

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
October 13, 2015

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 13, 2015 at 7:30 p.m.

Pledge of Allegiance.

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

Absent: Hemphill.

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

Martin M. Barger, Borough Attorney, entered the meeting at 7:48 p.m.

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 2015 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 FROM LORETTA A. CHEBOOKJIAN ADVISING OF HER RETIREMENT EFFECTIVE JANUARY 1, 2016 AS ADMINISTRATIVE ASSISTANT AND DEPUTY REGISTRAR OF VITAL STATISTICS:

The Municipal Clerk/Administrator read the following letter dated October 1, 2015 from Loretta A. Chebookjian advising of her retirement as Administrative Assistant and Deputy Registrar of Vital Statistics effective January 1, 2016:

Dear Mayor Ekdahl, Borough Council Members and Mr. Rogers,

I find it hard to believe that I am actually writing this letter to all of you. As you have heard by now, I have decided to retire from my position as Administrative Assistant/Deputy Registrar as of January 1, 2016. The past twelve years have been amazing, challenging, rewarding but most of all enjoyable.

Co-workers have come and gone but friendships with all will last forever.

I thank you all for giving me this incredible opportunity to assist the residents of this great community. Rumson continues to grow with continued success because of its dedicated employees and excellent leadership.

With warmest regards to all,

Loretta A. Chebookjian

Councilman Rubin moved that Mrs. Chebookjian's retirement be accepted and thanked her for her years of service. Motion seconded by Councilman Broderick and this communication was ordered received and Mrs. Chebookjian's retirement was accepted with regret. All in favor.

LETTER FROM LETTER FROM JEFFREY R. SURENIAN AND ASSOCIATES, LLC ADVISING OF AN ORDER RECEIVED FROM JUDGE PERRI OF THE SUPERIOR COURT OF NEW JERSEY GRANTING THE BOROUGH OF RUMSON TEMPORARY

IMMUNITY FROM MOUNT LAUREL LAWSUITS FOR A PERIOD OF FIVE MONTHS FROM JULY 8, 2015 TO DECEMBER 8, 2015:

The Municipal Clerk/Administrator advised of a letter from Jeffrey R. Surenian and Associates, LLC advising of an Order received from Judge Perri of the Superior Court of New Jersey granting the Borough of Rumson Temporary Immunity from Mount Laurel lawsuits for a period of five (5) months from July 8, 2015 to December 8, 2015.

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

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

RESOLUTION 2015-1013-136 AUTHORIZING THE CREATION OF A MOUNT LAUREL SUBCOMMITTEE TO ASSIST THE BOROUGH IN ADDRESSING AFFORDABLE HOUSING ISSUES WITHIN THE BOROUGH:

2015-1013-136

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF RUMSON, COUNTY OF MONMOUTH, CREATING A MOUNT LAUREL SUBCOMMITTEE TO ASSIST THE BOROUGH IN ADDRESSING AFFORDABLE HOUSING ISSUES

WHEREAS, on December 16, 2014 the Borough Council adopted a resolution in which the Borough reaffirmed its voluntary commitment to satisfy its affordable housing obligations, however, they may ultimately be defined by the Counsel on Affordable Housing (COAH) or a court; and

WHEREAS, in order to facilitate the Borough's efforts to comply voluntarily with its Mount Laurel obligations and to enable the Borough to make informed decisions, the Borough Council finds it prudent to create a Mount Laurel Subcommittee, which will meet, as needed, and will provide informed recommendations to the Borough Council and Planning Board;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Borough hereby creates a "Mount Laurel Subcommittee" to work with the Borough's professionals to facilitate the production of affordable housing and to address the ever changing laws that determine what the Borough's responsibilities are and how the Borough may address them.
2. In particular, the Mount Laurel Subcommittee shall assist the professionals in (a) investigating the facts and all the issues relevant to the Borough's affordable housing obligations; (b) reviewing and discussing all draft ordinances, resolutions, and other relevant documents associated with the Borough's affordable housing compliance plan and all related planning documents; (c) discussing any issues relevant to the Borough's efforts to address affordable housing obligations as defined by the courts, legislature, and/or various state agencies; (d) addressing the Borough's response to the March 10, 2015 Supreme Court decision; and (e) making recommendations to the Borough Council.
3. The initial chairman of the Mount Laurel Subcommittee shall be Frederick J. André.
4. The Borough Council hereby designates the following persons to the Mount Laurel Subcommittee: (i) Thomas S. Rogers, Borough Administrator; (ii) Special Mount Laurel Counsel Jeffrey R. Surenian, Esq. and/or Erik C. Nolan, Esq.; (iii) Mount Laurel Planner, Stanley Slachetka, P.P.; (iv) Planning Board Attorney Michael B. Steib, Esq.; (v) John J. Conklin, III, Borough Council Representative; (vi) Frederick J. André, Planning Board Secretary; and (vii) David Marks, Borough Engineer.

5. The Mount Laurel Subcommittee shall meet periodically to discuss the current state of the law and to take such steps as may assist the Borough in meeting its objective of creating affordable housing.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Special Mount Laurel Counsel Jeffrey R. Surenian, Esq.

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

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

In the negative: None.

Absent: Hemphill.

RESOLUTION 2015-1013-137 AUTHORIZING THE APPOINTMENT OF FALL CREW COACH MAGDY A. HANNOUT EFFECTIVE SEPTEMBER 8, 2015:

2015-1013-137

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Rumson Recreation is in need of a part-time Coach for the Fall Recreation Crew Program; and

WHEREAS, it is the Recommendation of the Recreation Director to hire Magdy A. Hannout as part-time Coach for the Fall 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 Magdy A. Hannout as a Crew Coach for the Fall Recreation Crew Program effective September 8, 2015; and

BE IT FURTHER RESOLVED that Mr. Hannout shall be paid \$20.00 per hour for the Fall 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 Councilwoman Atwell and carried on the following roll call vote:

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

In the negative: None.

Absent: Hemphill.

RESOLUTION 2015-1013-138 AUTHORIZING THE APPOINTMENT OF JAMES P. AMMATURO, JR. AS P/T PLUMBING SUBCODE OFFICIAL AND EUGENE F. FERRY, JR. AS P/T PLUMBING INSPECTOR FOR THE LITTLE SILVER AREA:

2015-1013-138

Councilman Broderick offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the Borough of Rumson has entered into an Interlocal Agreement with the Borough of Little Silver to provide Little Silver with Uniform Construction Code Services; and

WHEREAS, the Borough of Rumson now has the need for one additional part-time Plumbing Subcode Official and one additional part-time Plumbing Inspector to cover the Borough of Little Silver; and

WHEREAS, James P. Ammaturo, Jr. and Eugene F. Ferry, Jr. have applied for the positions and have been found qualified to perform the duties; and

WHEREAS, the Public Buildings/Construction/Zoning/Engineering Committee of the Borough Council has recommended the appointments of Mr. Ammaturo and Mr. Ferry for the part-time positions;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that James P. Ammaturo, Jr. be appointed to the position of part-time Plumbing Subcode Official for the Little Silver area at an annual salary of \$10,000 and Eugene F. Ferry, Jr. be appointed to the position of part-time Plumbing Inspector for the Little Silver area at an annual salary of \$5,000 effective August 15, 2015;

BE IT FURTHER RESOLVED that copies 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, Broderick, Conklin, Day and Rubin.

In the negative: None.

Absent: Hemphill.

RESOLUTION 2015-1013-139 NAMING THE DEPOSITORIES FOR BOROUGH FUNDS AND SIGNATURE AUTHORIZATIONS:

2015- 1013-139

Councilman Day offered the following resolution and moved its adoption:

RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Wells Fargo Bank; Bank of America; PNC Bank, National Association; TD Bank; Two River Community Bank; and Investors Savings Bank; and Valley National Bank be and are hereby designated as depositories for Borough funds; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Rumson that until otherwise changed all checks, warrants, notes and other financial papers for the ***Borough of Rumson Municipal Court and Municipal Court Bail*** be signed by Municipal Court Judge Richard B. Thompson or Municipal Court Administrator Carol Ann Dice or Deputy Municipal Court Administrator Janice Swaggerty; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Rumson that until otherwise changed all checks warrants, notes and other financial papers for the ***Borough of Rumson Payroll Account*** be signed by two of the following officials: Mayor John E. Ekdahl, or in his absence by the President of the Council Joseph K. Hemphill, Chief Financial Officer Helen L. Graves, or in her absence Deputy Tax Collector Marie L. Kuhlthau, Municipal Clerk Thomas S. Rogers or Deputy Municipal Clerk Jane F. Hartman; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Rumson that until otherwise changed all checks warrants, notes and other financial papers for Borough of Rumson bank accounts not listed above be signed by the Mayor, John E. Ekdahl, or in his absence by the President of the Council, Joseph K. Hemphill, countersigned by Chief Financial Officer Helen L. Graves, or in her absence Deputy Tax Collector Marie L. Kuhlthau, and countersigned by Municipal Clerk Thomas S. Rogers, or in his absence, Deputy Municipal Clerk Jane F. Hartman; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Rumson that until otherwise changed all Domestic Wire transfers, ACH transactions and transfer of funds between Borough of Rumson Accounts be authorized by Chief Financial Officer Helen L. Graves, or in her

absence Deputy Tax Collector Marie L. Kuhlthau, or by Municipal Clerk Thomas S. Rogers, or in his absence, Deputy Municipal Clerk Jane F. Hartman; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Rumson that until otherwise changed all Domestic Wire transfers and transfer of funds between Borough of Rumson Accounts be verified by one of the officials designated above to authorize the transaction; however, the official verifying the transaction must be someone other than the official who authorized it; and

BE IT FURTHER RESOLVED that certified copies of this resolution be forthwith transmitted by the Municipal Clerk to the banking institutions with whom the Borough does its business; and

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

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

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

In the negative: None.

Absent: Hemphill.

RESOLUTION 2015-1013-140 AUTHORIZING THE AWARD OF A CONTRACT FOR THE BOROUGH'S LEAF RECYCLING FOR 2015-2016 TO ROBERT SQUILLARE HOLLY HILL FARM :

2015-1013-140

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, three (3) proposals were received for the 2015-2016 contract to recycle the Borough's leaves; and

WHEREAS, Robert Squillare Holly Hill Farm, 68 Obre Road, Colts Neck, NJ was the low bidder at a price of \$2.50 per cubic yard compacted;

NOW, THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves a one-year contract with Robert Squillare Holly Hill Farm for the recycling of leaves; and

BE IT FURTHER RESOLVED that the Borough Administrator be and is hereby authorized to accept the aforementioned proposal from Robert Squillare Holly Hill Farm received September 18, 2015.

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

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

In the negative: None.

Absent: Hemphill.

RESOLUTION 2015-1013-141 AUTHORIZING THE MAYOR AND MUNICIPAL CLERK/ ADMINISTRATOR SIGN AN AGREEMENT TO BRING THE TRWRA LAWSUIT TO A CLOSE:

2015- 1013-141

BOROUGH OF RUMSON

**RESOLUTION AUTHORIZING SETTLEMENT WITH
THE TWO RIVERS WATER RECLAMATION AUTHORITY**

WHEREAS, the Two Rivers Water Reclamation Authority (“the Authority”), formerly known as the Northeast Monmouth County Regional Sewerage Authority, provides sewage transportation and treatment services to the Borough of Rumson pursuant to an Agreement the parties entered into in 1968 (“Customer Agreement”); and

WHEREAS, Authority’s service area is made up of both member towns and customer towns, the Borough of Rumson being one of the Customer Towns; and

WHEREAS, in 2012 questions were raised regarding the annual charges assessed to the Customer Towns by the Authority; and

WHEREAS, in 2012, in the best interests of its residents, the Borough of Rumson Resolved to engage in litigation with the Authority as respects its billing practices and the annual charges assessed by the Authority; and

WHEREAS, following extensive litigation and intense negotiations, the parties have come to an agreement to resolve all outstanding claims and have set the terms and conditions of the resolution down in the attached Agreement and Mutual Release, which is incorporated herein by reference; and

WHEREAS, the Governing Body is of the opinion that it is in the best interests of the residents of the Borough of Rumson to authorize and enter into the attached Agreement and Mutual Release with the Authority;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Rumson that the statements contained in the foregoing preamble be and are hereby incorporated into this Resolution as if more fully set forth herein at length and that the attached Agreement and Mutual Release is approved; and be it further

RESOLVED that the Mayor be and is hereby authorized and directed to enter into the attached Agreement and Mutual Release thereby resolving any and all claims with the Two Rivers Water Reclamation Authority according to the terms and conditions set forth in the Agreement and Mutual Release; and be it further

RESOLVED, that upon receipt of the fully executed Agreement and Mutual Release from all parties, the Governing Body does hereby instruct its counsel to file a Stipulation of Dismissal, with prejudice, of all claims against the Authority, in the form attached to and referenced in the Agreement and Mutual Release.

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

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

In the negative: None.

Absent: Hemphill.

RESOLUTION 2015-1013-142 AUTHORIZING THE BOROUGH’S APPLICATION FOR A POST-SANDY NJDCA PLANNING ASSISTANCE GRANT IN THE AMOUNT OF \$43,500 FOR THE DEVELOPMENT OF A CRS PROGRAM:

2015-1013-142

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

RESOLUTION TO AUTHORIZE THE BOROUGH’S APPLICATION
FOR A POST-SANDY PLANNING ASSISTANCE GRANT FROM
THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

RESOLUTION 2015-1013-143 AUTHORIZING THE REFUND OF THE REDEMPTION MONIES TO ACTLIEN HOLDING INC FOR TAX SALE CERTIFICATE #13-00003 FOR BLOCK 94, LOT 6 FOR 2012 DELINQUENT TAXES AND SEWER CHARGES:

2015-1013-143

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES
TO ACTLIEN HOLDING INC**

WHEREAS, at the Municipal Tax Sale held on December 2, 2013, a lien was sold on Block 94, Lot 6, also known as 136 Bingham Avenue in Rumson, for 2012 delinquent taxes and sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #13-00003, was sold to ACTLIEN HOLDING INC, for a \$240,000.00 premium; and

WHEREAS, TD Bank, mortgage company for the property owner, has effected redemption of Certificate #13-00003 in the amount of \$125,393.63.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby authorize the Chief Financial Officer to issue a check in the amount of \$365,393.63 payable to ACTLIEN HOLDING INC, 45 W 45TH STREET, STE 1402, NEW YORK, NY 10036 for the redemption of Tax Sale Certificate #13-00003; 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 Broderick and carried upon the following roll call vote:

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

In the negative: None.

Absent: Hemphill.

RESOLUTION 2015-1013-144 AUTHORIZING THE REFUND OF THE BOND FOR STREET OPENING PERMIT 123/2015:

2015- 1013-144

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Diane L. Swiss, 10 Center Street, Rumson, NJ 07760 paid the required \$1,000.00 cash bond plus the \$125.00 application fee for Street Opening Permit Number 123/2015; and

WHEREAS, Timothy Leonard, Public Works Foreman, has inspected the project listed above and has found it to be satisfactory and therefore recommends the release of the \$1,000.00 bonds;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Diane L. Swiss, 10 Center Street, 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 Councilman Day and carried upon the following roll call vote:

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

In the negative: None.

Absent: Hemphill.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Rubin offered the following resolution and moved its adoption:

\$	3.60	NJ Dept Health/Sr Services
\$	364.23	Red Bank Veterinary Hospital
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\$	367.83	Animal Control Account
\$	12,677.24	T & M Associates
\$	250,637.39	S Brothers Inc
\$	169,100.10	Woodward Construction Co
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\$	432,414.73	Capital Account
\$	4,876.76	Jeffrey R Surenian & Assoc LLC
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\$	4,876.76	COAH Trust Fund
\$	6,189.34	Nathan P Wolf LLC and
\$	550.00	Air Group LLC
\$	2,744.48	Allied Oil LLC
\$	580.58	AR Communications
\$	461.40	Asbury Park Press
\$	279.60	Atlantic Coast Fibers LLC
\$	89,870.00	Borough of Fair Haven
\$	85.00	Boxwood Gardens
\$	96.00	Butch's Auto Car Wash Inc
\$	744.00	Buy Now Office Supplies
\$	42.60	Anthony Ciambrone
\$	503.17	Circle Chevrolet Inc
\$	319.00	Cross Over Networks
\$	11.69	Direct Energy Business
\$	531.66	Eagle Point Gun
\$	2,172.80	Edwards Tire Co Inc
\$	272.89	Emergency Medical Products Inc
\$	76.26	Fair Haven Hardware Inc
\$	478.33	Fastenal Co
\$	340.00	Glenco Supply Inc
\$	3.24	WW Grainger Inc
\$	1,615.62	Groff Tractor New Jersey LLC
\$	2,450.00	Diane Guidone
\$	500.00	Dr Raymond F Hanbury
\$	40.70	Jane F Hartman
\$	223.37	Home Depot Credit Services
\$	784.00	Interstate Mobile Care Inc
\$	46.20	JB Sales and Service
\$	3,998.36	JCP&L
\$	126.25	Kepwel Natural Spring Water
\$	750.00	King Gage Engineering Corp
\$	48.00	Mazza & Sons Inc
\$	1,449.48	Treasurer County of Monmouth
\$	1,000.00	Monmouth Fabricating LLC
\$	6,094.22	New Jersey American Water
\$	538.84	NJ Natural Gas Co
\$	330.00	NJ State League of Municipalities
\$	84,693.02	State of NJ Pensions/Active
\$	44,716.66	State of NJ Pensions/Retiree
\$	65.34	Norwood Auto Parts
\$	268.47	PEP Express Parts
\$	350.00	Powerhouse Signworks
\$	205.00	Raritan Bay Marina
\$	1,336.28	Republic Services of NJ LLC

\$	1,845.41	Reussille Law Firm LLC
\$	125.00	Thomas S Rogers
\$	86.40	Ryser's Landscape Supply
\$	50.00	Robert Savoth
\$	132.00	Seaboard Welding Supply Inc
\$	250.00	State Shorthand Reporting Serv
\$	768.69	Staples Advantage
\$	471.53	Stavola Asphalt Co Inc
\$	143.00	Michael B Steib PA
\$	866.12	Stryker Sales Corp
\$	44,119.15	Suburban Disposal Inc
\$	560.00	Taylor Fence Co Inc
\$	14,729.72	T & M Associates
\$	569.00	Trane
\$	8,162.32	Treasurer State of NJ
\$	150.00	Treasurer State of NJ
\$	140.00	Treasurer State of NJ
\$	36.00	Treasurer State of NJ
\$	25,502.76	Treasurer State of NJ/727 GSPT
\$	94.31	The Two River Times
\$	48.99	USA Bluebook
\$	365,393.63	US Bank as Custodian for
\$	30.77	Verizon
\$	312.12	Verizon Wireless
\$	50.00	Wageworks
\$	64.32	George Wall Lincoln
\$	234.70	ZEP Sales & Service
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\$	722,917.79	Current Fund
\$	250.00	Bill Wright Towing
\$	40.00	Ryan Champeau
\$	1,465.00	Daniel J Edwards
\$	4,620.00	Incrediflix Inc
\$	75.00	Mitchell Lauria
\$	1,012.50	NJ Wildcats
\$	20.00	Hannah Jane Reynolds
\$	27.50	Thomas S Rogers
\$	2,000.00	Rumson Senior Citizen's Club
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\$	9,510.00	Recreation Account
\$	1,792.00	Wells Fargo Bank NA
\$	1,157.00	Michael B Steib PA
\$	1,000.00	Diane L Swiss
\$	258.00	T & M Associates
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\$	4,207.00	Trust Account
\$	9,437.16	Current Fund Appropriations
\$	713,480.63	Current Fund Appropriations
\$	367.83	Animal Control Fund Expenses
\$	432,414.73	Capital Fund Disbursements
\$	9,510.00	Recreation Disbursements
\$	9,083.76	Trust Fund – Other Expenses
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\$	1,174,294.11	Total Of All Funds

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

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

In the negative: None.

Absent: Hemphill.

COMMENTS FROM THE COUNCIL:

The Mayor afforded the members of the Council an opportunity to be heard at this time and Councilman Conklin responded by commending the Rumson Police Department and the volunteers of the Rumson Fire Department and First Aid Squad for their prompt attention and coordination when a tree fell during a storm and knocked out the power in his neighborhood. Within ninety (90) minutes the JCP&L had been notified and the power was restored.

COMMENTS FROM THE PUBLIC:

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

David Cohen of 20 Blossom Road asked if the decision for the planned improvements to Piping Rock Park has been made yet.

Mayor Ekdahl stated that the following has transpired:

- We applied for a \$250,000 grant last year for some upgrades to Piping Rock Park and received it.
- We applied for a second grant for \$250,000 for additional improvements, which we won't know the decision until December or January.
- The Borough will not be able to proceed with the project if the second grant is not received
- Once the Borough receives the second grant, we will have to find the additional money to fund the entire project.
- At that point we will develop a plan and hold a public meeting with the Borough experts there to make a presentation and answer any questions that the public might have.
- The whole grant process has very strict rules and requires it to very open—there had been public meetings last year and earlier this year when both applications were submitted.

Mr. Cohen stated his concerns and questions:

- As more information is made public, he feels that more area residents will be opposed to the upgrades.
- He was specifically opposed to converting the natural park in the center of a residential neighborhood to the artificial turf sports field.
- This artificial turf project seems in contradiction to the regulations that the Borough has in place to preserve the natural look of the Borough.
- He was concerned with the added traffic to the area with the increased use of the park after the improvements.
- He was concerned about an increase in property taxes to fund the project on the heels of the fairly large tax increase due to the revaluation,

Mayor Ekdahl stated that a revaluation was not to raise taxes but to spread the burden around in a fair manner. He added that the mandated process was in place to reassess twenty (20%) percent of the town each year to have assessments at one hundred (100%) percent of the value of the homes and properties rather than the revaluation of the whole town every ten years, as in the past.

In answer to Mr. Cohen's question regarding the change in method for calculation of the value, the Municipal Clerk/Administrator stated that the State Legislature approved Monmouth County to be a test county for this new process. He stated that the County Board of Taxation allowed for revisions each year to keep all properties at 100% of the value; so the value should be close to what you could sell your house for today—not what you would put it on the market for, but what it would actually sell for. The Municipal Clerk/Administrator advised that the Capital Expense of the Borough Tax Budget was regulated by a cap of no more than a 2%, and we have been below the cap for the last few years.

The Municipal Clerk/Administrator added that every year the Borough Budget includes Capital funds and we budget money based on the recommendations from our professionals for what we think we need to do as far as capital improvements. He added that over his last eleven years with the Borough, we have spent over \$2.5 million dollars on improvements to our parks. The Municipal Clerk/Administrator stated that the money came out of the Borough Budget, with no tax increase for the improvements—some of the money was through Green Acres, or out of Capital or Capital Reserve—for upgrades such as Meadow Ridge Park center field and rebuilding Riverside Park completely. He added that it was all money that had been budgeted and had not caused a tax

increase because when an improvement to a park was done the Borough did not do improvements to the sewer system or a road that year.

In answer to a question from Mr. Cohen, Mayor Ekdahl explained that, if the Borough receives the second grant, the Borough would have the Borough Engineer prepare an analysis and comparison of the cost benefit of the artificial turf field vs. a natural field with drainage and grading improvements. He added that it would be premature to do that now and that Piping Rock Park was the next park that the Borough wanted to improve; we would have to decide if the improvements would include an artificial turf field.

Councilman Rubin reported that the first grant was for the artificial turf field and the second for other park improvements; it was possible to accept the second grant and not the first if we decide against the installation of the artificial turf field and opt improvements with natural grass. He added that he had not made up his mind whether he was in favor of the artificial turf field or not and that it was a long way off.

Mayor Ekdahl stated that the Recreation Commission would also have to make their recommendation as to the type of field that they favor, which the Council would take under advisement.

Mr. Cohen requested that notification of future public meetings on Piping Rock Park Improvements be broader than to just the adjoining properties, rather than residents having to go on the Borough Website to check for notices or the meeting agendas because not everyone checks them. He added that the Borough was so conscientious about requirements for private property that he was surprised that such a change was being considered for a park. Mr. Cohen thanked the Mayor and Council.

Mayor Ekdahl thanked Mr. Cohen.

Chris Martin of 14 Blossom Road stated that his concern was for parking in the area and referred to the parking congestion in his neighborhood during the Friday night RFH football games. He stated that he feared that the same congestion and traffic would be present on weekend days with the added use of the Piping Rock Park fields. Mr. Martin also suggested that the area be extended beyond the adjacent properties for notifications of plans and meetings because it was a concern to the whole neighborhood.

Councilman Conklin asked what Mr. Martin would suggest that the Borough do to advertise this, other than posting it on the Borough Website as we currently do, to reach more residents.

The Municipal Clerk/Administrator advised that the grant application process required that the Borough advertise a public notice of the meetings in the newspaper and we also post it on our Website.

Mr. Martin asked what the genesis of the project was, because he doubted that the area residents wanted the artificial turf field.

Mayor Ekdahl stated that the one word that the Rec Commission used regarding the use of Piping Rock Park was “playability;” field durability and the natural grass fields wearing out. He added that the Rec Programs would have a lack of playing fields without the generosity of the school allowing the use of their fields—there would probably be a third (1/3) less Rec Programs.

Mr. Martin stated that he was also concerned with injuries caused by artificial turf and if there were any studies done regarding RFH team injuries on the artificial turf.

Mayor Ekdahl stated that we had not asked the High School about such injuries, but was something we should find out.

Mr. Martin thanked the Mayor and Council.

Mayor Ekdahl thanked Mr. Martin.

Joe Kelly of 92 Ridge Road stated that, with his property adjoining Piping Rock Park, he received the letter regarding public meeting, but not many other residents did and he wondered why not.

The Municipal Clerk/Administrator stated that the grant application did not require that the Borough send out any letters, but it was his decision to send the letters to the owners of properties directly touching or in view of the Piping Rock Park property.

Mr. Kelly distributed copies to the Mayor and Council of the latest 2012 Re-examination Report of the Borough Master Plan that outlined land development and some of the general objectives of specific land use. He read the following points and commented on them:

- #3 – Establish the appropriate population densities and limit the intensity of development to both preserve the natural environment and to ensure neighborhood, community and regional well-being.
 - Mr. Kelly asked how a synthetic field would preserve the natural park.
 - Borough Engineer David Marks advised Mr. Kelly that what he had was a draft version and not a final version of the Master Plan Re-examination Report that had been adopted by the Planning Board and the Borough Council. He added that the Master Plan has since had a newer Re-examination Report that was funded through the Department of Community Affairs through the Post Sandy Planning Assistance Grants. He stated that unfortunately he did not have that version with him this evening, but, for the record, wanted to make it clear that the version Mr. Kelly had provided and spent his time on was not the most current from the Borough.
 - Mr. Kelly stated that the version referred to by Mr. Marks was never posted on the Borough Website, but the earlier version was. He added that he had spoken with the Zoning Officer and was told that the 2012 version was the final version.
- #13 – Prevent urban sprawl and degradation of the environment through proper land use.
- #16 – Protect the natural resources and qualities of the Borough including freshwater and saltwater wetlands, floodplains, stream corridors, open space, steep slopes, and areas with scenic, cultural and recreational values.
 - Mr. Kelly stated that documents say to protect the environment and on the other hand artificial turf is proposed, which seems contradictory to the Master Plan. He asked in what manner artificial surface protected natural environment.

Councilman Broderick stated that, although the aforementioned points were the Borough's goal, the reality was that the Borough didn't have enough fields to support the number of programs that the residents wanted; the use of artificial turf would increase the playability to accommodate all the demands of the programs and all the children who wished to participate.

Mayor Ekdahl stated that it was a balancing act and with the choice being to eliminate sport programs, we have a room full of parents saying that program elimination was not an option. He added that we can't acquire additional park land and we were fortunate to have as much park space as we do for a town our size.

In answer to a question by Mr. Kelly, Mayor Ekdahl stated that if we are fortunate enough to receive the second grant, everything would be on the table and we would do a cost study.

The Municipal Clerk/Administrator advised that we were very fortunate to receive the first grant because we were one of fifty-three towns who could have applied for the grant from Monmouth County Open Space. He added that he tried to apply for those grants regularly, but we don't always get them.

Mayor Ekdahl stated that we can't assume that we will get the grant and start spending money we don't have to do the studies.

The Municipal Clerk/Administrator reported that, to apply for the grant, our Recreation Director put in a lot of time looking at the different teams and sports and understanding the teams that use Piping Rock today and the teams that would use Piping Rock at some point if the grant were to be received and we were to make the field improvements. He added that the use of Piping Rock fields would free up other fields in town because teams would be moved all around. The Municipal Clerk/Administrator pointed out that one of the biggest problems we have for our Recreation teams, no matter which sport in most cases, nor the age group, coaches want to practice more than the once a week scheduled and we don't have the room to do that. He stated that the County Park Commissioners who choose the recipients of the grants want to award the grants to projects that increase recreation use in the town, not just to rehabilitate a park, and the Recreation Director's analysis of the field use and putting those numbers together supported that goal. He pointed out that

we were awarded the grant for Riverside Park because we were able to add a second field and expand the existing field to increase the playability of the park.

The Municipal Clerk/Administrator stated that, other than an overlay of a Google Map with the field sizes and layouts, there was not a lot of engineering work done for this grant application and the application's questions were based on the playability.

Mr. Kelly referred to the statement in the Frequently Asked Questions handout provided by the Borough at the public meeting regarding the preservation of the "bucolic ambiance" for Meadow Ridge Park, and yet the Council was willing to sacrifice that in Piping Rock Park by destroying the large natural field.

Mayor Ekdahl stated that Mr. Kelly was referring to something that was done at Meadow Ridge Park twelve years ago when the Borough didn't have the number of sports programs that we have today and artificial fields were not as popular as they are now.

The Municipal Clerk/Administrator stated that the way that Piping Rock Park is today, it is limited as to the number of sports that can be played on it because the size of the field itself isn't large enough to put sports on the field—softball can be played, but not hardball, because of the limited size of the outfield. He added that the ultimate goal was to increase playability to get more teams on the fields.

Mr. Kelly stated he understood the Council's and Recreation Commission's need for more playable fields, but he had the two following concerns: a) environmental – make improvements to follow the guidelines in the Master Plan and Re-examination Reports and b) the health and safety of the children with risks of using artificial turf. He asked that the Council review the Master Plan and Re-examination Reports and the studies on the health issues. Mr. Kelly thanked the Mayor and Council for their time.

Mayor Ekdahl thanked Mr. Kelly.

In response to a comment from Chris Martin, Councilman Conklin stated that the letters sent to the properties adjoining Piping Rock Park was a decision the Administrator made to make the area residents aware that the Borough had begun a long process and he did more than required to get the information to the public. Although the Council had not made the decision to send the letters, Councilman Conklin felt it was the right call.

Mr. Martin thought that, even though it is posted on the Borough Website, the letter should have been sent to more properties in the area around Piping Rock Park, and that perhaps a mass mailing should go out to all residents regarding Piping Rock Park changes.

Councilman Day stated that the Council welcomed his opinion and that they were listening to the concerns, but a lot was to be considered and a decision has not been made yet.

The Municipal Clerk/Administrator responded to Mr. Martin's question regarding the growth in Rec programs. He stated that there were more sports programs and more opportunities for the children, but there were also some sports that were now played year-round, like soccer. The Municipal Clerk/Administrator stated that there were a number of children that played in multiple sports or on multiple teams.

In answer to a comment by Mr. Martin regarding Monmouth County wanting towns to increase playability and would they pressure Rumson to allow other towns to use Rumson fields, the Municipal Clerk/Administrator stated that the Rumson teams have such a high demand for field use by our own teams (including travel teams) that we don't have the field time to let other towns use our field.

Mayor Ekdahl thanked everyone for their comments and stated that the Council would take their comments into consideration. He stated that he was confident that, if we receive the second grant, the public would be made aware of the public hearings.

ADJOURNMENT:

On motion by Councilman Rubin, seconded by Councilman Broderick, the meeting adjourned at 8:27 p.m. All in favor.

Respectfully submitted,

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