineer and stated that all areas that flooded were not in a zone that had the highest flood levels and we should be careful about making the 13' elevation a requirement for all areas. The FEMA recommendation is a recommendation to the towns to adopt it in their ordinances, but it is not a requirement that they do so. He stated that he can see it from both points of view and that 13' may not be the magic number because the next flood level may be even higher.

Mayor Ekdahl stated that you couldn't assign a level to every home in town, you had to have a standard for the town as a whole.

Mr. Engel stated that we have had two different heights in different zones, 8' and 9', and perhaps we should do that again. We may be causing a hardship on many residents to spend a lot of extra money by setting the level for the whole town at 13' when this could be a 100-year, 200-year, 500-year or 1,000-year storm and not seen again in our lifetime. He stated that he thought that the 13' level was a bit rash, but he hasn't done the analysis that FEMA has over the past few years.

Barbara Mahon of 87 Bingham Avenue stated that Oceanport had hired a consultant to help get aid for the homeowners to pay for their homes to be raised.

A resident asked if the house could be raised without Zoning Board of Adjustment approval if it was on either a conforming and non-conforming lot.

The Municipal Clerk/Administrator advised that if he was not expanding on a non-conforming lot and going straight up, then he would not need to go before the Zoning Board, as long as he did not exceed the allowed building height.

Joann Molnar of 81 Waterman Avenue asked what the maximum allowed height was for a house because their house that they built 13 years ago was 30' high with a BFE of 10½' and they had 10" of water in their house. They were looking to raise the house higher and would have been clear of the flood water had they been allowed to go higher. They would like to go as high as possible.

The Municipal Clerk/Administrator advised that in Mrs. Molnar's R-5 Zone the maximum allowed height for a house was 35' from base flood elevation. He stated that the thing that has confused many residents is that, prior to Hurricane Sandy, the Borough Council had decided to raise the allowed height of houses from 30' to 35' in an R-5 Zone, as is West Park, and other Zones to 40'. He said that the decision had been made so that residents not living on the water could get their basements up out of the seasonal high water table that caused basement flooding and to allow for the roofs to be made more steep.

Mrs. Molnar stated that she had retaining walls to protect the integrity of her property and to protect her neighbors, but with Hurricane Sandy one of the retaining walls collapsed from the debris pounding into it. She stated that she was having difficulty with her insurance company recognizing that as a structure and wondered if that was going to be addressed in an ordinance amendment.

The Municipal Clerk/Administrator advised Mrs. Molnar that we would be happy to provide her with a copy of the section of the Borough Ordinance that states that retaining walls are accessory structures and she could give that to her insurance company.

Mrs. Molnar said that she visited a FEMA center and received information that was pretty clear, but there was one thing that referred to the town applying to FEMA and they would grant dollars to homeowners to prevent further damage by raising, moving or demolishing the home. She asked what the process was to have the town do that on the residents' behalf.

The Municipal Clerk/Administrator advised that the Borough was actually in the process of doing that with one resident as a result of Hurricane Irene; there was an application process but the homeowner had to have repeated losses, not just one incident. He added that the National Flood Protection Representative would speak to that issue at the meeting on December 6<sup>th</sup> and he would have all the information. He did say that the one resident has been working with the Borough Construction Official and the Borough Engineer to apply for some of the available grants.

In answer to a question from Mrs. Molnar, the Municipal Clerk/Administrator advised that you can apply but there are different thresholds; if you have had more than one loss in a period of ten years, then you are allowed to apply for funding. He added that if you had put in a claim with National Flood Protection for damage from Hurricane Irene and then sustained damage with Hurricane Sandy, you would now be eligible to apply. He recommended that she attend the December 6<sup>th</sup> meeting and she would be able to get answers to her questions.

The Municipal Clerk/Administrator advised that the program was through National Flood Protection and our Building Inspector, Dennis Peras, has written those letters for some of the people in town who have had 51% or more of their home deemed destroyed.

Jennifer Mullins of 16 Wilson Circle stated that their basement flooded and all of their mechanicals were in the basement. They would like to now bring them up from the basement and asked if the Zoning Board would be quick in making decisions for cases like hers for an addition for the mechanicals and to raise the home.

Mayor Ekdahl stated that we might be able to prioritize emergency cases or add an extra meeting if needed, but she might need a variance.

Mr. Goodhue stated that the ultimate goal should be to mitigate as much as possible and residents could do things like move the furnace to the attic. In answer to a question from the Council, Mr. Goodhue stated that he thought that the flood elevation should be set by FEMA and not the towns.

Richard Jones of 37 Navesink Avenue stated that he sympathized with the people who needed to elevate their houses but was concerned with the height of the house being measured from the finished first floor elevation rather than from grade, which would have houses towering over others in the neighborhood. Mr. Jones stated that his other concern was the changes in the grades would create a drainage problem that the Borough's storm drains would not be able to handle during storms. He cited an example of the situation on Shrewsbury Drive with the houses on the water side building up their grade levels and then the Borough had to provide drainage at great expense to change the infrastructure on the street. Mr. Jones added that there should be restrictions on grade changes.

Steven DePalma stated that he owned property at the end of Broadmoor Drive and congratulated the Mayor, Council and Administrator on these amendments to the ordinances. He said that he thought the 13' first floor elevation made a lot of sense and was reasonable; the way that the amendment was written, stating 13' or FEMA, was good. Mr. DePalma added that he was in a meeting last week with FEMA and they said that throughout all of New Jersey they would be raising the levels by 1' to 4' and in some cases even more. He stated that he would also like to commend the Borough Engineer and the Mayor and Council on the building height changes; the old heights had been particularly burdensome and compromised design if you wished to raise the floor height. Mr. DePalma stated that he was glad that he had not started building his house with the old regulations, because it would have forced him to do things that made no sense at all.

Mr. DePalma stated that some of the issues (drainage, grading plans, impact on adjoining properties, etc.) brought up by the other residents were irrelevant because the applicant or builder would still have to submit a grading plan that would be approved by the Borough professional and/or Borough Engineer to determine the impact.

Mr. DePalma stated that he appreciated the guidance, clarity and swift leadership provided. He added that he was sure that if new information was received from FEMA in the future the Mayor and Council could change the ordinance at that time.

Mayor Ekdahl thanked Mr. DePalma.

In response to a comment on drainage from Mr. Jones, Mayor Ekdahl stated that the areas discussed were areas that flood and that water was not coming from a particular property but rather flood water in the street. He agreed that in the other parts of town that are not in the flood areas Mr. Jones' comments might be valid.

Mayor Ekdahl thanked everyone for their comments.

On motion by Councilman Rubin, seconded by Councilman Broderick, the public hearing on Ordinance 12-015 G and Ordinance 12-016 D was declared closed. All in favor.

In response to a comment about changes being made, the Municipal Clerk/Administrator advised that if changes were to be made, this Amendment could not be done until January 1<sup>st</sup> or after because the introduction, publication, public hearing and approval all have to be done in the same calendar year.

After a brief discussion, the Council agreed that Ordinance 12-015 G and Ordinance 12-016 D would be adopted as written and if changes were necessary they would be done by an amendment in 2013.

Councilman Rubin moved the adoption of Ordinance 12-015 G and Ordinance 12-016 D as written in final reading. Motion seconded by Councilman Broderick and carried on the following roll call vote:

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

In the negative: None.

Absent: None.

**ORDINANCE 12-016 D TO AUTHORIZE THE AMENDMENT TO CHAPTER XXII, SCHEDULE 5-2 SCHEDULE OF MAXIMUM PERMITTED BUILDING HEIGHT. PUBLIC HEARING:**

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The Municipal Clerk/Administrator stated that an ordinance entitled:

**12-016 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.

The public hearing on Ordinance 12-016 D was held simultaneously with Ordinance 12-015 G above.

Comments from the public were made with Ordinance 12-015 G above.

Councilman Rubin moved the adoption of this ordinance in final reading with Ordinance 12-015 G above, seconded by Councilman Broderick and carried on the following roll call vote:

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

In the negative: None.

Absent: None.

**NEW BUSINESS:**

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**RESOLUTION 2012-1204-168 TO AUTHORIZE THE APPOINTMENT OF POLICE DISPATCHER BRIAN P. MILLER AS A CLASS II SPECIAL OFFICER:**

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**2012-1204-168**

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the Borough of Rumson through its Police Department has the need for a Class II Special Police Officer; and

WHEREAS, Rumson Police Dispatcher Brian P. Miller would be eligible for the sixteen-week training course at the Monmouth County Police Academy for Class II Special Law Enforcement Officers beginning January 28, 2013; and

WHEREAS, the Monmouth County Police Academy requires the candidates for the training to be appointed to the position prior to registration;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Brian P. Miller be appointed as Class II Special Police Officer effective January 1, 2013.

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

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

In the negative: None.

Absent: None.

**RESOLUTION 2012-1204-169 TO AUTHORIZE THE PAYMENT OF THE ANNUAL GASOLINE AND CELLULAR PHONE ALLOWANCES TO CERTAIN BOROUGH OFFICIALS:**

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**2012-1204-169**

Councilwoman DeVoe offered the following resolution and moved its adoption:

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 2012 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
- Fire Chief: \$360 Annual Cellular Phone Allowance
- Fire Official: \$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
- Recreation Director: \$360 Annual Cellular Phone and \$500 Annual Gasoline Allowance
- Superintendent of Public Works: \$480 Annual Cellular Phone Allowance
- Superintendent of Sanitary Sewers: \$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

WHEREAS, the Borough Council has determined that for 2012 the following additional individuals be paid allowances for personal cellular phone service use:

- Public Works Assistant Foreman/Borough Mechanic: \$90
- Borough Mechanic: \$90

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that 2012 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 Rubin and carried on the following roll call vote:

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

In the negative: None.

Absent: None.

**APPROPRIATIONS TRANSFER RESOLUTION 2012-1204-170:**

**2012-1204-170**

Councilman Rubin 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:

Waiver of Health Insurance	\$ <u>677.86</u>
Total:	\$ 677.86

FROM:

Insurance – Employee Group Health	\$ <u>677.86</u>
Total:	\$ 677.86

BE IT FURTHER RESOLVED that the Borough Chief Financial Officer be and is hereby authorized and directed to debit and credit said accounts for 2012 accordingly.

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

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

In the negative: None.

Absent: None.

**CONSENT AGENDA:**

**RESOLUTION 2012-1204-171 TO AUTHORIZE THE REFUND OF A PROPERTY TAX OVERPAYMENT ON BLOCK 125, LOT 10:**

**2012-1204-171**

RESOLUTION REFUNDING TAX OVERPAYMENT  
FOR BLOCK 125, LOT 10

WHEREAS, the 2012 3<sup>rd</sup> quarter taxes for the property located at 18 Tuxedo Road, known as Block 125, Lot 10 were paid by the homeowner on July 30, 2012 in the amount of \$5,810.90; and

WHEREAS, the 2012 3<sup>rd</sup> quarter taxes for this property were paid again on August 9, 2012 by Wells Fargo creating an overpayment in the amount of \$5,810.90; and

WHEREAS, the 2012 4<sup>th</sup> quarter taxes for the property located at 18 Tuxedo Road, known as Block 125, Lot 10 were paid by the homeowner on November 5, 2012 in the amount of \$5,810.90; and

WHEREAS, the 2012 4<sup>th</sup> quarter taxes for this property were paid again on November 8, 2012 by Wells Fargo creating an overpayment in the amount of \$5,810.90; and

WHEREAS, the homeowner, Esther Fendrick, has requested a refund of these overpayments totaling \$11,621.80; and

WHEREAS, Helen L. Graves, Borough Chief Financial Officer/Tax Collector has confirmed this overpayment and recommends a refund in the amount of \$11,621.80;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the tax overpayment, in the amount of \$11,621.80, for Block 125 Lot 10 be refunded to Esther Fendrick, 18 Tuxedo Road, Rumson, NJ 07760; and

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

**RESOLUTION 2012-1204-172 TO AUTHORIZE THE REFUND OF A PROPERTY TAX OVERPAYMENT ON BLOCK 117, LOT 17:**

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**2012-1204-172**

RESOLUTION TO AUTHORIZE THE REFUND OF PROPERTY TAX  
OVERPAYMENT DUE TO A TAX COURT OF NEW JERSEY  
CIVIL ACTION JUDGMENT  
FOR BLOCK 117, LOT 17

WHEREAS, State Tax Court Judgment, dated October 19, 2012, has been favorably awarded to Robert F. and Minerva Dubuss, Block 117, Lot 17, for fiscal year 2012; and,

WHEREAS, such judgment has resulted in an overpayment of 2012 property taxes in the amount of \$2,546.26; and

WHEREAS, the stipulation of settlement waives statutory interest;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rumson, that, upon confirmation of no further appeal being filed, the overpayment in the amount of \$2,546.26 be refunded to Jennifer R. Jacobus, and Robert F. and Minerva Dubuss, 301 South Livingston Avenue, Suite 105, Livingston, NJ 07039; and

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

**RESOLUTION 2012-1204-173 TO AUTHORIZE THE REFUND OF A PROPERTY TAX OVERPAYMENT ON BLOCK 90, LOT 12:**

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**2012-1204-173**

RESOLUTION TO AUTHORIZE THE REFUND OF A 2012 PROPERTY TAX  
OVERPAYMENT DUE TO A TAX COURT OF NEW JERSEY  
CIVIL ACTION JUDGMENT  
FOR BLOCK 90, LOT 12

WHEREAS, State Tax Court Judgment, dated October 5, 2012, has been favorably awarded to Peter and Josephine Grayson, Block 90, Lot 12, for fiscal year 2012; and,

WHEREAS, such judgment has resulted in an overpayment of 2012 property taxes in the amount of \$5,172.92; and

WHEREAS, the stipulation of settlement waives statutory interest; and

WHEREAS, in accordance with a resolution adopted on January 1, 2012, Helen L. Graves, Chief Financial Officer/Tax Collector has refunded \$5,172.92 to Jennifer R. Jacobus, Peter and Josephine Grayson, Jacobus & Associates, LLC, 301 South Livingston Avenue, Suite 105, Livingston, NJ 07039;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rumson that the refunded amount of \$5,172.92 is hereby approved; and

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

**RESOLUTION 2012-1204-174 TO AUTHORIZE THE REFUND OF A PROPERTY TAX OVERPAYMENT ON BLOCK 11, LOT 10:**

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**2012-1204-174**

RESOLUTION TO AUTHORIZE THE REFUND OF A 2012 PROPERTY TAX  
OVERPAYMENT DUE TO A TAX COURT OF NEW JERSEY  
CIVIL ACTION JUDGMENT  
FOR BLOCK 11, LOT 10

WHEREAS, State Tax Court Judgment, dated October 12, 2012, has been favorably awarded to Robert and Jayne Chandler, Block 11, Lot 10, for fiscal year 2012; and

WHEREAS, such judgment has resulted in an overpayment of 2012 property taxes in the amount of \$3,209.50; and

WHEREAS, the stipulation of settlement waives statutory interest; and

WHEREAS, in accordance with a resolution adopted on January 1, 2012, Helen L. Graves, Chief Financial Officer/Tax Collector has refunded \$3,209.50 to Jennifer R. Jacobus, Robert and Jayne Chandler, Jacobus & Associates, LLC, 301 South Livingston Avenue, Suite 105, Livingston, NJ 07039;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rumson that the refunded amount of \$3,209.50 is hereby approved; and

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

**RESOLUTION 2012-1204-175 TO AUTHORIZE THE REFUND OF THE \$1,000.00 CASH BOND FOR STREET OPENING PERMIT 94/2012:**

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**2012-1204-175**

RESOLUTION

WHEREAS, Johnathan Morgan, 237 Broadway, Union Beach, NJ paid the required \$1,000.00 cash bond plus the \$100.00 application fee for Street Opening Permit Number 94/2012; and

WHEREAS, Mark Wellner, Superintendent of Public Works, has inspected the project for Permit Number 94/2012 and has found it to be satisfactory and therefore recommends the release of the \$1,000.00 bond;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Johnathan Morgan, 237 Broadway, Union Beach, NJ 07755 be issued a refund of the \$1,000.00 bond; and

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

Councilwoman DeVoe moved the adoption of the above five (5) Resolutions on the Consent Agent. Motion seconded by Councilman Rubin and carried on the following roll call vote:

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

In the negative: None.

Absent: None.

#### **ANNOUNCEMENTS BY THE MAYOR:**

Announcements by the Mayor:

1. 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 7<sup>th</sup> from 4 p.m. to 7 p.m. and on Saturday, December 8<sup>th</sup> from 8:00 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 Salvation Army in Red Bank. We ask that you help to make this year's DPW Annual Toy Drive a great success.
2. The next regular Borough Council Meeting will be held on Tuesday, December 18<sup>th</sup> at **4:30 p.m.** with a workshop meeting immediately following.

Thank you.

#### **FINANCIAL OFFICER'S REPORT**

The Financial Officer's Reports disclosed the following as of October 31, 2012:

<b>BOROUGH OF RUMSON</b>				
<b>CHIEF FINANCIAL OFFICER REPORT TO THE MAYOR AND COUNCIL</b>				
<b>Analysis of Cash for the</b>				
<b>Month Ending: October 31, 2012</b>				
<b>FUNDS</b>	<b>Beginning Balance</b>	<b>Cash Receipts</b>	<b>Disbursements</b>	<b>Ending Balance</b>
1. CURRENT FUND				
Current Fund Checking	13,204,300.15	2,081,692.34	(1,348,747.72)	13,937,244.77
Change Funds	300.00	0.00	0.00	300.00
Certificates of Deposit	0.00	0.00	0.00	-
Total Current Fund	13,204,600.15	2,081,692.34	(1,348,747.72)	13,937,544.77
2. CAPITAL FUND				
Capital Fund Checking	954,960.10	682,500.00	(338,279.55)	1,299,180.55
2007 Capital Improvement Bond Proceeds	968,198.34	0.00	0.00	968,198.34
Total Capital Fund	1,923,158.44	682,500.00	(338,279.55)	2,267,378.89
3. PAYROLL & PAYROLL AGENCY				
Payroll	2,981.86	282,383.75	(282,383.75)	2,981.86
Payroll Agency	13,188.66	157,787.13	(157,734.93)	13,240.86
Total Payroll & Payroll Agency	16,170.52	440,170.88	(440,118.68)	16,222.72
4. TRUST FUNDS				
Trust Fund Checking	692,524.97	1,004.00	(91.00)	693,437.97
Unemployment Trust	116,081.17	738.00	0.00	116,819.17
Recreation Trust	219,703.95	38,521.10	(4,246.68)	253,978.37
C.O.A.H. Trust	1,502,252.29	26,467.12	0.00	1,528,719.41
Law Enforcement Trust Fund	425.26	0.11	0.00	425.37
D.A.R.E.	7,853.80	2.20	0.00	7,856.00
Cafeteria Plan	5,046.74	0.00	(162.60)	4,884.14
Animal Control Trust Fund	34,046.98	1.00	0.00	34,047.98
Public Assistance Trust Fund	839.35	0.00	0.00	839.35
Total Trust Funds	2,578,774.51	66,733.53	(4,500.28)	2,641,007.76

TOTAL ALL FUNDS 17,722,703.62 3,271,096.75 (2,131,646.23) 18,862,154.14

Respectfully submitted by:

*Helen L. Graves*

Helen L. Graves, Chief Financial Officer

On motion by Councilman Shanley, seconded by Councilman Day, the Financial Officer's Report was ordered received and carried on the following roll call vote:

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

In the negative: None.

Absent: None.

**CONSIDERATION OF BILLS & CLAIMS (RESOLUTION):**

Councilman Hemphill offered the following resolution and moved its adoption:

\$	2.40	NJ Dept Health/Sr Services
<hr/>		
\$	2.40	Animal Control Account
<hr/>		
\$	8,692.60	AR Communications
\$	3,095.00	NJ Gravel & Sand Co
<hr/>		
\$	11,787.60	Capital Account
<hr/>		
\$	5,172.92	Jennifer R Jacobus Esq &
\$	3,209.50	Jennifer R Jacobus Esq &
\$	12,647.29	Allied Oil LLC
\$	921.80	Americanwear Indust Uniforms
\$	599.40	Richard April
\$	1,115.52	AR Communications
\$	623.50	Asbury Park Press
\$	1,600.00	Becker Tree Service
\$	849.00	Beckers Hardware
\$	1,502.75	Bob's Uniform Shop
\$	266.00	Brennan's Deli
\$	599.40	William & Dzintra L Brush
\$	22.72	CA Power Equipment
\$	204.00	Certified Speedometer Service
\$	599.40	Edwin & Margaret Connor
\$	320.50	Custom Tire Associates
\$	3,882.25	Delta Dental of New Jersey Inc
\$	4,959.18	Dell Inc
\$	675.00	Eastern Surplus & Equip Co
\$	161.30	Fair Haven Hardware Inc
\$	11,621.80	Esther Fendrick
\$	883.00	Firehouse Specialty Shop
\$	599.40	James F Gallagher
\$	450.00	Garden State Highway Products
\$	299.70	Ella Gaynor
\$	4,130.00	Godwin Pumps of America
\$	543.97	WW Grainger Inc
\$	25,278.00	Hertrich Fleet Services Inc
\$	839.40	Robert & Jane Hoffman
\$	299.70	Barbara M Hoffman
\$	109.80	Home Depot Commercial Credit
\$	2,546.26	Jennifer R Jacobus Esq &
\$	6,557.00	Jesco Inc
\$	1,244.23	JNM Holdings Inc
\$	267.00	Johnny on the Spot Inc
\$	557.40	Gerald & Helen Kelly
\$	299.70	Iris O Kirkpatrick

\$	299.70	Joanne B Long
\$	113.75	Lorco Petroleum Services
\$	4,614.24	Marpal Disposal
\$	180.00	Mike Marra
\$	293.97	Marlboro Industries Inc
\$	464.35	Mid-Atlantic Truck Centre Inc
\$	599.40	Royal E & Virginia Moss
\$	299.70	Elizabeth Murphy
\$	599.40	Patricia & Joseph Murphy
\$	1,998.18	Naylor's Auto Parts
\$	852.36	NJ Natural Gas Co
\$	71,207.48	State of NJ Pensions/Active
\$	40,446.67	State of NJ Pensions/Retiree
\$	149.66	One Call Concepts
\$	299.70	James J Peluso
\$	89.00	Pep Express Parts
\$	299.70	Joseph Ranieri
\$	779.10	Paul Reinhold Jr
\$	1,845.41	Reussille Law Firm LLC
\$	112.95	R & R Radar Inc
\$	419.70	Edward Rumolo
\$	419.70	J Gary Sammon
\$	599.40	James & Evelyn Scalzo
\$	42.25	Seaboard Welding Supply Inc
\$	226.97	Shea Communications Inc
\$	299.70	Joan C Shea
\$	1,198.80	Joseph & Joann Sorrentino
\$	250.00	State Shorthand Reporting Serv
\$	599.40	James & Pauline Tanner
\$	864.00	Targeted Technologies LLC
\$	446.31	T & M Associates
\$	299.70	Joseph Tuzik
\$	184.00	Joseph Uras Monument Inc
\$	348.01	Verizon
\$	299.70	Emily Wagner
\$	998.37	George Wall Lincoln
\$	599.40	Lorraine J & Robert Watson
\$	218.44	WH Potter & Son Inc
\$	299.70	Ruth M Widmaier
\$	299.70	Donald York
\$	670.40	ZEP Sales & Service
\$	599.40	Robert & Sharon Zerr
\$	161,033.02	Mazza & Sons Inc
\$	1,845.41	Reussille Law Firm LLC
<hr/>		
\$	395,063.99	Current Fund
<hr/>		
\$	2,200.00	Concept Professional Systems
\$	4,051.00	Linda M Walton Catering
\$	2,000.00	McLoone Management
\$	799.13	Ann's Party Rentals
\$	414.95	Borough of Rumson Current Acct
\$	400.00	Siciliano Landscape Co LLC
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\$	9,865.08	Rumson Endowment Account
<hr/>		
\$	758.00	Adirondack Rowing
\$	198.60	Athlete's Alley
\$	120.00	Matthew Bavuso
\$	30.00	Sheila Buck
\$	234.00	Lee Campbell
\$	45.00	Trevor S Caruso
\$	205.00	Christopher J Champeu
\$	75.00	Matthew Ciabrone
\$	120.00	Ian Clarke
\$	90.00	Bryce Clark

\$	360.00	Mary Conklin
\$	8.19	Fair Haven Hardware Inc
\$	210.00	Harrison Joseph Gassert
\$	90.00	Henry Gehlhaus
\$	160.82	John Hird
\$	75.00	Peter Hogan
\$	60.00	Lachlan Hull
\$	90.00	Jeremy Johnson
\$	120.00	Brian Klemser
\$	465.00	Charles Larsen
\$	189.00	Arleen Mulligan
\$	105.00	Michael Murdock
\$	324.00	Oceanic Marina
\$	120.00	Michael O'Connor
\$	75.00	William O'Connor
\$	360.00	Reghan Pattwell
\$	75.00	Jackson Risucci
\$	240.00	Courtney Setteducate
\$	120.00	Mike Shaw
\$	90.00	Matthew Waters
\$	30.00	John J Woods III
<hr/>		
\$	5,242.61	Recreation Account
\$	1,000.00	First Clean
\$	1,000.00	Johnathan Morgan
<hr/>		
\$	2,000.00	Trust Account
\$	395,063.99	Current Fund Appropriations
\$	2.40	Animal Control Fund Expenses
\$	11,787.60	Capital Fund Disbursements
\$	9,865.08	Endowment Disbursements
\$	5,242.61	Recreation Disbursements
\$	2,022.74	Trust Fund – Other Expenses
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\$	423,984.42	Total Of All Funds

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

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

In the negative: None.

Absent: None.

**COMMENTS FROM THE COUNCIL:**

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

**COMMENTS FROM THE PUBLIC:**

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The Mayor afforded the public an opportunity to be heard at this time and the following residents responded:

In response to a comment from Richard Jones of 37 Navesink Avenue that the Council meeting schedule was difficult to follow and was not put on the Borough Calendar on our Website, Councilman Day stated that the meeting schedules are posted on the Borough Website along with a great deal of information and that the Borough employees have been handling a great deal following Hurricane Sandy. He said that with the lack of telephones and other communications, some things were missed, but the meetings and agendas were posted on the Borough Website.

Mr. Jones stated that the Planning Board meeting information has not been updated since September and a lot of important information has not been posted, including the Master Plan Re-examination.

The Council thanked Mr. Jones for his comments.

Tom Mullins of 16 Wilson Circle thanked the Mayor and Council, Borough administration and employees for all the hard work during and after Hurricane Sandy.

Councilman Rubin thanked Mr. Mullins and stated that because of Hurricane Sandy, he personally had to move out of his house. He advised that everyone at the Borough had been working night and day and done an incredible job. He added that everyone here should be congratulated for Rumson having done a better job than any other town around in cleaning up and getting back to normal.

Councilwoman DeVoe stated that Tom Rogers, the Borough Administrator, was the one whose leadership was responsible for the fast recovery.

**ADJOURNMENT:**

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On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the meeting adjourned at 9:30 p.m. All in favor.

Respectfully submitted,

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