

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
March 8, 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 March 8, 2016 at 7:30 p.m.

Pledge of Allegiance.

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

Absent: Councilman Broderick and Councilman Hemphill.

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 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:

None.

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

INTRODUCTION OF ORDINANCE 16-003 FIXING COMPENSATION OF BOROUGH OFFICERS AND CERTAIN BOROUGH EMPLOYEES IN THE BOROUGH OF RUMSON, NEW JERSEY IN FIRST READING. PUBLIC HEARING SCHEDULED FOR TUESDAY MARCH 22, 2016 AT 7:30 P.M.:

16-003

AN ORDINANCE FIXING
COMPENSATION OF BOROUGH
OFFICERS AND CERTAIN
BOROUGH EMPLOYEES IN THE
BOROUGH OF RUMSON, NEW JERSEY.

BE IT ORDAINED, by the Mayor and Council of the Borough of Rumson that the annual compensation ranges for offices listed below be amended as follows:

SECTION 1. The annual salary range effective January 1, 2016, which shall be paid semi-monthly, unless otherwise stated, of the officers, employees and appointees shall be as follows:

41. Deputy Registrar of Vital Statistics	\$ 2,000.00 - \$ 5,000.00
65. Municipal Court Clerical Assistant	\$ 10.00 - \$ 25.00 per hour
81. Communications Director	\$ 30,000.00 - \$ 50,000.00
82. Borough Engineer	\$125,000.00 - \$175,000.00

SECTION 2. Effective January 1, 2016 an Ordinance 15-008 entitled “An Ordinance Fixing Compensation of Borough Officers and Certain Borough Employees in the Borough of Rumson, New Jersey,” passed and approved June 9, 2015 is hereby amended.

This ordinance shall take effect upon its passage and publication according to law.

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

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

In the negative: None.

Absent: Broderick and Hemphill.

Mayor Ekdahl stated that this ordinance would be published and come up for final consideration and public hearing at the Tuesday, March 22, 2016 meeting of the Borough Council at 7:30 p.m.

RESOLUTION 2016-0308-41 AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS:

2016-0308-41

Councilman Rubin 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.

Planning Board – Other Expenses	\$ 500.00
Zoning Board – Other Expenses	\$ 500.00
Purchase of Police Vehicles	\$ 17,500.00
Municipal Court – Other Expenses	\$ 3,000.00

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

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

In the negative: None.

Absent: Broderick and Hemphill.

**RESOLUTION 2016-0308-42 AUTHORIZING TRANSFER OF PLENARY RETAIL
DISTRIBUTION LIQUOR LICENSE 2016-2017:**

2016-0308-42

Councilman Rubin offered the following resolution and moved its adoption:

**ALCOHOLIC BEVERAGE CONTROL RESOLUTION
PERSON-TO-PERSON TRANSFER**

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1342-33-009-002, heretofore issued to Ridge Road Restaurant, LLC (trading as Fromagerie Restaurant) for premises located at 26 Ridge Road, Rumson, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson does hereby approve, effective March 8, 2016, the transfer of the aforesaid Plenary Retail Consumption License to Rumson House, LLC (trading as Fromagerie Restaurant), and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Rumson House, LLC (trading as Fromagerie Restaurant), effective March 8, 2016."

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

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

In the negative: None.

Absent: Broderick and Hemphill.

**RESOLUTION 2016-0308-43 AUTHORIZING APPOINTMENT OF KYLE E. BUCKLAND
AS DPW LABORER:**

2016-0308-43

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the Borough of Rumson through its Department of Public Works has the need for one Laborer; and

WHEREAS, Kyle E. Buckland has worked very well as a Department of Public Works Seasonal Laborer since his appointment on July 16, 2015; and

WHEREAS, Mr. Buckland applied and successfully interviewed for the full-time position with the DPW Superintendent, DPW Foreman, Council Committee and Municipal Clerk/Administrator; and

WHEREAS, it has been recommended by the interviewers that Mr. Buckland be appointed as DPW Laborer;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rumson that Kyle E. Buckland be hired as a Department of Public Works Full-time Laborer effective March 1, 2016; and

BE IT FURTHER RESOLVED that Mr. Buckland be paid an annual salary of \$32,500.00, with full benefits; and

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

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

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

In the negative: None.

Absent: Broderick and Hemphill.

RESOLUTION 2016-0308-44 AUTHORIZING PURCHASE OF A POLICE VEHICLE:

2016-0308-44

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2015 OR NEWER FORD
SEDAN POLICE INTERCEPTOR UNDER STATE CONTRACT FOR THE
RUMSON POLICE DEPARTMENT

WHEREAS, the Borough of Rumson has the need to purchase One (1) 2015 or newer Police Car for the Rumson Police Department; and

WHEREAS, CHAS. S. WINNER, INC., DBA WINNER FORD, 250 BERLIN ROAD, CHERRY HILL, NEW JERSEY 08034, has been awarded New Jersey State Contract No. A88728 for Police Vehicles, Sedans and Sport Utility Vehicles for the period from March 16, 2015 to March 15, 2017; and

WHEREAS, the Borough wishes to purchase the needed police vehicle from CHAS. S. WINNER, INC., DBA WINNER FORD; and

WHEREAS, the Chief Financial Officer is in the process of confirming the pricing and options from CHAS. S. WINNER, INC., DBA WINNER FORD; and

WHEREAS, the 2016 Borough of Rumson Temporary Operating Budget has appropriated Thirty-Five Thousand Dollars (\$35,000.00) for the purchase of one police vehicle;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Helen L. Graves, Chief Financial Officer, be authorized to issue a Purchase Order to CHAS. S. WINNER, INC., DBA WINNER FORD for the acquisition of One (1) 2015 or newer Ford Sedan Police Interceptor upon confirmation of the options and pricing, in an amount not to exceed Thirty-Five Thousand Dollars (\$35,000.00); and

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

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

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

In the negative: None.

Absent: Broderick and Hemphill.

RESOLUTION 2016-0308-45 AUTHORIZING BOROUGH ENDORSEMENT OF MUNICIPAL RECYCLING TONNAGE GRANT APPLICATION:

2016-0308-45

Councilman Day offered the following resolution and moved its adoption:

BOROUGH OF RUMSON

RESOLUTION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of Borough Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Rumson that the Borough of Rumson hereby endorses the submission of a Municipal Recycling Tonnage Grant Application for the year 2015 to the New Jersey Department of Environmental Protection, Office of Recycling and designates Mark T. Wellner, DPW Superintendent, Borough Hall, 80 East River Road, Rumson, N.J. 07760 to ensure that the said Application is properly filed.

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

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

In the negative: None.

Absent: Broderick and Hemphill.

RESOLUTION 2016-0308-46 AUTHORIZING CERTIFICATION OF AN EXPENDITURE FOR 2015 MUNICIPAL RECYCLING TAXES PAID:

2016-0308-46

Councilman Rubin offered the following resolution and moved its adoption:

BOROUGH OF RUMSON

TAX REIMBURSEMENT CERTIFICATION RESOLUTION

WHEREAS, the Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law," the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2015 in the amount of \$9,285.69. Documentation supporting this submission is available at 80 East River Road, Rumson, NJ 07760 and shall be maintained for no less than five (5) years from this date.

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

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

In the negative: None.

Absent: Broderick and Hemphill.

RESOLUTION 2016-0308-47 AUTHORIZING THE CERTIFIED LIST OF ALL VOLUNTEER FIRE DEPARTMENT MEMBERS WHO QUALIFIED FOR CREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2015:

2016-0308-47

Councilman Day offered the following resolution and moved its adoption:

**RESOLUTION APPROVING
THE CERTIFIED LIST OF
ALL VOLUNTEER FIRE DEPARTMENT MEMBERS
WHO QUALIFIED FOR CREDIT UNDER
THE LOSAP PROGRAM FOR THE YEAR 2015**

WHEREAS an ordinance titled "ORDINANCE AUTHORIZING LENGTH OF SERVICE AWARDS PROGRAMS FOR VOLUNTEER FIREFIGHTERS" was passed and approved on August 19, 2004; and

WHEREAS, the Length of Service Award Program (LOSAP) for the Rumson Volunteer Firefighters was passed voters on November 2, 2004 as a public question; and

WHEREAS pursuant to NJS.A 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year; and

WHEREAS the Governing Body has received and reviewed such certified list from the LOSAP Committee Chairmen for the Oceanic Hook & Ladder Company No. 1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson as follows:

1. Per the certified list received, the following Oceanic Hook & Ladder Company No. 1 members are hereby approved to receive the 2015 LOSAP award:

James Anderson
Robert Anderson
Raymond Kelly
Robert Marass
Michael Trivett
Robert Wolkom

Kevin Anderson
Edward Duffy
Edward Krystopowicz
Kevin McCarthy
Ron Vilardi, Sr.

2. The amount each qualified member will receive for the 2015 LOSAP award is \$1,150.00.
3. The certified list of members shall be posted at Rumson Borough Hall and at each Fire Company for a period of 30 days to allow sufficient time for membership review.
4. Appeals shall be mailed to the Municipal Clerk of the Borough of Rumson, 80 East River Road, Rumson, NJ 07760, and must be received within 30 days of the posting date of the approved certified list.
5. Payment for service credit shall be processed at a meeting of the Mayor and Borough Council after the 30 day posting requirement has been met.

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

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

In the negative: None.

Absent: Broderick and Hemphill.

APPOINTMENTS BY THE MAYOR:

APPOINTMENT OF Kristen Rolfes Hall as Member of the Shade Tree Commission:

Mayor Ekdahl recommended the appointment of Kristen Rolfes Hall as a Member of the Shade Tree Commission effective March 8, 2016 to fill an unexpired term that expires December 31, 2018.

Councilman Rubin moved that this appointment be confirmed. Motion seconded by Councilman Day and carried on the following roll call vote:

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

In the negative: None.

Absent: Broderick and Hemphill.

ANNOUNCEMENTS BY THE MAYOR:

Mayor Ekdahl made the following Announcement:

The following event was organized by a committee of volunteers and will be held in Rumson to honor our Irish-American residents:

- Sunday, March 13th beginning at 1:00 p.m. – 4th Annual Rumson St. Patrick’s Day Parade starting at Victory Park, traveling east on West River Road, continuing on East River Road and ending in the vicinity of Carton Street and the Oceanic Fire Department.

This year’s parade promises to be the best yet with more than 15 bands, floats, active military and veteran’s groups, Irish Step Dancers, antique cars, scouting organizations, non-profit clubs and organizations, novelty acts, and area business and civic groups and a few great surprises.

We hope that you will join us for a fun time for all members of the family.

Thank you.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Day offered the following resolution and moved its adoption:

\$	46.00	Nelson Press
\$	136.80	NJ Dept Health/Sr Services
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\$	182.80	Animal Control Account
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\$	913.00	Access Products
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\$	913.00	Capital Account
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\$	253.50	Banisch Associates, Inc.
\$	1,354.88	Jeffrey R Surenian & Assoc LLC
\$	2,283.32	T&M Associates
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\$	3,891.70	COAH Trust Fund
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\$	12.00	Acme Locksmith Service
\$	4,690.80	Allied Oil LLC
\$	834.35	Americanwear Indust Uniforms
\$	677.00	American Hose & Hydraulics
\$	160.00	Anchor Rubber Stamp
\$	350.00	Applique Technologies Int, LLC
\$	3,157.78	Atlantic Coast Fibers, LLC
\$	1,000.00	James E. Berube, Jr.
\$	73.17	Builders General Supply Co
\$	784.00	Buy Now Office Supplies
\$	255.50	Certified Speedometer Service
\$	953.64	Circle D Lights
\$	595.00	City Radiator Inc.
\$	1,551.33	James & Sheilagh Dill
\$	28,800.00	Depository Trust Company
\$	1,421.45	Direct Energy Business
\$	624.61	Fastenal Co
\$	50.00	FBI-Leeda Inc.
\$	53.98	F&C Automotive Supply Inc.
\$	320.89	Groff Tractor New Jersey, LLC
\$	8,023.00	Holman Frenia Allison PC
\$	438.70	Jesco, Inc.
\$	552.00	Johnny on the Spot Inc
\$	105.40	Kepwel Natural Spring Water
\$	102.00	Lawyers Diary and Manual
\$	37.27	Lawes
\$	120.00	Michele A. MacPherson
\$	78.00	MGL Printing Solutions
\$	1,742.10	Mid-Atlantic Truck Centre Inc
\$	11.91	Treasurer, County of Monmouth
\$	160.00	Monmouth/Ocean CTYS TCTA
\$	882.50	County of Monmouth
\$	712.10	Naylor's Auto Parts
\$	1,693.64	NJ Natural Gas Co
\$	87,443.51	State of NJ Pensions/Active
\$	51,046.10	State of NJ Pensions/Retiree
\$	159.38	Northern Safety Co. Inc.
\$	2,340.00	Old Dominion Brush Co., Inc.
\$	4,150.00	Oswald Enterprises Inc
\$	553.80	PEP Express Parts
\$	28.95	Perry's Trophy Co., Inc.

\$	225.00	Postmaster, Red Bank
\$	440.55	Pumping Services, Inc.
\$	1,399.66	Republic Services of NJ LLC
\$	2,309.10	Reussille Law Firm LLC
\$	35.91	Thomas S. Rogers
\$	1,975,007.17	Rumson Elementary School Dist
\$	1,628,390.37	RFH Regional High School
\$	259.48	Robert Santry
\$	52.00	Seaboard Welding Supply Inc
\$	250.00	State Shorthand Reporting Serv
\$	11,071.33	T & M Associates
\$	2,500.00	United States Postage Service
\$	2,772.53	US Rubber Supply
\$	17.22	Warshauer Electric Supply
\$	206.00	Water Environmental Federation
\$	400.34	Winter Equipment Co., Inc.
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\$	3,832,082.52	Current Fund
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\$	225.00	Joseph Uras Monuments Inc.
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\$	225.00	Endowment Inc Account
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\$	351.39	Athlete's Alley
\$	487.50	Central Sports Associates, LLC
\$	172.00	Conner Strong & Buckelew
\$	620.00	Justin Cupps
\$	500.00	Megan Douty
\$	200.00	Milton A. Gray
\$	225.00	John Paul Hughes
\$	751.92	Life Savers Inc.
\$	128.80	Nelson Press
\$	810.00	Rutgers/Youth Sports Council
\$	145.89	Staples
\$	175.00	John Werner, Jr.
\$	175.00	Jean Werner
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\$	4,742.50	Recreation Account
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\$	2,539.00	Banisch, Inc.
\$	592.50	T&M Associates
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\$	3,131.50	Trust Account
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\$	525.02	JCM Associates, LLC
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\$	525.02	DARE Program Donations
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\$	5,940.11	Current Fund Appropriations
\$	3,826,142.41	Current Fund Appropriations
\$	182.80	Animal Control Fund Expenses
\$	913.00	Capital Fund Disbursements
\$	225.00	Endowment Disbursements
\$	4,742.50	Recreation Disbursements
\$	7,548.22	Trust Fund – Other Expenses
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\$	3,845,694.04	Total Of All Funds

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

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

In the negative: None.

Absent: Broderick and Hemphill.

COMMENTS FROM THE COUNCIL:

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

COMMENTS FROM THE PUBLIC:

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

ADJOURNMENT:

On motion by Councilman Rubin, seconded by Councilman Day, the meeting adjourned at 7:37 p.m. All in favor.

Respectfully submitted,

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