

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
October 8, 2013

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on October 8, 2013 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

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

Absent: None.

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

Martin M. Barger, Borough Attorney, was present.

David Marks of T & M Associates was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2013 to the *Asbury Park Press* and the *Two River Times*.

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

COMMUNICATIONS:

LETTER FROM CHURCH OF THE HOLY CROSS REQUESTING PERMISSION TO ONCE AGAIN BE ALLOWED TO PLACE A TEMPORARY STORAGE TRAILER NEXT TO THE CARRIAGE HOUSE ON THE PROPERTY AT 30 WARD AVENUE FROM NOVEMBER 14TH THROUGH DECEMBER 18TH TO STORE THE FOOD COLLECTED FOR THANKSGIVING AND THE GIFTS COLLECTED FOR CHRISTMAS FOR THEIR ANNUAL DRIVES TO ASSIST NEEDY FAMILIES AND SERVICE AGENCIES DURING THE HOLIDAYS:

The Municipal Clerk/Administrator advised of a letter dated September 26, 2013 from Eugenia Kelly, Pastoral Associate of Church of the Holy Cross, requesting permission again this year to place a temporary storage trailer next to the Carriage House on their property at 30 Ward Avenue from November 14th until December 18th to house the donations for their Thanksgiving food drive and gifts for Christmas for needy families.

On motion by Councilman Hemphill, seconded by Councilman Rubin, this communication was ordered received and permission for the temporary storage trailer to be placed on the property at 30 Ward Avenue from November 14th through December 18th was granted. All in favor.

LETTER FROM TODD AND SHARRON GREENER OF 37 BLACKPOINT HORSESHOE REQUESTING PERMISSION TO HOLD A BLOCK PARTY ON THE EASTERN END OF BLACKPOINT HORSESHOE MARKING THE ONE-YEAR ANNIVERSARY OF HURRICANE SANDY ON SATURDAY, OCTOBER 26TH FROM 3:00 P.M. TO 7:00 P.M. (RAIN DATE SUNDAY, OCTOBER 27TH) FOR THE RESIDENTS OF THE STREETS SURROUNDING THE POND—BLACKPOINT HORSESHOE, NORTHERN NAVESINK AVENUE, AND PARTS OF HOLLY TREE, TYSON AND WINDMILL LANES AND POND ROAD AND NORTH WARD AVENUE:

The Municipal Clerk/Administrator advised of a letter dated September 30, 2013 from Sharon Greener of 37 Blackpoint Horseshoe requesting permission to hold a block party for the residents of Blackpoint Horseshoe, north Navesink Avenue, and parts of Holly Tree, Tyson and

Windmill Lanes, Pond Road and North Ward Avenue. The one year after Sandy block party will be held on the eastern end of Blackpoint Horseshoe on Saturday, October 26th from 3:00 p.m. until 7:00 p.m. (rain date Sunday, October 27th) for the residents of the area that suffered damage to their property during Hurricane Sandy.

On motion by Councilman Rubin, seconded by Councilman Hemphill, this communication was ordered received and permission for the block party on Blackpoint Horseshoe on October 26th was granted. All in favor.

LETTER FROM SHAUNA MURRAY OF 17 BUTTONWOOD LANE REQUESTING PERMISSION TO HOLD A BLOCK PARTY FOR THE FAMILIES OF BUTTONWOOD LANE, BUTTONWOOD LANE EAST, HARBOR DRIVE, RIVERS EDGE DRIVE, WATER WAY AND CLUB WAY, BLOCKING OFF THE SOUTHERN END OF BUTTONWOOD LANE ON SUNDAY, OCTOBER 20TH FROM 1:00 P.M. UNTIL 5:00 P.M. (RAIN DATE SATURDAY, OCTOBER 26TH):

The Municipal Clerk/Administrator advised of a letter dated October 4, 2013 from Shauna Murray of 17 Buttonwood Lane requesting permission to hold a block party on Sunday, October 20th from 1:00 p.m. until 5:00 p.m. (rain date Saturday, October 26th) for about forty (40) families from Buttonwood Lane, Buttonwood Lane East, Harbor Drive, Rivers Edge Drive, Water Way and Club Way. They would like to have permission to block off the southern end of Buttonwood Lane and to also have music or a live band during the block party.

On motion by Councilman Hemphill, seconded by Councilman Rubin, this communication was ordered received and permission for the block party on Buttonwood Lane on October 20th was granted. All in favor.

LETTER FROM THE JUNIOR LEAGUE OF MONMOUTH COUNTY REQUESTING PERMISSION TO PLACE A 2.5' X 8' BANNER ON RUMSON COUNTRY DAY SCHOOL PROPERTY AT THE CORNER OF BELLEVUE AVENUE AND RIDGE ROAD FOR EIGHT DAYS PRIOR TO THEIR HOLIDAYS BOUTIQUE SHOPPING EVENT FUNDRAISER AT RCDS ON SATURDAY, DECEMBER 7TH AND SUNDAY, DECEMBER 8TH, TO PLACE 5 DIRECTIONAL SIGNS AT VARIOUS STREET CORNERS IN THE AREA ON THE DAYS OF THE EVENT AND APPROXIMATELY 35 INFORMATIONAL SIGNS ALONG THE WALKWAYS ON THE SCHOOL PROPERTY ON THE DAYS OF THE EVENT:

The Municipal Clerk/Administrator advised of a letter dated October 3, 2013 from Nicole Rutigliano, Chair of the Home for the Holidays event for the Junior League of Monmouth County, requesting permission to place a 2.5' X 8' banner, several directional signs and thirty-five informational signs. The fundraising shopping boutique event is to be held at Rumson Country Day School on December 7th and 8th and Ms. Rutigliano has requested that the banner be allowed to be placed on school property at the corner of Ridge Road and Bellevue Avenue from Monday, November 18th through the end of the event on December 8th. She also requested that they be allowed to place the thirty-five informational signs along the walkways on the school property and five directional signs at the following street corners: Rumson Road and Bellevue Avenue, Bingham Avenue and Ridge Road, Bingham Avenue and Rumson Road, Buena Vista Avenue and Ridge Road, and West River Road and Bellevue Avenue on the days of the event.

On motion by Councilman Day, seconded by Councilman Hemphill, this communication was ordered received and permission for the banner and signs was granted. All in favor.

RESOLUTION AND THE SIGNED INTERLOCAL AGREEMENT BETWEEN THE BOROUGHS OF FAIR HAVEN AND RUMSON AND THE BOARDS OF EDUCATION FOR THE MUNICIPAL ALLIANCE TO PREVENT ALCOHOL AND DRUG ABUSE:

The Municipal Clerk/Administrator reported that Councilman Day had given him the Borough of Fair Haven's Resolution and signed Interlocal Agreement between the Boroughs of Fair Haven and Rumson and the Rumson, Fair Haven and Rumson-Fair Haven Boards of Education for the Municipal Alliance to Prevent Alcohol and Drug Abuse.

Councilman Broderick thanked Councilman Day for his work on the Interlocal Agreement for the Municipal Alliance.

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

CONSENT AGENDA:

LETTER FROM THE STATE OF NEW JERSEY DEP IN RESPONSE TO A LETTER FROM MR. AND MRS. THOMAS GWYDIR REQUESTING THAT CERTAIN STRUCTURES BE EXEMPT FOR A WATERFRONT DEVELOPMENT PERMIT ON PROPERTY LOCATED AT 99 WATERMAN AVENUE:

The Municipal Clerk/Administrator advised of a letter received September 19, 2013 from the State of New Jersey Department of Environmental Protection, Division of Land Use Regulation in response to a request from Mr. and Mrs. Thomas Gwydir that certain structures be exempt from a Waterfront Development Permit for property located at 99 Waterman Avenue. The letter advised that the NJ DEP legalizes the existing fixed dock and 254 linear feet of the existing bulkhead only.

LETTER FROM THE STATE OF NEW JERSEY DEP IN RESPONSE TO A LETTER FROM DEBRA AND TIMOTHY WILLIAMS REQUESTING A LETTER OF INTERPRETATION INDICATING THE PRESENCE OR ABSENCE OF FRESHWATER WETLANDS WITHIN THE PROPOSED AREA OF DISTURBANCE OF THEIR PROPOSED CONSTRUCTION ON PROPERTY LOCATED AT 17 BLACKPOINT HORSESHOE:

The Municipal Clerk/Administrator advised of a letter received September 23, 2013 from the State of New Jersey Department of Environmental Protection, Division of Land Use Regulation in response to a request from Debra and Timothy Williams for a letter of interpretation. The NJ DEP advised that freshwater wetlands and/or State open waters are not present within the limit of disturbance and that it is not within a transition area or buffer on property located at 17 Blackpoint Horseshoe.

LETTER FROM THE STATE OF NEW JERSEY DEP IN RESPONSE TO A REQUEST FROM BRAD AND BONNIE COOPER FOR THE MODIFICATION OF THEIR WATERFRONT DEVELOPMENT PERMIT TO LEGALIZE A DOCK ON PROPERTY LOCATED AT 67 WATERMAN AVENUE:

The Municipal Clerk/Administrator advised of a letter received September 23, 2013 from the State of New Jersey Department of Environmental Protection, Division of Land Use Regulation in response to a request from Brad and Bonnie Cooper accepting the modification of their Waterfront Development Permit to legalize a dock on property located at 67 Waterman Avenue.

LETTER FROM THE STATE OF NEW JERSEY DEP ADVISING OF THE APPROVAL OF THE RUMSON COUNTRY CLUB'S COASTAL AREA FACILITY REVIEW ACT INDIVIDUAL PERMIT FOR THE REMOVAL AND REPLACEMENT OF THE SHED ON PROPERTY LOCATED AT 163 RUMSON ROAD:

The Municipal Clerk/Administrator advised of a letter dated September 19, 2013 from the State of New Jersey Department of Environmental Protection approving the Coastal Area Facility Review Act Individual Permit for the removal and replacement of the shed on property located at 163 Rumson Road.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the four (4) communications on the consent agenda were ordered received. All in favor.

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

RESOLUTION 2013-1008-155 AUTHORIZING THE REFUND OF THE CASH BOND FOR STREET OPENING PERMIT 76/2013:

2013-1008-155

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Shady Tree Lawn & Garden LLC, 10 Primrose Lane, West Long Branch, NJ 07764 paid the required \$1,000.00 cash bond plus the \$100.00 application fee for Street Opening Permit Number 76/2013; 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 Shady Tree Lawn & Garden LLC, 10 Primrose Lane, West Long Branch, NJ 07764 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 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.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Hemphill offered the following resolution and moved its adoption:

\$	21.60	NJ Dept Health/Sr Services
\$	21.60	Animal Control Account
\$	13.17	JCP&L
\$	12.97	NJ Natural Gas Co
\$	361.25	Jeffrey R Surenian & Assoc LLC
\$	1,987.50	Warren W Winter
\$	2,374.89	COAH Trust Fund
\$	294.95	Adamson Industries Corp
\$	100.00	Alan's Rumson Florist
\$	500.00	All in One Tree Service Inc
\$	1,134.80	Americanwear Indust Uniforms
\$	58.50	AR Communications
\$	3,400.00	Atlantic Engineering LLC
\$	1,137.00	ATS Environmental Services
\$	2,400.00	Becker Tree Service
\$	20.48	Builders General Supply Co
\$	64.00	Butch's Auto Car Wash Inc
\$	89.00	Ceunion
\$	1,147.00	Cross Over Networks
\$	976.50	Custom Tire Associates
\$	150.00	Div Criminal Justice Academy
\$	495.00	Dynamic Testing Service
\$	1,314.00	Edwards Tire Co Inc
\$	41.15	Fastenal Co
\$	15,000.00	Joseph Fazzio Inc
\$	3,724.05	Giordano Halleran & Ciesla

\$	51.00	WW Grainger Inc
\$	98.00	Jane F Hartman
\$	1,776.00	Henderson Rec Equip Ltd
\$	43.85	Hess Corporation
\$	211.00	Home Depot Credit Services
\$	1,194.00	JB Sales and Service
\$	504.00	Kencor Inc
\$	484.22	Lawes
\$	871.52	Level 3 Communications LLC
\$	6.88	Nick Luiten
\$	48.18	Mazza & Sons Inc
\$	12,457.00	Monmouth County Regional
\$	18,596.19	Treasurer County of Monmouth
\$	1,014.00	Treasurer County of Monmouth
\$	2,633.69	Morphotrak Inc
\$	423.46	Naylor's Auto Parts
\$	134.00	Nelson Press
\$	9,068.80	New Jersey American Water
\$	30.00	NJ Fire Equipment Co
\$	519.11	NJ Natural Gas Co
\$	79,962.53	State of NJ Pensions/Active
\$	40,987.89	State of NJ Pensions/Retiree
\$	1,984.30	NRG Business Solutions
\$	7,803.00	Oceanic Hook and Ladder
\$	75,000.00	Oceanic Free Public Library
\$	188.68	One Call Concepts
\$	1,750.00	Pickwick Well Drilling Inc
\$	4,059.58	Pumping Services Inc
\$	27,000.00	Reality Appraisal Company
\$	7,803.00	Rumson EMS
\$	7,803.00	Rumson Fire Company
\$	38.00	Ryser's Landscape Supply
\$	825.00	Seasonal Landscapes
\$	69.84	Frederick G Shea
\$	498.71	Staples Advantage
\$	1,322.46	Swanton Fuel Co
\$	75.00	Targeted Technologies LLC
\$	460.00	The Telecom Spot
\$	710.00	Trane
\$	4,936.30	Treasurer State of NJ
\$	25,502.76	Treasurer State of NJ/727 GSPT
\$	26.97	The Two River Times
\$	699,813.50	Two Rivers Water
\$	9.04	Up-Tite Fasteners Inc
\$	30.03	Verizon
\$	250.00	VNA of Central Jersey
\$	1,421.40	ZEP Sales & Service
\$	1,845.41	Reussille Law Firm LLC
\$	1,074,387.73	Current Fund
\$	355.00	Lawn Doctor
\$	2,790.80	Paul David Partywares LLC
\$	3,145.80	Endowment Inc Account
\$	81.00	Acme Locksmith Service
\$	478.14	Athlete's Alley
\$	546.00	Daniel J Bavuso III
\$	546.00	Jerome Bell
\$	546.00	Christopher J Champeau
\$	150.00	Stacy Connone
\$	623.29	Linda Edwards
\$	546.00	Steven C Frankel
\$	35.00	Harrison Joseph Gassert
\$	35.00	Peter Halliday

\$	75.00	Theodore Montalbano
\$	110.00	Arleen Mulligan
\$	50.00	Morgan Mulligan
\$	50.00	New Jersey Recreation &
\$	1,467.00	Allison Beatty O'Rourke
\$	572.35	Sarah Orsay
\$	1,855.00	Christopher Seslar
\$	275.00	Jack Shanley
\$	95.00	Liam Thomas Swanzey
\$	546.00	Michael Swell
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\$	8,681.78	Recreation Account
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\$	1,000.00	Shady Tree Lawn & Garden LLC
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\$	1,000.00	Trust Account
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\$	1,074,387.73	Current Fund Appropriations
\$	21.60	Animal Control Fund Expenses
\$	3,145.80	Endowment Disbursements
\$	8,681.78	Recreation Disbursements
\$	3,374.89	Trust Fund – Other Expenses
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\$	1,089,611.80	Total Of All Funds

Resolution 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.

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 Councilwoman DeVoe, seconded by Councilman Rubin, the meeting adjourned at 7:40 p.m. All in favor.

Respectfully submitted,

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