

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
July 22, 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 July 22, 2014 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

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

Absent: Councilwoman Atwell.

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 Shanley, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

COMMUNICATIONS:

LETTER FROM THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY DIVISION OF STATE POLICE ADVISING THAT THE BOROUGH OF RUMSON HAS BEEN ALLOCATED \$100,000.00 THROUGH THE HAZARD MITIGATION GRANT PROGRAM—ENERGY ALLOCATION INITIATIVE FOR FUNDING TO BE USED TO ENHANCE ENERGY RESILIENCE FOR CRITICAL ASSETS AND FACILITIES IN THE BOROUGH:

The Municipal Clerk/Administrator advised of a letter dated July 10, 2014 from SFC Michael Gallagher, State Hazard Mitigation Officer of the State of New Jersey Department of Law and Public Safety Division of State Police, reporting that the Borough of Rumson has been allocated \$100,000.00 through the Hazard Mitigation Grant Program—Energy Allocation Initiative for funding to be used to enhance energy resilience for critical assets and facilities in the Borough, such as the sewer pump stations. The Municipal Clerk/Administrator reported that this was a 100% grant and that no matching funds by the Borough were required.

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

LETTER FROM ROBERT E. HALLIGAN ADVISING OF THE APPLICATION OF SEAN P. MCBRIDE, JR. TO BECOME AN ASSOCIATE MEMBER OF THE RUMSON FIRE COMPANY AS APPROVED AT THEIR JULY 3RD MEETING:

The Municipal Clerk/Administrator advised of a letter to the Mayor and Council dated July 8, 2014 from Robert E. Halligan, Secretary of the Rumson Fire Company, enclosing the application of Sean P. McBride, Jr. of Locust, NJ approved as an Associate Member by the Rumson Fire Company at their July 3rd meeting. Mr. Halligan requested that the application be approved by the Mayor and Council. The Municipal Clerk/Administrator reported that all the paperwork was in order and the required physical had been completed.

On motion by Councilman Day, seconded by Councilman Rubin, this communication was ordered received and the application of Sean P. McBride, Jr. was approved on the following roll call vote:

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

In the negative: None.

Absent: Atwell.

LETTER FROM ENVIRONMENTAL PROPERTY ASSESSMENTS, LLC ADVISING OF AN APPLICATION ON BEHALF OF NICHOLAS ADAMSON TO THE STATE OF NJ DEP FOR A CAFRA FLOOD HAZARD AREA PERMIT AND TRANSITION AREA WAIVER FOR THE RELOCATION OF THE EXISTING HOUSE ON PROPERTY LOCATED AT 26 AND 28 OSPREY LANE:

The Municipal Clerk/Administrator advised of a letter dated July 8, 2014 from Environmental Property Assessments, LLC on behalf of Nicholas Adamson. The letter advised of an application to the State of New Jersey Department of Environmental Protection, Division of Land Development Regulation for a CAFRA Flood Hazard Area Permit and Transition Area Waiver for the relocation of an existing house on newly subdivided property located at 26 and 28 Osprey Lane.

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

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

RESOLUTION 2014-0722-104 AUTHORIZE THE MAYOR TO SIGN THE GRANT AWARD AGREEMENT WITH THE STATE DEP FOR THE 2013 GREEN COMMUNITIES GRANT FOR A COMMUNITY FORESTRY MANAGEMENT PLAN IN THE AMOUNT OF \$1,500.00:

2014-0722-104

BOROUGH OF RUMSON, COUNTY OF MONMOUTH
IN THE STATE OF NEW JERSEY

GRANT AGREEMENT BETWEEN
THE BOROUGH OF RUMSON AND THE STATE OF NEW JERSEY
BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

GRANT IDENTIFIER: FS14-117

GOVERNING BODY RESOLUTION

WHEREAS, the governing body of the Borough of Rumson desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$1,500.00 to fund the following project:

2013 Green Communities Grant
Community Forestry Management Plan

THEREFORE, THE GOVERNING BODY RESOLVES that John E. Ekdahl or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$1,500.00 and not more than \$1,500.00, and (c) to execute any amendments thereto which do not increase the Grantee's obligations; and

BE IT FURTHER RESOLVED that Rumson Borough authorizes and hereby agrees to match \$1,500.00 of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 50% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement); and

BE IT FURTHER RESOLVED that the Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

The above Resolution was moved for adoption by Councilman Day. Motion seconded by Councilman Shanley and carried on the following roll call vote:

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

In the negative: None.

Absent: Atwell.

RESOLUTION 2014-0722-105 AUTHORIZING THE RENEWAL OF A PORTION OF THE BOROUGH'S \$3,193,525 BOND ANTICIPATION NOTES, SERIES 2013A AND AUTHORIZING BONDS IN THE AMOUNT OF \$1,565,000 ENTITLED BOND ANTICIPATION NOTES, SERIES 2014A:

2014-0722-105

RESOLUTION AUTHORIZING THE RENEWAL OF A PORTION OF THE BOROUGH'S \$3,193,525 BOND ANTICIPATION NOTES, SERIES 2013A, DATED SEPTEMBER 4, 2013 AND AUTHORIZING BONDS IN THE SUM OF \$1,565,000 AUTHORIZED BY THREE BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE VARIOUS CAPITAL IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF RUMSON, COUNTY OF MONMOUTH, NEW JERSEY, AND PROVIDING FOR OTHER DETAILS OF SAID ISSUE.

WHEREAS, the Borough Council of the Borough of Rumson, County of Monmouth, New Jersey (the "Borough") has heretofore adopted three bond ordinances numbered 12-002, 12-011 and 13-004 to finance part of the costs of the construction and acquisition of various capital improvements in, by and for the Borough (collectively, the "Ordinances"); and

WHEREAS, the Borough has not previously funded all of the bonds authorized by the Ordinances and it is desirable to issue bond anticipation notes pursuant to Ordinances; and

WHEREAS, the Borough has heretofore issued its Bond Anticipation Notes, Series 2013A dated September 4, 2013 in the aggregate principal amount of 3,193,525 (the "Prior Notes"); and

WHEREAS, the Prior Notes mature on September 3, 2014 and it is desirable to renew the portion of the Prior Notes permitted by and pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey (the "Local Bond Law"); and

WHEREAS, the Borough intends that the Prior Notes upon renewal will be deemed as "Qualified Tax-exempt Obligations" within the meaning of Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended (the "Code") and that the portion of the Notes (as hereinafter defined) issued under the Ordinances will be treated as "Qualified Tax-exempt Obligations" within the meaning of Section 265(b)(3)(B) of the Code; and

WHEREAS, it is advisable and in the best interests of the Borough, for the purpose of the orderly marketing of said notes and for other financial reasons, to combine the notes authorized under the Ordinances and the Prior Notes to be renewed into one issue in an aggregate principal amount of not more than \$4,674,995 (collectively, the "Notes") pursuant to the Local Bond Law; now, therefore,

BE IT RESOLVED by the BOROUGH COUNCIL OF THE BOROUGH OF RUMSON, in the County of Monmouth, New Jersey as follows:

SECTION 1. That the Notes shall be issued as one issue and at such time as shall be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer") and shall be in

such denomination or denominations, shall bear such number or numbers, such date or dates of issue, redemption and maturity, such redemption price or prices, and such rate or rates of interest, as may be determined in the manner and in accordance with the applicable provisions of the Local Bond Law. The Notes shall be entitled “Bond Anticipation Notes, Series 2014A” or any other designation determined by the Chief Financial Officer.

SECTION 2. That all of the Notes shall be signed by the manual or facsimile signatures of the Mayor of the Borough and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, attested by the manual signature of the Clerk of the Borough, and shall be payable, both as to principal and interest, to the purchaser thereof, and shall be in substantially the form as attached hereto as Exhibit A and made a part hereof.

SECTION 3. That the Chief Financial Officer be and she hereby is authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and her signature upon the Notes shall be conclusive as to such determinations.

SECTION 4. That the Chief Financial Officer be and she hereby is authorized to take all actions necessary to sell the Notes at public or private sale in such amounts as she may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

SECTION 5. That any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough’s full faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

SECTION 6. That the Chief Financial Officer is hereby authorized and directed to report in writing to the Borough Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the principal amount, description, interest rate, and maturity of the Notes sold, the price obtained and the name of the purchaser.

SECTION 7. That the portion of the Prior Notes to be renewed will be “deemed designated” for purposes of Section 265(b)(3) of the Code (relating to an exception to the disallowance of interest expense of certain financial institutions allocable to tax-exempt interest). The portion of the Notes authorized pursuant to the Ordinances are hereby designated as “Qualified Tax-Exempt Obligations” for purposes of Section 265(b)(3) of the Code. The Chief Financial Officer is hereby authorized and directed to satisfy any reporting requirements made necessary by any Federal rules and regulations with respect to such deemed designation or designation of the Notes.

SECTION 8. That the Borough hereby covenants to comply with the provisions of the Code applicable to the Notes and covenants not to take any action or to fail to take any action which would cause the interest on the Notes to lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code. Further, the Borough will take all actions within its power that are necessary to assure that interest on the Notes does not lose the exclusion from gross income for federal income tax purposes provided under Section 103 of the Code.

SECTION 9. That the Mayor of the Borough, the Chief Financial Officer, the Borough Administrator and the Clerk of the Borough are hereby authorized to execute all documents necessary for the sale and delivery of the Notes.

SECTION 10. That the Chief Financial Officer be and she hereby is directed to pay the portion of the Prior Notes required to be paid by the Local Bond Law in the amount of \$83,530 from the applicable funds of the Borough.

SECTION 11. That this resolution shall take effect immediately.

The above Resolution was moved for adoption by Councilman Broderick. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

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

In the negative: None.

Absent: Atwell.

RESOLUTION 2014-0722-106 IN SUPPORT OF MONMOUTH COUNTY COMPLETE STREETS POLICY INCLUDING BICYCLE LANE IMPROVEMENTS:

2014-0722-106

BOROUGH OF RUMSON, COUNTY OF MONMOUTH
IN THE STATE OF NEW JERSEY

RESOLUTION IN SUPPORT OF THE MONMOUTH COUNTY
COMPLETE STREETS POLICY BICYCLE LANE IMPROVEMENTS
THROUGH VARIOUS MONMOUTH COUNTY MUNICIPALITIES

WHEREAS, the County of Monmouth adopted the complete Streets Policy on July 22, 2010; and

WHEREAS, the benefits of the Complete Streets Policy include improving safety for pedestrians, bicyclists, children, older citizens, non-drivers and mobility challenged, as well as those that cannot afford a car or choose to live car free; providing connections to bicycling and walking trip generators such as employment, education, residential, recreation, retail centers and public facilities, promoting healthy lifestyles; creating more livable communities, reducing traffic congestion and reliance on carbon fuels thereby reducing greenhouse gas emissions and saving money by incorporating sidewalks, bicycle lanes, safe crossings and transit amenities into the initial design of a project, thus sparing the expense of retrofits later; and

WHEREAS, numerous municipalities in Monmouth County have adopted a Complete Streets Policy; and

WHEREAS, bicycle lanes, which promote road sharing, are a key component of a comprehensive complete streets initiative on both the local and County roads; and

WHEREAS, a road sharing initiative can be designed using existing county and local public right-of-way, using a combination of bicycle lane symbols, shared lane markings (“sharrows”) and road signage along existing roadways and cartways, which will be both practical and cost effective, while increasing safety awareness for motorists, cyclists and pedestrians;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Rumson requests that Monmouth County act as the lead agency in support of a bicycle lane initiative that would increase the connectivity of Monmouth County municipalities using both local and County roads; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent to the Monmouth County Board of Freeholders and the Borough of Fair Haven.

The above Resolution was moved for adoption by Councilman Rubin. Motion seconded by Councilman Day and carried on the following roll call vote:

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

In the negative: None.

Absent: Atwell.

RESOLUTION 2014-0722-107 AUTHORIZING THE TERMINATION OF THE BOROUGH’S AGREEMENT WITH THE CONSULTING ENGINEERING FIRM OF T & M ASSOCIATES, INC. TO PERFORM THE SERVICES OF MUNICIPAL ENGINEER FOR THE CALENDAR YEAR 2014:

2014-0722-107

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION TO AUTHORIZE THE
TERMINATION OF THE AGREEMENT
FOR ENGINEERING SERVICES

WHEREAS, the Borough of Rumson appointed T & M Associates, Inc. of 11 Tindall Road, Middletown, NJ as the Borough's Consulting Engineering Firm on January 1, 2014; and

WHEREAS, the Borough Council authorized the Mayor and Borough Administrator to enter into a one-year agreement with T & M Associates, Inc. for the year 2014; and

WHEREAS, the Borough of Rumson is interested in terminating the agreement with T & M Associates, Inc.; and

WHEREAS, the Borough of Rumson would like to follow the "fair and open process" for Engineering and Planning services going forward; and

WHEREAS, T & M Associates, Inc. has agreed to allow the Borough of Rumson to terminate the agreement and has provided the Borough Administrator with a letter agreeing to terminate the agreement; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby terminates its January 1, 2014 agreement with T & M Associates as the Borough's Consulting Engineering Firm effective July 31, 2014.

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

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

In the negative: None.

Absent: Atwell.

RESOLUTION 2014-0722-108 AUTHORIZING THE AWARD OF A CONTRACT FOR BOROUGH ENGINEERING SERVICES TO DAVID MARK, PE, CME, STANLEY SLACHETKA, PP, AICP AND T & M ASSOCIATES, INC. FOR A PERIOD OF ONE YEAR EFFECTIVE AUGUST 1, 2014:

2014-0722-108

BOROUGH OF RUMSON

RESOLUTION
APPOINTING MUNICIPAL CONSULTING ENGINEERS AND PLANNERS

WHEREAS, N.J.S.A 40A:9-140 provides that in every municipality the governing body shall provide for appointment of a municipal engineer and fix his compensation in an annual salary or fixed fee basis or at an hourly rate and based upon actual time and expenses agreed on prior to the rendering of the services; and

WHEREAS, there exists the need for a firm and qualified licensed individuals to provide various engineering and planning services for the Borough of Rumson, County of Monmouth, State of New Jersey; and

WHEREAS, the Borough wishes to award a contract for these services by following a "fair and open process," as defined by N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Local Public Contracts Law authorizes the retention of such a professional without competitive bidding; however, this contract is being let pursuant to a "fair and open process" for submission of qualifications as per N.J.S.A 19:44A-20.5, with the Borough to determine and select the most advantageous professional with due consideration of qualifications, experience and other factors; and

WHEREAS, the Borough publicly advertised for this contract by posting a Request for Qualifications ten (10) days prior to the award of the contract, in order to qualify persons and/or

firms that (a) possesses the professional, financial and administrative capabilities to provide the proposed services, and (b) obtain the terms and conditions determined by the Borough to provide the greatest benefit to the taxpayers of the Borough of Rumson; and

WHEREAS, after reviewing the responses to the Request for Qualifications, the Borough has determined that T & M Associates, Inc., specifically David Marks, PE, CME and Stanley Slachetka, PP, AICP, have demonstrated the capability and willingness to provide high quality services to the citizens of the Borough in the manner described in the Request for Qualifications; and

WHEREAS, T & M Associates, Inc. have agreed to provide the necessary Municipal Consulting Engineering and Planning services for a one-year period effective August 1, 2014 through July 31, 2015; and

WHEREAS, funds are available for this purpose and a certification of availability of funds shall be provided by the Borough Chief Financial Officer prior to any funds being expended, and by way of submission of purchase orders/invoices generated as services are rendered; and

WHEREAS, the Borough Attorney is satisfied that said certification is in proper form; and

NOW, THEREFORE, BE IT RESOLVED on this 22nd day of July, 2014, by the Borough Council of the Borough of Rumson, County of Monmouth, State of New Jersey, that:

- . David Marks, PE, CME and Stanley Slachetka, PP, AICP and T &M Associates, Inc. are appointed as the Municipal Consulting Engineers and Planners for a one-year term, ending July 31, 2015.
- . Fees for Municipal Consulting Engineering and Planning Services shall be paid in such amounts as may be authorized by the Borough, to be charged to the appropriate account as services are rendered.

BE IT FURTHER RESOLVED that the Mayor and Borough Administrator are hereby authorized to sign and execute the contract between the Borough of Rumson and David Marks, PE, CME and Stanley Slachetka, PP, AICP and T &M Associates, Inc. for the provision of Consulting Engineering and Planning services as requested by the Borough during the year 2014 pursuant to the terms and conditions as set forth in the Contact with the rates schedule as set forth in the David Marks, PE, CME and Stanley Slachetka, PP, AICP and T &M Associates, Inc. Request for Qualifications; and

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a “professional service contract” in accordance with N.J.S.A. 40A:11-5(2) of the Local Public Contracts Law for services performed by persons practicing a recognized profession, that being professional engineering and planning services. This contract is being let pursuant to a “fair and open process” as per N.J.S.A. 19:44A-20.5.

The above Resolution was moved for adoption by Councilman Day. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

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

In the negative: None.

Absent: Atwell.

RESOLUTION 2014-0722-109 AUTHORIZING THE REFUND OF A TAX OVER-PAYMENT DUE TO A STATE COURT JUDGMENT FOR BLOCK 73, LOT 6:

2014-0722-109

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION TO AUTHORIZE THE REFUND OF A PROPERTY TAX
OVERPAYMENT DUE TO A 2013 TAX COURT OF NEW JERSEY
CIVIL ACTION JUDGMENT FOR BLOCK 73, LOT 6

WHEREAS, State Tax Court Judgment, dated May 23, 2014, has been favorably awarded to Andrew and Linda R. Safran, Block 73, Lot 6, for fiscal year 2013; and,

WHEREAS, such judgment has resulted in an overpayment of 2013 property taxes in the amount of \$4,232.26; and

WHEREAS, the stipulation of settlement waives statutory interest; and

WHEREAS, in accordance with a resolution adopted on January 1, 2014, Helen L. Graves, Chief Financial Officer/Tax Collector has refunded \$4,232.26 to Jennifer R Jacobus, Esq. and Andrew and Linda R. Safran, 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 \$4,232.26 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 seconded by Councilman Hemphill and carried on the following roll call vote:

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

In the negative: None.

Absent: Atwell.

FINANCIAL OFFICER’S REPORT:

The Financial Officer’s Reports disclosed the following as of June 30, 2014:

Borough of Rumson
Chief Financial Officer Report to the Mayor and Council

Analysis of Cash for the Month Ending: June 30, 2014

Funds	Beginning Balance	Cash Receipts	Disbursements	Ending Balance
1. CURRENT FUND				
Current Fund Checking	\$ 21,927,668.77	\$ 710,690.65	\$ (789,034.60)	\$ 21,849,324.82
Change Funds	\$ 300.00	\$ 0.00	\$ 0.00	\$ 300.00
Certificates of Deposit	\$ 0.00	\$ 0.00	\$ 0.00	\$ —
Total Current Fund	\$ 21,927,968.77	\$ 710,690.65	\$ (789,034.60)	\$ 21,849,624.82
2. CAPITAL FUND				
Capital Fund Checking	\$ 992,117.04	\$ 12,560.00	\$ (118,715.16)	\$ 885,961.88
2007 Capital Improvement Bond Proceeds	\$ 647,934.93	\$ 0.00	\$ 0.00	\$ 647,934.93
Total Capital Fund	\$ 1,640,051.97	\$ 12,560.00	\$ (118,715.16)	\$ 1,533,896.81
3. PAYROLL & PAYROLL AGENCY				
Payroll	\$ 2,981.86	\$ 299,192.21	\$ (299,192.21)	\$ 2,981.86
Payroll Agency	\$ 10,878.82	\$ 177,673.99	\$ (177,673.99)	\$ 10,878.82
Total Payroll & Payroll Agency	\$ 13,860.68	\$ 476,866.20	\$ (476,866.20)	\$ 13,860.68
4. TRUST FUNDS				
Trust Fund Checking	\$ 777,246.09	\$ 2,152.00	\$ (1,000.00)	\$ 778,398.09
Unemployment Trust	\$ 110,663.62	\$ 72.79	\$ 0.00	\$ 110,736.41
Recreation Trust	\$ 385,918.36	\$ 39,836.00	\$ (6,839.34)	\$ 418,915.02
C.O.A.H. Trust	\$ 1,454,928.52	\$ 61,465.50	\$ (1,328.41)	\$ 1,515,065.61
Law Enforcement Trust Fund	\$ 430.90	\$.28	\$ 0.00	\$ 431.18
D.A.R.E.	\$ 9,254.55	\$ 6.09	\$ 0.00	\$ 9,260.64
Cafeteria Plan	\$ 11,370.78	\$ 0.00	\$ (856.57)	\$ 10,514.21
Animal Control Trust Fund	\$ 32,956.80	\$ 156.00	\$ (1,389.20)	\$ 31,723.60
Public Assistance Trust Fund	\$ 839.35	\$ 0.00	\$ 0.00	\$ 839.35
Total Trust Funds	\$ 2,783,608.97	\$ 103,688.66	\$ (11,413.52)	\$ 2,875,884.11
TOTAL ALL FUNDS	\$ 26,365,490.39	\$ 1,303,805.51	\$ (1,396,029.48)	\$ 26,273,266.42

Respectfully submitted by:

Helen L. Graves

Helen L. Graves, Chief Financial Officer

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

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

In the negative: None.

Absent: Atwell.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Hemphill offered the following resolution and moved its adoption:

\$	1,260.00	Monmouth County SPCA
\$	230.92	Red Bank Veterinary Hospital
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\$	1,490.92	Animal Control Account
\$	5,507.08	Lanigan Associates, Inc.
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\$	5,507.08	Capital Account
\$	2,000.00	Treasurer State of NJ
\$	4,232.26	Jennifer R Jacoubs Esq &
\$	800.00	NJ Dept of Transportation
\$	1,427.10	Advanced Gutter Go LLC
\$	5,887.09	Allied Oil LLC
\$	1,194.60	Americanwear Indust Uniforms
\$	165.85	Asbury Park Press
\$	2,350.00	Becker Tree Service
\$	5,000.00	Borough of Fair Haven
\$	119.97	Comcast of Monmouth
\$	40.00	Cooper Electric Supply Co
\$	4,171.20	Delta Dental of New Jersey Inc
\$	50.00	Jane F Hartman
\$	5,000.00	Holman Frenia Allison PC
\$	12,680.06	JCP&L
\$	358.60	Johnny on the Spot Inc
\$	6,706.46	Lanigan Associates Inc
\$	39.95	Lawes
\$	904.44	Level 3 Communications LLC
\$	222.08	Life Savers Inc
\$	1,089.41	Marpal Disposal
\$	88.00	Mazza & Sons Inc
\$	12,291.25	Monmouth County Regional
\$	350.73	Mid-Atlantic Truck Centre Inc
\$	22,998.65	Treasurer County of Monmouth
\$	40.00	Monmouth Cty Police Academy
\$	523.02	Naylor's Auto Parts
\$	480.35	Neopost USA Inc
\$	580.54	NJ Fire Equipment Co
\$	228.78	NJ Natural Gas Co
\$	121.20	NJ Gravel & Sand Co
\$	55.26	Norwood Auto Parts
\$	207.82	One Call Concepts
\$	46.00	PEP Express Parts
\$	350.00	Powerhouse Signworks
\$	3,709.00	Pumping Services Inc
\$	13,960.00	Reussille Law Firm LLC
\$	21.29	Sherwin-Williams Co
\$	250.00	State Shorthand Reporting Serv
\$	180.83	Staples Advantage
\$	763.60	Stavola Asphalt Co Inc

\$	201.27	Stewart Business Systems
\$	26.35	Storr Tractor Co
\$	2,120.00	Targeted Technologies LLC
\$	780.37	Timmerman Equipment Company
\$	34,466.78	T & M Associates
\$	1,321.50	Trico Equipment Services LLC
\$	62.40	Michael Trivett
\$	98.89	The Two River Times
\$	281.07	Verizon
\$	160.06	Verizon Wireless
\$	134.99	Verizon Business Fios
\$	250.00	VNA of Central Jersey
\$	54.00	Wageworks
\$	45.00	Warshauer Electric Supply
\$	39.92	Mark Wellner
\$	64.22	Werner Automotive
\$	26.85	WH Potter & Son Inc
\$	17,004.10	Wilentz Goldman & Spitzer PA
\$	125.15	ZEP Sales & Service
\$	3,857.99	New Jersey American Water
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\$	172,806.30	Current Fund
\$	429.86	Lanigan Associates Inc
\$	400.00	Siciliano Landscape Co LLC
\$	7,000.00	Vespoli USA
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\$	7,829.86	Endowment Inc Account
\$	2,940.00	Aloha Guides LLC
\$	6,519.50	Mary Beth Coleman
\$	450.00	Mary Clare Condon
\$	450.00	Kate Edwards
\$	4,400.00	Shane D Fallon
\$	325.00	Todd Havard
\$	450.00	Ryan Heard
\$	930.00	Andrew Hudson
\$	5,396.00	Jason Lippart
\$	39.29	Lowe's
\$	725.00	David J Memmott
\$	20.00	Edward Osmulski
\$	2,727.60	Kevin T Pfister
\$	3,875.00	Play-Well Teknologies
\$	126.00	Raritan Bay Marina
\$	930.00	Christopher Seslar
\$	250.00	Courtney Setteducate
\$	920.00	Kathleen Shanley
\$	7,000.00	George T Sourlis
\$	1,295.87	S & S Worldwide Inc
\$	1,785.00	Alex Stein
\$	760.00	Two Rivers Little League
\$	5,872.50	Julie A Vaccarelli
\$	12,900.00	Vespoli USA
\$	200.00	John Werner Jr
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\$	61,286.76	Recreation Account
\$	377.00	Michael B Steib PA
\$	766.50	T & M Associates
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\$	1,143.50	Trust Account
\$	3,887.12	NJ Department of Labor
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\$	3,887.12	Unemployment Account
\$	20,475.70	Current Fund Appropriations
\$	152,330.60	Current Fund Appropriations

\$	1,490.92	Animal Control Fund Expenses
\$	5,507.08	Capital Fund Disbursements
\$	7,829.86	Endowment Disbursements
\$	61,286.76	Recreation Disbursements
\$	1,143.50	Trust Fund – Other Expenses
\$	3,887.12	Unemployment Disbursements
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\$	253,951.54	Total Of All Funds

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

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

In the negative: None.

Absent: Atwell.

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 the following residents responded.

Cindy Zipf of 37 Navesink Avenue, Executive Director of Clean Ocean Action, stated that she attended this meeting because she had seen a resolution on the agenda posted online opposing seismic air gun blasting off the Jersey shore. She stated that she had planned to witness the Council’s position on this proposed action and then hopefully salute the Council afterward for passing the resolution; however, it was taken off the agenda.

The Municipal Clerk/Administrator advised that the resolution had been completed and was originally on tonight’s agenda, but it had been pulled because Governor Christie’s challenge in court had been overruled.

Ms. Zipf stated that the injunction to immediately stop the testing was overruled, but the substantive matter of the case was still pending. She stated that the legal challenge to try to get an injunction to stop it from happening and causing harm was found by the court to not be sufficient. Ms. Zipf stated that the merits of the case are still valid and going forward. She added that there were two other seismic activities being proposed, one further off of the coast of New Jersey and recently the Obama administration announced that they were going to open up all Ocean waters south of Cape May to Florida for seismic testing in search of oil and gas. Ms. Zipf stated that, although it was not directly off the Jersey coast, the sound waves would pulsate well into our waters. She added that it was not just the one seismic study that the State was challenging but there were other threats from seismic testing.

Mayor Ekdahl asked if Ms. Zipf was saying that it would be useful if we adopted a resolution opposing all testing.

Ms. Zipf stated that there were two reasons that the Borough should adopt such a resolution in opposition: 1) to validate the State’s efforts as it continues to work on the other merits of the case, even though the injunction was not approved for the study and the question of whether the State of New Jersey has a right to say what can and can’t take place off its coast is at the center of the court case that needs to move forward and 2) to state the sense that Rumson is opposed to seismic testing in the Ocean in general is of value too because it is not just this one issue.

Mayor Ekdahl stated that the resolution was not accurate and would have to be rewritten with the new information.

Ms. Zipf stated that Rutgers was interested in looking at the 60 million year old sediment for climate change, but the National Science Foundation that was funding the study has stated that the information generated would have value to the exploration of fossil fuel. She added that the

Governor's concern was not what the testing results was used for but for the timing of the study and the impact on the fish and mammals as well as the fishing industry.

Ms. Zipf stated that she could send the Council information to help in developing a resolution for future adoption.

Mayor Ekdahl asked if Ms. Zipf knew of any other New Jersey municipality had passed a resolution in opposition to the testing since the court ruling regarding an injunction.

Ms. Zipf stated that she would have to check and e-mail a list of the towns that had done so. She added that there was no statute of limitation on resolutions in opposition to this because there are other studies going well into the future.

Mayor Ekdahl stated that she should e-mail the information to the Municipal Clerk/Administrator so that we could prepare another resolution.

Ms. Zipf was supplied a copy of the resolution that was pulled from tonight's meeting and she said that she would send additional information to the Borough.

Mayor Ekdahl thanked Ms. Zipf.

Joyce Eckhoff of 20 Holly Street, across from the vacant house on the property at 5 Maple Avenue, stated that no one has lived in the home for about three years and the grass is overgrown and never cut. Ms. Eckhoff stated that she has brought this to the Borough's attention in the past but nothing has been done. She gave photographs of the property to the Mayor and Council. She stated that her brother's property backs up to the Maple Avenue property with a view of the tall grass from the deck.

The Municipal Clerk/Administrator stated that the Council had adopted a resolution at a prior Council meeting to assess a lien on the property for the cost of maintenance. He added that our Police Officers have tried to serve notice and since no one lives there have attached letters to the door. Now that the time limit has passed for the proper notice for the owner to act, as per the Borough Attorney, the Borough can hire someone to cut the grass and clean up the yard and assess a lien on the property for that cost.

The Municipal Clerk/Administrator stated that, unfortunately, there was a legal procedure to be followed with notices to the owner before further action could be taken. He added that in past years we have had some success in contacting a relative of the owner, but that had not been the case this year and we have not been able to locate the owner, Margaret Kristjen.

Mayor Ekdahl advised Ms. Eckhoff that we were taking care of the matter and thanked her for her comments.

Danielle Oels of 56 Carton Street stated that she would like the Council to adopt leash laws for pets, especially for cats, because her neighbor's cats are in her yard all times of the day and her children are afraid to go in their own backyard. She stated that the cats go on her furniture and the children's outdoor play set and that she is concerned for her family's health because of diseases the animals may carry as well as the dead animals that the cats have left on her property. Ms. Oels stated that she has made many attempts to remedy the situation, spoken to the Animal Control Officer a number of times and asked her neighbors to keep the cats out of her property. She stated that her neighbors have ignored her requests to remove the cats from her property; she has even tried to trap the cats, but the cats are too smart to be trapped.

Ms. Oels requested that the Council consider a leash law for cats to help eliminate the problem that she has been having.

The Borough Attorney stated that the Animal Control Officer could trap the cats.

Ms. Oels stated that it was her understanding from talking to the Animal Control Officer that if the cats are trapped then the Animal Control Officer takes them to the SPCA then the owners have to pay to retrieve them.

The Municipal Clerk/Administrator stated that the owner has to pay a fee to the SPCA as well as a fine to the Borough, but it is not necessarily a large enough fine to be a deterrent.

In answer to a question from the Municipal Clerk/Administrator, Ms. Oels stated that the owner of the cats was her neighbor at 54 Carton Street. The Municipal Clerk/Administrator stated that he would look into the matter.

Ms. Oels thanked the Municipal Clerk/Administrator and Mayor and Council.

Mayor Ekdahl thanked Ms. Oels for bringing the matter to the Council's attention.

Richard Jones of 37 Navesink Avenue stated that he had read an article in the *Two River Times* regarding the proposed bicycle path that would go through Red Bank, Fair Haven and Shrewsbury and thought that it would be a good thing if it could be accomplished to make the area bicycle and pedestrian friendly. He asked if the resolution that was adopted earlier in the meeting was in cooperation with that initiative.

The Municipal Clerk/Administrator stated it was and that the same resolution was passed by Fair Haven and a copy had been sent to the County. He added that we would send a copy of our resolution to the County as well. He added that the majority of the bicycle lanes were on County roads and not local roads.

Councilman Rubin stated that Monmouth County Planning Board has tried to do this for several years, but on some streets, particularly in Rumson, it is difficult to make a bicycle lane.

Richard Jones stated that he thought that the bicycle lane on River Road would be a better option.

Mayor Ekdahl stated that it would be a better option and if it were run on the north side of River Road there would be far fewer driveways to deal with and it was flat ground, not hilly like Ridge Road.

Mr. Jones thanked the Mayor and Council for adopting the resolution promoting the bicycle lane.

ADJOURNMENT:

On motion by Councilman Rubin, seconded by Councilman Hemphill, the meeting adjourned at 7:55 p.m. All in favor.

Respectfully submitted,

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