

REGULAR MEETING  
BOROUGH COUNCIL  
BOROUGH OF RUMSON  
February 25, 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 February 25, 2014 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

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

Absent: Councilman Shanley.

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 Hemphill, 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 MONMOUTH COUNTY MOSQUITO EXTERMINATION COMMISSION ADVISING OF THEIR AREA WIDE SPRAYING PROGRAM FOR 2014 DURING THE PERIOD FROM APRIL 1<sup>ST</sup> THROUGH NOVEMBER 30<sup>TH</sup> AND REQUESTING AUTHORIZATION FOR THE MAYOR AND MUNICIPAL CLERK TO SIGN THE ENCLOSED MEMORANDUM OF AGREEMENT:**

The Municipal Clerk/Administrator advised of a letter dated February 12, 2014 from Victoria Thompson, Acting Superintendent of Monmouth County Mosquito Extermination Commission, advising of their aerial surveillance and treatment program for 2014 beginning on or about April 1<sup>st</sup> and continuing through November 30<sup>th</sup>. Enclosed with the request was a memorandum of agreement for the Council's approval.

On motion by Councilman Rubin, seconded by Councilman Hemphill, this communication was ordered received and permission for the treatment program was approved. All in favor.

**LETTER FROM THE CHIEF FINANCIAL OFFICER/TAX COLLECTOR REPORTING THE TAX COLLECTOR'S ANNUAL STATEMENT OF RECEIPT FOR 2013:**

The Municipal Clerk/Administrator advised of a letter dated February 24, 2014 to the Mayor and Council from Helen L. Graves, Chief Financial Officer/Tax Collector, submitting the Tax Collector's Annual Statement of Receipts for 2013 in accordance with NJSA 54:4-91 as follows:

2013 Tax Levy	\$46,615,455.68	
Added & Omitted Levy	<u>845,599.29</u>	
Adjusted Tax Levy		\$47,461,054.97
Prior Year Prepayments	\$ 447,634.16	
Cash Receipts	46,330,955.19	
State's Share Deductions	<u>43,500.00</u>	
Total Collections	\$46,822,089.35	
Remitted/Abated/Cancelled	<u>179,066.91</u>	

Total Collections/Credits: \$47,001,156.26  
Amount Outstanding 12/31/13 \$ 459,898.71  
Percentage of Collections: 98.65%

On motion by Councilman Broderick, seconded by Councilman Day, this communication and report were ordered received on the following roll call vote:

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

In the negative: None.

Absent: Shanley.

**COMMITTEE REPORTS:**

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None.

**UNFINISHED BUSINESS:**

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**ORDINANCE 14-001 G TO AMEND CHAPTER VII, TRAFFIC SCHEDULE I NO PARKING AND SCHEDULE II PARKING PROHIBITED CERTAIN HOURS. PUBLIC HEARING:**

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The Municipal Clerk/Administrator stated that an ordinance entitled:

**14-001 G**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON  
BY AMENDING CHAPTER VII, TRAFFIC ORDINANCE

was scheduled for public hearing at this time. He stated that the ordinance had been posted and published and the affidavit of publication is on file.

On motion by Councilman Rubin, seconded by Councilman Day, the public were given an opportunity to be heard on this ordinance in final reading. All in favor.

There was no response from the public.

On motion by Councilman Rubin, seconded by Councilman Day, the public hearing on this ordinance was declared closed. All in favor.

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

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

In the negative: None.

Absent: Shanley.

**NEW BUSINESS:**

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**INTRODUCTION OF ORDINANCE 14-002 G TO AMEND CHAPTER II, ADMINISTRATIVE TO GIVE THE MUNICIPAL CLERK/ADMINISTRATOR THE AUTHORITY TO ESTABLISH AND MAINTAIN THE POLICIES AND PROCEDURES MANUAL FOR THE BOROUGH EMPLOYEES AND AMEND CHAPTER IV, GENERAL LICENSING, LANDSCAPERS AND TREE REMOVAL PERMITS IN FIRST READING. PUBLIC HEARING SCHEDULED FOR TUESDAY, MARCH 25, 2014 AT 7:30 P.M.:**

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The Municipal Clerk/Administrator read the following ordinance by title only in first reading:

**14-002 G**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON  
BY AMENDING CHAPTER II, ADMINISTRATION AND  
AMENDING CHAPTER IV, GENERAL LICENSING**

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth and State of New Jersey that Chapter II (Administration) and Chapter IV (General Licensing) of the General Ordinances of the Borough of Rumson are hereby amended or supplemented as follows:

**PURPOSE**

The purpose of this Ordinance is to Amend Chapter II (Administration) to amend the Duties of the Borough Administrator to include the development of the Personnel Policies and Procedures Manuals and to Amend Chapter IV (General Licensing) to amend the fees for the Registration of Landscapers and Tree Removal Companies.

*Chapter II (Administrative), Section 2-6 Borough Administrator of the General Ordinances of the Borough of Rumson are hereby amended or supplemented as follows (new text is double underlined, text to be deleted is ~~struck through~~ and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):*

**SECTION 1.**

That Chapter II, Administration, shall be amended to as follows:

**CHAPTER II  
ADMINISTRATION**

**2-6 BOROUGH ADMINISTRATOR.**

**2-6.1 Office of Borough Administrator Established.**

No Change.

**2-6.2 Duties.**

The duties of the Borough Administrator of the Borough shall be to coordinate and maintain liaison among the various offices and departments of the Borough and in connection therewith and under the direction and supervision of the Mayor and Council to exercise general supervision over these offices and departments except where his exercise of such supervision would conflict with the laws of the State of New Jersey.

The Borough Administrator shall also develop the Personnel Policies and Procedures Manuals for all Borough personnel, which shall be adopted by the Mayor and Council and followed by all employees and enforced by the Borough Administrator and his management staff.

**SECTION 2.**

That Chapter IV, General Licensing, shall be amended to read as follows:

**CHAPTER IV  
GENERAL LICENSING**

**4-9 REGISTRATION OF LANDSCAPERS AND TREE REMOVAL COMPANIES.**

**4-9.1 Purpose.** through **4-9.2 Definitions.** No Change.

**4-9.3 Applications for Registration; Fee; Suspension or Revocation of Registration; Disclaimer.**

a. No Change.

b. Every registration shall be issued and renewed on an annual basis, effective February 1 of each year, upon payment of an annual fee to the Borough in the amount of fifty (\$50.00) dollars for two (2) tags. Additional tags shall be furnished at a cost of five (\$5.00) dollars each at the time of registration; the cost of replacements for lost or stolen tags shall be ten (\$10.00) dollars each.

c. through e. No Change.

**4-9.4 Violations and Penalties.** No Change.

### SECTION 3.

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

### SECTION 4.

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

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

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

In the negative: None.

Absent: Shanley.

Mayor Ekdahl stated that this ordinance would be published and posted and come up for final consideration and public hearing at the Tuesday, March 25, 2014 meeting of the Borough Council at 7:30 p.m.

## **TEMPORARY EMERGENCY APPROPRIATIONS RESOLUTION 2014-0225-39:**

### **2014-0225-39**

Councilman Hemphill offered the following resolution and moved its adoption:

#### RESOLUTION

WHEREAS, the temporary appropriations previously adopted will be inadequate to the point when the 2014 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 2014 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.

Finance – Other Expenses	\$ 5,000.00
Tax Collections – Salary and Wages	\$ 1,000.00
Tax Collections – Other Expenses	\$ 5,000.00
Planning Board – Salary and Wages	\$ 125.00
Zoning Board – Salary and Wages	\$ 125.00
Construction – Salary and Wages	\$ 1,000.00
Police – Other Expenses	\$ 5,000.00

Purchase of Police Vehicles	\$59,900.00
Police Dispatch – 911 Contract	\$ 5,263.10
Fire Department – Other Expenses	\$ 3,000.00
Street and Roads – Other Expenses	\$ 5,000.00
Sewer – Salary and Wages	\$ 6,000.00
Sewer – Other Expenses	\$ 5,000.00
Sanitation – Salary and Wages	\$ 1,000.00
Buildings and Grounds – Salary and Wages	\$ 1,000.00
Buildings and Grounds – Other Expenses	\$ 5,000.00
Utility and Bulk Purchases	
Street Lighting	\$ 5,000.00
Gasoline	\$20,000.00

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

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

In the negative: None.

Absent: Shanley.

**RESOLUTION 2014-0225-40 AUTHORIZING THE APPOINTMENT OF RONALD J. SICKLER AS PUBLIC WORKS ASSISTANT FOREMAN/WASTEWATER MANAGEMENT EFFECTIVE MARCH 13, 2014:**

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**2014-0225-40**

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Frederick J. Shea will be retiring as the Borough of Rumson Superintendent of Wastewater Management effective May 31, 2014; and

WHEREAS, the Municipal Clerk/Administrator, Superintendent of Public Works, Mayor and Council have agreed that the Department would come under the direction of the Department of Public Works and that the Borough would appoint a Public Works Assistant Foreman/Wastewater Management for the Department; and

WHEREAS, eight (8) applications were reviewed and five (5) interviews of qualified applicants were conducted; and

WHEREAS, Ronald J. Sickler was found to be the most qualified for the position;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Ronald J. Sickler be hired as Public Works Assistant Foreman/Wastewater Management at an annual salary of \$70,000.00 effective March 13, 2014; and

BE IT FURTHER RESOLVED that a certified 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, Broderick, Day, Hemphill and Rubin.

In the negative: None.

Absent: Shanley.

**RESOLUTION 2014-0225-41 AUTHORIZING A CONTRACT BE AWARDED TO MID-ATLANTIC TRUCK CENTRE, INC. FOR A 2015 INTERNATIONAL WORKSTAR 6X4 WITH LOADMASTER 31 CUBIC YARD LOADING PACKER REFUSE TRUCK WITH LEAF/BRUSH CHUTE:**

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**2014-0225-41**

Councilman Hemphill offered the following resolution and moved its adoption:

**RESOLUTION**

WHEREAS, one (1) sealed bid was received on February 20, 2014 for the specifications for one (1) 2014 or newer 31 cubic yard rear load packer refuse truck with leaf/brush chute; and

WHEREAS, Helen L. Graves, Borough of Rumson Chief Financial Officer, has certified that funds are available for award of this contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that they hereby accept the responsive bid of Mid-Atlantic Truck Centre, Inc., 525 Linden Avenue, Linden, NJ 07036 for one (1) 2015 International WorkStar 6X4 w/Loadmaster 31 CY Excel as prescribed in the specifications submitted with the bid in the amount of \$172,380.00; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk/Administrator are hereby authorized to execute the contract documents to be prepared by the Borough Attorney.

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

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

In the negative: None.

Absent: Shanley.

**RESOLUTION 2014-0225-42 IN SUPPORT OF THE STATE OF NEW JERSEY LEGISLATURE ASSEMBLY BILL NO. 2108 INTRODUCED JANUARY 16, 2014 AND SENATE BILL NO. 1041 INTRODUCED JANUARY 30, 2014 PROHIBITING TREATMENT, DISCHARGE, DISPOSAL, OR STORAGE OF WASTEWATER, WASTEWATER SOLIDS, SLUDGE, DRILL CUTTINGS OR OTHER BYPRODUCTS FROM NATURAL GAS EXPLORATION OR PRODUCTION USING HYDRAULIC FRACTURING:**

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**2014-0225-42**

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

RESOLUTION IN SUPPORT OF NEW JERSEY STATE  
ASSEMBLY BILL NO. 2108 AND SENATE BILL NO. 1041  
PROHIBITING TREATMENT, DISCAHARGE, DISPOSAL, OR  
STORAGE OF WASTEWATER, WASTEWATER SOLIDS, SLUDGE,  
DRILL CUTTINGS OR OTHER BYPRODUCTS FROM NATURAL GAS  
EXPLORATION OR PRODUCTION USING HYDRAULIC FRACTURING.

WHEREAS, in the State of New Jersey 216<sup>th</sup> Legislature A2108 was introduced in the Assembly on January 16, 2014 and S1041 was introduced in the Senate on January 30, 2014; and

WHEREAS, the Bills introduced prohibit treatment, discharge, disposal, or storage of wastewater, wastewater solids, sludge, drill cuttings or other byproducts from natural gas exploration or production using hydraulic fracturing; and

WHEREAS, the term “hydraulic fracturing” shall include “fracking,” “hydrofracking,” “hydrofracturing,” and other colloquial terms for this drilling technique, which refer to the drilling technique of expanding fractures or creating new fractures in rock by injecting water, often with chemicals, sand, or other substances, and often under pressure, into or underneath the surface of the rock for purposes including, but not necessarily limited to, well drilling and natural gas exploration and production; and

WHEREAS, the practice of the drilling technique of hydraulic fracturing for natural gas exploration and production has been found to use a variety of contaminating chemicals and materials and uses vast quantities of water mixed with chemicals and solids pumped in the process resulting in

millions of gallons of contaminated water flowing back out of the well causing dangers and uncertainties for wastewater treatment plants, the environment and health and safety of the public; and

WHEREAS, no federal or State standards have been adopted governing the treatment and disposal of hydraulic fracturing wastes and that the results of hydraulic fracturing pose financial, operational, health, and environmental risks to the residents of New Jersey;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Rumson hereby supports the State of New Jersey Assembly Bill A2108 and Senate Bill S1041 to prohibit such hydraulic fracturing in the State of New Jersey; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to State Assemblywoman Amy H. Handlin, State Assemblyman Declan J. O'Scanlon, Jr. and State Senator Joseph M. Kyrillos, Jr.

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

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

In the negative: None.

Absent: Shanley.

**MOTION TO AUTHORIZE THE MUNICIPAL CLERK/ADMINISTRATOR TO SOLICIT SEALED BIDS FOR THE REPLACEMENT OF THE FLOATING DOCK AT THE MUNICIPAL BOAT RAMP:**

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Councilman Hemphill made a motion that the Municipal Clerk/Administrator be authorized to solicit sealed bids for the replacement of the floating dock at the Municipal Boat Ramp on North Avenue of Two Rivers to be in compliance with Department of Environmental Protection regulations.

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

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

In the negative: None.

Absent: Shanley.

**CONSENT AGENDA:**

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**RESOLUTION 2014-0225-43 AUTHORIZING THE REFUND OF THE POLICE SECURITY SERVICES FEE TO KAYE FISKE WISE:**

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**2014-0225-43**

RESOLUTION TO AUTHORIZE REFUND TO  
KAYE FISKE WISE

WHEREAS, Kaye Fiske Wise, 63 Rumson Road, Rumson NJ 07760, posted \$230 for Police Security Services; and

WHEREAS, Police Sergeant Damien Brennan has confirmed that no Rumson Officers provided the requested services; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of \$230.00 from Kaye Fiske Wise and recommends a refund be made to Kaye Fiske Wise in the amount of \$230.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Kaye Fiske Wise, 63 Rumson Road, Rumson, NJ 07760 be refunded \$230.00; and

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

**RESOLUTION 2014-0225-44 AUTHORIZING THE REFUND OF THE POLICE SECURITY SERVICES FEE TO HOLY CROSS PTA:**

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**2014-0225-44**

RESOLUTION TO AUTHORIZE REFUND TO  
HOLY CROSS PTA

WHEREAS, Holy Cross PTA, 40 Rumson Road, Rumson NJ 07760, posted \$170.00 for Police Security Services; and

WHEREAS, Police Sergeant Damien Brennan has confirmed that no Rumson Officers provided the requested services; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of \$170.00 from Holy Cross PTA and recommends a refund be made to Holy Cross PTA in the amount of \$170.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Holy Cross PTA, 40 Rumson Road, Rumson, NJ 07760 be refunded \$170.00; and

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

**RESOLUTION 2014-0225-45 AUTHORIZING THE REFUND OF THE POLICE SECURITY SERVICES FEE TO SUZANNE MANELSKI:**

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**2014-0225-45**

RESOLUTION TO AUTHORIZE REFUND TO  
SUZANNE MANELSKI

WHEREAS, Suzanne Manelski, 33 Riverlawn Drive, Fair Haven NJ 07704, posted \$200.00 for Police Security Services; and

WHEREAS, Police Sergeant Damien Brennan has confirmed that no Rumson Officers provided the requested services; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of \$200.00 from Suzanne Manelski and recommends a refund be made to Suzanne Manelski in the amount of \$200.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Suzanne Manelski, 33 Riverlawn Drive, Fair Haven NJ 07704 be refunded \$200.00; and

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

**RESOLUTION 2014-0225-46 AUTHORIZING THE REFUND OF THE POLICE SECURITY SERVICES FEE TO RUMSON COUNTRY DAY SCHOOL:**

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**2014-0225-46**

RESOLUTION TO AUTHORIZE REFUND TO  
RUMSON COUNTRY DAY SCHOOL

WHEREAS, Rumson Country Day School, 35 Bellevue Avenue, Rumson NJ 07760, posted \$247.50 for Police Security Services; and

WHEREAS, Police Sergeant Damien Brennan has confirmed that no Rumson Officers provided the requested services; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of \$247.50 from Rumson Country Day School and recommends a refund be made to Rumson Country Day School in the amount of \$247.50;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Rumson Country Day School, 35 Bellevue Avenue, Rumson, NJ 07760 be refunded \$247.50; and

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

Councilman Rubin moved the adoption of the above four (4) Resolutions on the Consent Agenda. Motion seconded by Councilman Day and carried on the following roll call vote:

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

In the negative: None.

Absent: Shanley.

**FINANCIAL OFFICER’S REPORT;**

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The Financial Officer’s Reports disclosed the following as of January 31, 2014:

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

Analysis of Cash for the Month Ending: January 31, 2014

Funds	Beginning Balance	Cash Receipts	Disbursements	Ending Balance
<b>1. CURRENT FUND</b>				
Current Fund Checking	\$ 17,860,506.03	\$ 4,449,916.12	\$ (5,205,775.85)	\$ 17,104,646.30
Change Funds	\$ 300.00	\$	\$	\$ 300.00
Certificates of Deposit	\$ 0.00	\$	\$	\$ —
Total Current Fund	\$ 17,860,806.03	\$ 4,449,916.12	\$ (5,205,775.85)	\$ 17,104,946.30
<b>2. CAPITAL FUND</b>				
Capital Fund Checking	\$ 1,223,808.85	\$ 0.00	\$ 0.00	\$ 1,223,808.85
2007 Capital Improvement Bond Proceeds	\$ 647,934.93	\$ 0.00	\$ 0.00	\$ 647,934.93
Total Capital Fund	\$ 1,871,743.78	\$ 0.00	\$ 0.00	\$ 1,871,743.78
<b>3. PAYROLL &amp; PAYROLL AGENCY</b>				
Payroll	\$ 2,981.86	\$ 166,636.39	\$ (166,636.39)	\$ 2,981.86
Payroll Agency	\$ 13,240.66	\$ 277,695.65	\$ (277,695.65)	\$ 13,240.66
Total Payroll & Payroll Agency	\$ 16,222.52	\$ 444,332.04	\$ (444,332.04)	\$ 16,222.52
<b>4. TRUST FUNDS</b>				
Trust Fund Checking	\$ 741,541.68	\$ 4,000.00	\$ 0.00	\$ 745,541.68
Unemployment Trust	\$ 109,898.87	\$ 459.53	\$ 0.00	\$ 110,358.40
Recreation Trust	\$ 264,642.52	\$ 38,492.00	\$ (14,020.26)	\$ 289,114.26
C.O.A.H. Trust	\$ 1,293,530.31	\$ 29,002.07	\$ (1,201.91)	\$ 1,321,330.47
Law Enforcement Trust Fund	\$ 429.47	\$ .30	\$ 0.00	\$ 429.77
D.A.R.E.	\$ 8,989.45	\$ 3,232.88	\$ (1,182.75)	\$ 11,039.58
Cafeteria Plan	\$ 1,783.75	\$ 12,624.00	\$ (506.75)	\$ 13,901.00
Animal Control Trust Fund	\$ 25,868.13	\$ 6,204.00	\$ (330.00)	\$ 31,742.13
Public Assistance Trust Fund	\$ 839.35	\$ 0.00	\$ 0.00	\$ 839.35
Total Trust Funds	\$ 2,447,523.53	\$ 94,014.78	\$ (17,241.67)	\$ 2,524,296.64
<b>TOTAL ALL FUNDS</b>	<b>\$ 22,196,295.86</b>	<b>\$ 4,988,262.94</b>	<b>\$ (5,667,349.56)</b>	<b>\$ 21,517,209.24</b>

Respectfully submitted by:

*Helen L. Graves*

Helen L. Graves, Chief Financial Officer

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

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

In the negative: None.

Absent: Shanley.

**CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):**

Councilman Hemphill offered the following resolution and moved its adoption:

\$	50.00	Kerry Gowan
\$	500.00	Animal Control Account
\$	2,047.00	David E & Kelly A Cohen
\$	2,047.00	COAH Trust Fund
\$	9,135.09	JCP&L
\$	12.29	A & K Equipment Co Inc
\$	10,410.96	Allied Oil LLC
\$	729.00	American Red Cross
\$	1,054.50	AR Communications
\$	183.93	Atlantic Plumbing Supply Corp
\$	850.00	ATS Environmental Services
\$	41.37	Bain's Hardware Inc
\$	189.90	Bob's Uniform Shop
\$	116.97	Comcast of Monmouth
\$	904.00	Cross Over Networks
\$	4,095.36	Delta Dental of New Jersey Inc
\$	41,925.00	Depository Trust Company
\$	6,510.00	Emergency Comm Network
\$	296.00	Galls LLC
\$	67.20	WW Grainger Inc
\$	296.94	Robert E Halligan
\$	170.00	Holy Cross PTA
\$	676.03	Hutchins Meyer & DiLieto PA
\$	4,027.85	International Salt
\$	4,169.37	JCP&L
\$	538.00	Johnny on the Spot Inc
\$	270.00	Kaldor Emergency Lights LLC
\$	719.95	Lanigan Associates Inc
\$	200.00	Suzanne Manelski
\$	412.58	Marpal Disposal
\$	40.00	MCAA of Monmouth County
\$	45.00	MCAA of NJ % Carol Jenkins
\$	110.54	Mid-Atlantic Truck Centre Inc
\$	50.00	MOCIB
\$	1,546.10	County of Monmouth
\$	32.48	Naylor's Auto Parts
\$	115.00	Nelson Press
\$	148.00	Treasurer – State of NJ
\$	182.70	NJ Fire Equipment Co
\$	1,715.00	NJ Gravel & Sand Co
\$	631.00	NJ State League of Municipalities
\$	250.00	NJ State Assoc of Chiefs of Police
\$	120.94	One Call Concepts
\$	3,350.00	Oswald Enterprises Inc
\$	10,090.50	Overbrook Farm
\$	2,289.17	Pumping Services Inc
\$	2,560.00	The Rodgers Group LLC
\$	135.00	Roy Press Printers
\$	584.00	R & R Radar Inc

\$	3,652.00	R & R Pump & Control Service LLC
\$	247.50	Rumson Country Day School
\$	250.00	State Shorthand Reporting Serv
\$	6,364.00	Targeted Technologies LLC
\$	1,000.00	Treasurer County of Monmouth
\$	317.06	Trius Inc
\$	9,505.00	Tritech Software Systems
\$	379.50	Van Dine's Fwd Center Inc
\$	279.09	Verizon
\$	160.08	Verizon Wireless
\$	134.99	Verizon Business Fios
\$	3,537.47	Warshauer Electric Supply
\$	51.00	Mark Wellner
\$	230.00	Kay Fiske Wise
\$	1,234.40	ZEP Sales & Service
\$	5,363.10	Monmouth County Treasurer
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\$	144,702.91	Current Fund
\$	87.75	Thomas S Rogers
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\$	87.75	Endowment Inc Account
\$	963.75	Borough of Rumson Current Acct
\$	105.00	Matthew Cheslock
\$	5,300.00	Congregation B'Nai Israel
\$	528.00	Conner Strong & Buckelew
\$	618.00	Sarah Orsay
\$	1,230.00	Christopher Seslar
\$	1,000.00	Two Rivers Little League
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\$	9,744.75	Recreation Account
\$	24,207.50	Current Fund Appropriations
\$	120,495.41	Current Fund Appropriations
\$	50.00	Animal Control Fund Expenses
\$	87.75	Endowment Disbursements
\$	9,744.75	Recreation Disbursements
\$	2,047.00	Trust Fund – Other Expenses
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\$	156,632.41	Total Of All Funds

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

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

In the negative: None.

Absent: Shanley.

**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:

Diane Burke of 147 Bingham Avenue thanked the Mayor and Council for adopting the Resolution to support the protection from hydraulic fracturing waste. Mrs. Burke stated that our waterways were important and waste that would go into the Newark Bay would find its way to the Navesink River. She stated that she was appreciative of the Council's concern in protecting our land and waterways from potential radioactive and carcinogenic waste.

Mayor Ekdahl thanked Mrs. Burke and advised that the Council had received many letters from concerned residents requesting Council support of the State Assembly and Senate Bills opposing hydraulic fracturing waste.

Cindy Zipf of 37 Navesink Avenue stated that she represented Clean Ocean Action, a coalition of organizations working on ocean pollution issues. Ms. Zipf stated that she wanted to commend the Mayor and Council on supporting the State Assembly and Senate Bills banning fracking waste, noting that this area is downstream of all of the watersheds in New Jersey that lead to the Jersey Shore. Ms. Zipf stated that she also wanted to bring a related matter to the Council's attention; the proposed off-shore liquefied natural gas port, which, if it were allowed to be established, it would exacerbate the fracking activities and the waste issues. She wanted to make sure that the Jersey Shore did not become industrialized with this type of facility and would be bringing this to the Council in the near future, as well as the support of a ban on fracking in New Jersey. Ms. Zipf again thanked the Mayor and Council.

Mayor Ekdahl thanked Ms. Zipf.

Isaac Fajerman of 85 Waterman Avenue stated, "I have a story I want to tell regarding Sandy (referring to Hurricane Sandy). You know, it's now almost seventeen months and I'm still on my second contractor trying to finish up my home. I had referrals from people who had great local references; they tried to rip us off. We went to another contractor; he's trying to rip us off. Um, you know, I can get through it. Ya know, I know how to handle these people, I handle big contracts, I can control it, I know how to deal with them. However, there was somebody using a false representation that they were a plumber, false heating and cooling licenses, and somehow they were brought onto the job by my current contractor, general contractor. And the guy's crazy, he started calling me up in the evening, demanding money from me, and he was going to come to my house, demand money, threatening me, he's absolutely crazy. He goes to the Police Department, they handle him, they say it was a civil matter; he's accusing me of crimes, it's a civil matter, and.... So then he leaves the Police Department and goes to Carol Ann Dice and files a complaint. Carol says, 'Yeah, it's probable cause; he committed a theft.' He hands her lists of pages that he's calling me every five minutes at night, that he can come to my house with no invoice and I'm not giving him money. She figures that's a crime. So, you have one of the most incompetent, um, crazy Municipal Clerks in the State. This is a federal ah...."

The Municipal Clerk/Administrator stated, "Mr. Fajerman, not to interrupt you, but I'm the Municipal Clerk."

Mr. Fajerman: "Oh, I'm sorry, Municipal Court Clerk."

The Municipal Clerk/Administrator: "If you're going to stand up and you're going to question one of my employees, you should at least get it right."

Mr. Fajerman: "Excuse me?"

The Municipal Clerk/Administrator: "I said that if you're going to question one of my staff members, you should at least get the title right and know who you're talking about."

Mr. Fajerman: "I left a word out, ah, which is a distinction and could, you know, be a problem...."

The Municipal Clerk/Administrator: "Go ahead."

Mr. Fajerman: "Okay. So, of course, you know, now I have the Consumer Protection Department of the Community Affairs that now have investigators assigned because somebody can't repre..., perform the work this guy, this, ah, contractor, subcontractor, whatever you want to call him, is committing a fraud. I informed the Court Clerk that the licenses he says he has to do home improvement, one expired, he advertises himself as a plumber and he's not."

Mayor Ekdahl: "Mr. Fajerman, I think you have the wrong night. You need to go to the Court when Judge Thompson is here. Mrs. Dice is not the Judge. The Judge decides."

Mr. Fajerman: "No, but what I wanta, what I'm trying to say is, you know, as I explained to the Police, you know, they don't wanta, they're, they're, they told that there's no crime going on here and it is important 'cause this is, this is the town and the way it is run. It should be in the record

how Sandy victims are being treated. You have an incompetent, okay, sadistic, dump person in Carol Ann Dice who's unfit to be in that position, she, she you know, ah, ah, given the authority of a Clerk, she's abusing it. There's no privity of contract even with this person; he's a fraud, it, it violates, ah, federal acts of, ah, collection, or whatever you want to call it. The point is I, I'm not sure...."

Mayor Ekdahl: "You're telling this to the wrong person."

Mr. Fajerman: "What?"

Mayor Ekdahl: "You're telling this to the wrong group. You've got to tell this all to the Judge. The Judge is going to decide who's innocent and guilty here, not us."

Mr. Fajerman: "Well, they don't want to take it to court; it's not going to go that far."

Mayor Ekdahl: "Well, it's not going to go here either."

Mr. Fajerman: "No, but I want to make it clear on the record. Now, I'm, I'm, and ah, I think you're familiar with my tenaciousness, okay?"

Mayor Ekdahl: "Oh, we're very familiar with that."

Mr. Fajerman: "Right." Pause.

Mayor Ekdahl: "Go ahead."

Mr. Fajerman: "Even if it meant fifteen years for Cuje to, ah, caught sleeping on the job and get, you know, early terminated. So, I mean I've, I've been around awhile, okay? And, you know, this is a, now, I learned something else today, I've just begun my investigation. The State has begun their investigation, um, and, ah, now I'm glad to know she works for you. Okay, so, if she is that incompetent and injuring people in town, I'm holding you, Mr. Rogers, responsible for the incompetent, sadistic acts, I wanted in the record...."

The Municipal Clerk/Administrator: "Mr. Fajerman, Mr. Fajerman, Mr. Fajerman I'm going to have someone come in and have you removed."

Mr. Fajerman: "What?"

The Municipal Clerk/Administrator: "I'm going to have someone come in and have you removed from this meeting."

Mr. Fajerman (pointing his finger): "If you remove me, while I'm speaking...."

The Municipal Clerk/Administrator: "Put your finger, put your finger down and speak to me, and speak to me in...."

Mr. Fajerman: "I'll move my finger any way I want and I'll see you in Federal Court and I'll file, ah, charges against you, you know, for physically interfering with my First Amendment Rights to speak. And I'm going to move my finger any which way I want. So, don't you dare, with your little, petty, limited knowledge, ah, ah, ..."

Mayor Ekdahl: "Mr. Fajerman, Mr. Fajerman"

Mr. Fajerman: "of any position where you sit to tell people that you have the, your lack of knowledge of law, to tell people what they can say and not say under what terms in the public. I can say what I want, I haven't threatened anybody. I want there to be a record of how Sandy victims..."

Mayor Ekdahl: "You're on the record."

Mr. Fajerman: "are being treated by your town and his employees of that man. And I'm holding you responsible for everything she does. Okay? I know you're a lawyer (referring to Borough Attorney Martin M. Barger), I know you understand when someone has no privity of contract, I know you understand when people have false credentials do, trying to do work in this town that under the laws of the State of New Jersey they're not permitted to do."

Councilman Broderick: “Mr. Fajerman, it’s duly noted. We hear you.”

Mayor Ekdahl: “Your comments are in the record.”

Councilman Broderick: “It’s in the record.”

Mr. Fajerman: “Thank you.”

Mayor Ekdahl asked if anyone else wished to be heard at this time and no one responded.

**ADJOURNMENT:**

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On motion by Councilman Rubin, seconded by Councilman Hemphill, the meeting adjourned at 7:52 p.m. All in favor.

Respectfully submitted,

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