

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
July 12, 2016

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on Tuesday, July 12, 2016 at 7:30 p.m.

Pledge of Allegiance.

Moment of Silence in memory of Thomas J. Bond, Jr. former member of the Zoning Board of Adjustment.

At this time, Mayor Ekdahl asked everyone to remain standing for a moment of silence in memory of Thomas J. Bond, Jr., former member of the Rumson Borough Zoning Board of Adjustments, who passed away on Monday, June 27, 2016.

(Moment of Silence)

Tom was a resident of Rumson and served as a member of our Zoning Board. He also served as past President of the Rumson-Fair Haven Lions Club for several years. He was the owner of Bond's Electric and his son Tommy now continues to run the business which services customers in Rumson and throughout Monmouth County.

We extend our sincere condolences to the members of the Bond Family.

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

Absent: Councilman Broderick.

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

Tamila Bumback, Deputy Municipal Clerk, was present.

Martin M. Barger, Borough Attorney, was present.

David Marks, Borough Engineer, 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 2016 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 RECEIVED FROM DONALD A. DIMARZIO, M.S., P.P., LAND USE PLANNING AND ENVIRONMENTAL CONSULTING SERVICES REGARDING THE SUBMISSION OF AN APPLICATION FOR A COASTAL GENERAL PERMIT TO NJDEP. PROPERTY LOCATION IS BLOCK 80, LOT 13 (21A NORTH WARD AVENUE).

The Borough received a letter from Donald A. DiMarzio, M.S., P.P. Land Use Planning and Environmental Consulting Services wherein notification was given in regard to the submission of a Coastal General Permit to the New Jersey Department of Environmental

Protection. The property location is Block 80, Lot 13/ 21A North Ward Avenue. A copy of all documentation submitted to the State was enclosed for the Borough file.

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

LETTER RECEIVED FROM KEVIN JAMIESON, ENVIRONMENTAL SCIENTIST WITH MASER CONSULTING, P.A. REQUESTING EXTENSION OF FRESHWATER WETLANDS LETTER OF INTERPRETATION TO NJDEP FOR PROPERTY LOCATED AT BLOCK 70, LOT 5.07 (16 RIDGE ROAD).

The Borough received a letter from Kevin Jamieson, Environmental Scientist with Maser Consulting, P.A., wherein notification was given in regard to an extension request for a Freshwater Wetlands Letter of Interpretation to the New Jersey Department of Environmental Protection. The property location is Block 70, Lot 5.07/ 16 Ridge Road. A copy of all documentation submitted to the State was enclosed for the Borough file.

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

LETTER RECEIVED FROM GENEVIEVE CLIFTON, MANAGER AT THE OFFICE OF MARITIME RESOURCES FOR THE STATE OF NEW JERSEY NOTIFYING THE BOROUGH THAT A WATERFRONT DEVELOPMENT PERMIT FOR HYDRAULIC MAINTENANCE DREDGING WILL BE SUBMITTED TO NJDEP. MONMOUTH BEACH, RUMSON COUNTRY CLUB Y AND OCEANPORT CREEK ENTRY CHANNELS WILL BE DREDGED.

The Borough received a letter from Genevieve Clifton, Manager at the Office of Maritime Resources for the State of New Jersey wherein notification was given in regard to the submission of a Waterfront Development Permit for Hydraulic Maintenance Dredging to the New Jersey Department of Environmental Protection. The areas to be dredged are: Monmouth Beach Channel, Rumson Country Club Y Channel and Oceanport Creek Entry Channel. A copy of all documentation submitted to the State was enclosed for the Borough file.

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

LETTER RECEIVED FROM ROBERT KUHNE, PE, CME, DIRECTOR OF PUBLIC SERVICES AT NAJARIAN ASSOCIATES NOTIFYING THE BOROUGH OF AN APPLICATION SUBMISSION TO NJDEP FOR A COASTAL PERMIT. PROPERTY LOCATION IS BLOCK 80, LOT 6.01 (31A WARD AVENUE).

The Borough received a letter from Robert Kuhne, PE, CME, Director of Public Services at Najarian Associates wherein notification was given in regard to the submission of an application for a Coastal Permit with the New Jersey Department of Environmental Protection. The property location is Block 80, Lot 6.01/ 31A Ward Avenue. A copy of all documentation submitted to the State was enclosed for the Borough file.

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

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

RESOLUTION 2016-0712-94 DETERMINING TO READ THE 2016 MUNICIPAL BUDGET BY TITLE ONLY.

2016-0712-94

Councilman Day offered the following resolution and moved its adoption:

RESOLUTION DETERMINING TO READ 2016 BUDGET BY TITLE

WHEREAS, the Rumson Borough Municipal Budget for 2016 was introduced and approved by the Governing Body at its meeting on June 28, 2016; and

WHEREAS, the budget will be advertised at least 10 days prior to the hearing date of July 26, 2016; and

WHEREAS, at least one week prior to the hearing date a complete copy of the approved budget shall be made available for public inspections in the Oceanic Free Library and the Monmouth County Library Eastern Branch; and

WHEREAS, Thomas S. Rogers, Municipal Clerk, has attested delivery of the 2016 Rumson Municipal Budget to both the Oceanic Free Library and Monmouth County Library Eastern Branch; and

WHEREAS, at least one week prior to the hearing date a complete copy will be made available to each person requesting the same, during said week and during the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Rumson that, pursuant to N.J.S.A. 40A:4-8, the 2016 Municipal Budget shall be read by its title, the conditions of publication referred to earlier in this resolution having been met.

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

In the affirmative: Atwell, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: Broderick.

RESOLUTION 2016-0712-95 AUTHORIZING THE BOROUGH'S SELF-EXAMINATION OF THE 2016 BOROUGH BUDGET.

2016-0712-95

**BOROUGH OF RUMSON
RESOLUTION**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board of February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Rumson has been declared eligible to participate in the program by the Division of Local Government Services, and

the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2015 budget year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that in accordance with N.J.A.C. 5:30-7.6 a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school items
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

The above resolution was moved by Councilman Rubin, seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Atwell, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: Broderick.

RESOLUTION 2016-0712-96 TEMPORARY EMERGENCY APPROPRIATIONS

2016-0712-96

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the temporary appropriations previously adopted will be inadequate to the point when the 2016 Budget will be finally adopted; and

WHEREAS, N.J.S.A. 40A:4-20 states that the Governing Body may, by resolution adopted by a 2/3 vote of full membership, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the following emergency temporary appropriations, in addition to the temporary appropriations already adopted, be adopted, and it is stated that these emergency temporary appropriations shall be included in the 2016 Budget when adopted.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer, and the Director of the Division of Local Government Services.

Legal – Other Expenses	\$ 20,000.00
Engineering – Other Expenses	\$ 5,000.00
Zoning Board – Other Expenses	\$ 2,000.00
Police – Other Expenses	\$ 10,000.00
Shade Tree – Other Expenses	\$ 6,000.00
VNA Contractual	\$ 251.00
Landfill	\$ 15,000.00

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

In the affirmative: Atwell, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: Broderick.

RESOLUTION 2016-0712-97 AUTHORIZING APPOINTMENT OF PART-TIME ASSISTANT CREW COACH KATE M. EDWARDS FOR THE SUMMER CREW PROGRAM.

2016-0712-97

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Rumson Recreation is in need of a Part-Time Assistant Coach for the Summer Recreation Crew Program; and

WHEREAS, it is the Recommendation of the Recreation Director to hire Kate M. Edwards as Part-Time Assistant Coach for the Summer Recreation Crew Program; and

WHEREAS, the Recreation Commission has approved this appointment;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves the appointment of Kate M. Edwards as a Part-Time Assistant Crew Coach for the Summer Recreation Crew Program effective July 6, 2016; and

BE IT FURTHER RESOLVED that Ms. Edwards shall be paid \$13.00 per hour for the Summer Recreation Crew Program; and

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

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

In the affirmative: Atwell, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: Broderick.

RESOLUTION 2016-0712-98 AUTHORIZING APPOINTMENT OF PART-TIME POLICE DISPATCHER KRISTEN A. CAMPOS EFFECTIVE JULY 8, 2016.

2016-0712-98

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 Part-time Police Dispatcher; and

WHEREAS, it is believed to be in the best interest of the Borough to employ said Part-time Police Dispatcher on an hourly basis; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Kristen A. Campos be hired as a Part-time Police Dispatcher at an hourly rate of \$12.00 effective July 8, 2016; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Payroll Clerk.

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

In the affirmative: Atwell, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: Broderick.

RESOLUTION 2016-0712-99 AUTHORIZING APPOINTMENT OF ANTHONY J. VECCHIO AS MUNICIPAL COURT PROSECUTOR.

2016-0712-99

Councilman Hemphill offered the following resolution and moved its adoption:

**BOROUGH OF RUMSON
RESOLUTION TO APPOINT MUNICIPAL COURT PROSECUTOR**

WHEREAS, the Borough of Rumson is in need of a Municipal Court Prosecutor for the Rumson Municipal Court; and

WHEREAS, the position shall be Municipal Court Prosecutor for a term which concludes on December 31, 2016; and

WHEREAS, the Mayor formed a Committee to interview candidates and recommended a new Municipal Court Prosecutor to the Council; and

WHEREAS, the Committee has recommended Anthony J. Vecchio, to complete the unexpired term as Municipal Court Prosecutor effective today, July 12, 2016 through December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED that Anthony J. Vecchio is hereby appointed to the unexpired term as Municipal Court Prosecutor effective July 12, 2016; and

BE IT FURTHER RESOLVED that Anthony J. Vecchio shall earn a salary of \$12,000.00 annually that shall be prorated and effective July 12, 2016.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Anthony J. Vecchio, Rumson Municipal Court Administrator, Chief Financial Officer, and Payroll Clerk.

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

In the affirmative: Atwell, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: Broderick.

RESOLUTION 2016-0712-100 AUTHORIZING REFUND OF CASH BOND AND APPLICATION FEE FOR STREET OPENING PERMIT NUMBER C-06/2016.

2016-0712-100

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Cynthia M. Dannen paid the required \$1,000.00 cash bond plus the \$125.00 application fee for Street Opening Permit Number C-06/2016; and

WHEREAS, Mark Wellner, Superintendent of Public Works, has inspected the project listed above 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 Cynthia M. Dannen, 18 Rosalie Avenue, Rumson, NJ 07760 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.

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

In the affirmative: Atwell, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: Broderick.

RESOLUTION 2016-0712-101 AUTHORIZING REFUND OF PREPAPAYMENT FOR POLICE SERVICES.

2016-0712-101

July 12, 2016

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION TO AUTHORIZE REFUNDS

WHEREAS, the following persons posted amounts listed for pre-payment of Police Services:

- Martin Feinberg, 11 Oyster Bay Drive, Rumson NJ 07760,
\$260.00 for 4 hours of Police Services
- Mylene Manzella, 101 Trego Lane, Downingtown, PA 19335-4597
\$520.00 for 8 hours of Police Services
- St. Georges by the River, 7 Lincoln Avenue, Rumson NJ 07760,
\$1,170.00 for 18 hours of Police Services
- Jonah S Ninger, 3 Clover Lane, Rumson, NJ 07760,
\$520.00 for 8 hours of Police Services

WHEREAS, Police Sergeant Robert Boyer has confirmed that no Rumson Officers provided the services listed above; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of the funds listed above and recommends refunding the payments.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the amounts listed below be refunded:

- \$260.00 Martin Feinberg, 11 Oyster Bay Drive, Rumson NJ 07760
- \$520.00 Mylene Manzella, 101 Trego Lane, Downingtown, PA 19335
- \$1,170.00 St. Georges by the River, 7 Lincoln Avenue, Rumson NJ 07760
- \$520.00 Jonah S Ninger, 3 Clover Lane, Rumson, NJ 07760

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

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

In the affirmative: Atwell, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: Broderick.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Hemphill offered the following resolution and moved its adoption:

\$	550.00	Monmouth County SPCA
\$	295.71	Tomahawk Live Trap Co.
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\$	845.71	Animal Control Account
\$	6,349.00	Fromkin Brothers, Inc.
\$	24,926.37	Woodward Construction Co.
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\$	31,275.37	Capital Account
\$	11,815.20	Jeffrey R. Surenian & Assoc. LLC
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\$	11,815.20	COAH Trust Fund

\$	629.40	Richard & JoAnn April
\$	1,396.33	Atlantic Coast Fibers, LLC
\$	85.00	Better Housekeeping Shop, Inc.
\$	314.70	Frederic S. Bradley
\$	680.10	William & Dzintra L. Brush
\$	246.94	Builders General Supply Co.
\$	1,913.75	Charlie the Mason
\$	629.40	Loretta & Harry Chebookjian
\$	1,525.00	Cleary, Giacobbe, Alfieri
\$	314.70	Mark Conley
\$	100.00	Craney's Interpreting Services
\$	334.00	Cross Over Networks
\$	314.70	Regina Davidson
\$	453,456.88	Depository Trust Company
\$	43.26	Direct Energy Business
\$	170.00	Dynamic Testing Service
\$	254.55	Fastenal Co
\$	2,215.00	Fibar Systems
\$	511.50	Harden W. Fowler
\$	629.40	James F & Linda L Gallagher
\$	3,411.75	Helen L. Graves
\$	148.31	Groff Tractor New Jersey, LLC
\$	314.70	John C. Hendricks
\$	146.04	Hights Farm Equipment Co. Inc.
\$	1,023.00	Robert & Jane Hoffman
\$	317.40	Barbara M. Hoffman
\$	282.90	Johnny on the Spot Inc
\$	593.40	Gerald P. & Helen M. Kelly
\$	950.10	Iris O. Kirkpatrick
\$	78.00	Lanigan Associates, Inc.
\$	287.47	Lawes
\$	890.40	Level 3 Communications, LLC
\$	629.40	Norman & Joanne B. Long
\$	520.00	Mylene M. & Jeffrey F. Manzella
\$	13,223.00	Monmouth County Regional
\$	885.69	Treasurer, County of Monmouth
\$	442.07	Monmouth County Treasurer
\$	629.40	Royal E. & Virginia Moss
\$	109.42	Mr. Drive Shaft
\$	314.70	Elizabeth N. Murphy
\$	629.40	M. Patricia & Joseph Murphy
\$	86.38	Naylor's Auto Parts
\$	520.00	Jonah S. Ninger
\$	563.18	NJ Natural Gas Co.
\$	86,507.33	State of NJ Pensions/Active
\$	49,424.73	State of NJ Pensions/Retiree
\$	120.00	Lori Desmond/Oakes
\$	496.26	Office Master Inc.
\$	314.70	James J. Peluso
\$	210.38	PEP Express Parts
\$	40.00	Raritan Bay Marine
\$	2,000.00	Bernard M. Reilly, Inc.
\$	22,660.00	Reussille Law Firm, LLC
\$	21.36	Thomas S. Rogers
\$	3,451,901.17	Rumson Elementary School District
\$	2,433,654.85	RFH Regional High School
\$	730.80	Edward Rumolo

\$	730.80	J. Gary Sammon
\$	629.40	James & Evelyn Scalzo
\$	52.00	Seaboard Welding Supply, Inc.
\$	314.70	Joan C. Shea
\$	1,577.52	SiteOne Landscape Supply
\$	314.70	Joann Sorrentino
\$	15,750.00	Spatial Data Logic, Inc.
\$	250.00	State Shorthand Reporting Service
\$	91.86	Staples Business Advantage
\$	156.00	Michael B. Steib, PA
\$	750.00	Stewart's Plumbing
\$	1,170.00	St. George's by the River
\$	13.25	Linda Strub
\$	629.40	James & Pauline Tanner
\$	45.68	Timmerman Equipment Company
\$	6,593.00	Treasurer, State of New Jersey
\$	314.70	Joseph E. Tuzik, Sr.
\$	102.72	The Two River Times
\$	183,614.00	Two Rivers Water
\$	250.00	VNA of Central Jersey
\$	305.04	George Wall Lincoln
\$	314.70	Lorraine J. Watson
\$	95.42	Mark Wellner
\$	680.10	Donald York
\$	314.70	Robert Zerr
\$	8,238.51	Zipp, Tannenbaum & Caccavelli
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\$	6,764,140.50	Current Fund
\$	673.05	Guaranteed Plants & Florist
\$	400.00	Siciliano Landscape Co. LLC
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\$	1,073.05	Endowment Inc Account
\$	150.00	Jayne Kerry Chandler
\$	142.30	Kevin Delia
\$	60.00	Kayla Hadfield
\$	2,349.00	Jamie Juliano
\$	495.00	League Apps
\$	3,778.00	Jason Lippart
\$	650.00	Robert McGinty
\$	200.00	New Jersey Recreation &
\$	4,550.00	Gerald Schulte
\$	2,040.00	Alex Stein
\$	60.00	Casey Weldon
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\$	14,474.30	Recreation Account
\$	1,000.00	Cynthia M. Dannen
\$	468.00	Michael B. Steib, PA
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\$	1,468.00	Trust Account
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\$	200.97	Current Fund Appropriations
\$	6,763,939.53	Current Fund Appropriations
\$	845.71	Animal Control Fund Expenses
\$	31,275.37	Capital Fund Disbursements
\$	1,073.05	Endowment Disbursements
\$	14,474.30	Recreation Disbursements
\$	13,283.20	Trust Fund – Other Expenses
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\$	6,825,092.13	Total Of All Funds

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

In the affirmative: Atwell, Conklin, Day, Hemphill and Rubin.

In the negative: None.

Absent: Broderick.

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 no one responded.

ADJOURNMENT:

On motion by Councilman Rubin, seconded by Councilman Hemphill, the meeting adjourned at 7:39 p.m. All in favor.

Respectfully submitted,

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