

REGULAR MEETING  
BOROUGH COUNCIL  
BOROUGH OF RUMSON  
July 8, 2014

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on July 8, 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 Day, Hemphill and Rubin.

Absent: Councilmen Broderick and 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 Day, seconded by Councilwoman Atwell, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

**COMMUNICATIONS:**

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**LETTER FROM RUMSON P.B.A. REQUESTING PERMISSION TO USE THE MUNICIPAL BOAT RAMP FOR THEIR 6<sup>TH</sup> ANNUAL P.B.A. CRAB TOURNAMENT ON SATURDAY, AUGUST 9, 2014 FROM 5:00 P.M. UNTIL 9:00 P.M.:**

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The Municipal Clerk/Administrator advised of a letter from Police Chief Scott A. Paterson, New Jersey Ducks Unlimited State Chairman, requesting permission to use the Municipal Boat Ramp on Saturday, August 9<sup>th</sup> from 5:00 p.m. until 9:00 p.m. for the 6<sup>th</sup> Annual P.B.A. Crab Tournament, which benefits local wetlands conservation projects on the Navesink and Shrewsbury Rivers as well as other important areas in New Jersey. Chief Paterson stated in the letter that they would be holding a short awards ceremony and BBQ at the Rumson EMS building following the tournament.

On motion by Councilman Hemphill, seconded by Councilman Day, this communication was ordered received and permission for the use of the Municipal Boat Ramp for the Crab Tournament was granted. All in favor.

The Municipal Clerk/Administrator advised that the P.B.A. requested that he advise the Mayor and Council that the Tournament tee-shirts would be available for purchase to everyone, even if they do not participate in the event.

**LETTER FROM THE NEW JERSEY STATE FORESTRY SERVICES ADVISING THAT THE BOROUGH HAS BEEN AWARDED A GREEN COMMUNITIES GRANT IN THE AMOUNT OF \$1,500.00 TO PROVIDE FUNDING TO THE BOROUGH TO HIRE A QUALIFIED EXPERT TO ASSIST IN THE DEVELOPMENT OF A COMMUNITY FORESTRY MANAGEMENT PLAN:**

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The Municipal Clerk/Administrator advised of a letter dated June 3, 2014 from Donald S. Krawiec, Grant Administrator for the New Jersey State Forestry Services, advising that the Borough of Rumson has been awarded a Green Communities Grant in the amount of \$1,500.00. The grant is to provide funding for the Borough to hire a qualified expert to assist in the development of a Community Forestry Management Plan.

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

**LETTER FROM THE ENGLISH GROUP, LLC ADVISING OF AN APPLICATION ON BEHALF OF SCOTT SCHULTZ AND DANIELLE SHERWOOD TO THE STATE OF NJ DEP FOR A WATERFRONT DEVELOPMENT INDIVIDUAL PERMIT FOR THE LEGALIZATION OF AN EXISTING STONE WALL ON PROPERTY LOCATED AT 7 AVENUE OF TWO RIVERS:**

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The Municipal Clerk/Administrator advised of a letter dated June 2, 2014 from The English Group, LLC on behalf of Scott Schultz and Danielle Sherwood. The letter advised of an application to the State of New Jersey Department of Environmental Protection, Division of Land Development Regulation for a Waterfront Development Individual Permit for the legalization of an existing stone wall on property located at 7 Avenue of Two Rivers.

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

**COMMITTEE REPORTS:**

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None.

**UNFINISHED BUSINESS:**

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None.

**NEW BUSINESS:**

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**INTRODUCTION OF ORDINANCE 14-007 D TO AMEND THE BOROUGH'S DEVELOPMENT REGULATIONS SECTION 22-5, ZONING DISTRICT REGULATIONS, SUBSECTION 22-5.1, ZONING MAP AND SCHEDULE, AND SUBSECTION 22-5.15, MIXED-USE AFFORDABLE HOUSING OVERLAY ZONE, IN FIRST READING. PUBLIC HEARING SCHEDULED FOR TUESDAY, AUGUST 12, 2014 AT 7:30 P.M.:**

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The Municipal Clerk/Administrator advised that this Ordinance Amendment would have to go before the Planning Board for their approval prior to the Council's public hearing and adoption.

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

**14-007 D**

**BOROUGH OF RUMSON  
COUNTY OF MONMOUTH**

AN ORDINANCE AMENDING CHAPTER XXII OF THE CODE OF THE BOROUGH OF RUMSON (THE DEVELOPMENT REGULATIONS OF THE BOROUGH OF RUMSON) TO AMEND CERTAIN GENERAL ZONING PROVISIONS.

BE IT ORDAINED by the Borough Council of the Borough of Rumson, County of Monmouth, and State of New Jersey that the Zoning Map, referred to in Subsection 22-5.1, Zoning Map and Schedule, and Subsection 22-5.15, Mixed-Use Affordable Housing Overlay Zone, of Chapter XXII, Development Regulations, of the Code of the Borough of Rumson, is hereby amended as follows:

**PURPOSE**

The purpose of this ordinance is to amend the Zoning Map to adjust the dividing line between the R-5 Residential Zone District and the GB (General business) Zone District to expand to the GB Zone to incorporate four (4) lots that contain commercial uses that were approved by use variance, as recommended by the Borough Planning Board in their Master Plan Reexamination Report dated November 12, 2012; and to change the Administrative Entity for Mixed-Use Affordable Housing.

*Chapter XXII, Development Regulations, of the Code of the Borough of Rumson is 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 XXII, Development Regulations, Section 5, Zoning District Regulations, Subsection 22-5.1 (Zoning Map and Schedule and Subsection 22-5.15 (Mixed-Use Affordable Housing Overlay Zone) are be amended to read as follows:*

**22-5 ZONING DISTRICT REGULATIONS.**

**22-5.1 Zoning Map and Schedule.**

a. *Establishment, Authentication, Maintenance, and Revision.*

1. Zoning Map. The locations and boundaries of the districts of the Borough are hereby established as shown on the Zoning Map of the Borough of Rumson, New Jersey which is attached hereto and is hereby made a part of this chapter, together with all notations, references and designations shown thereon and dated and amended as follows.

(a) The Zoning Map is hereby amended as shown on Exhibit A\* attached hereto and made a part of this chapter, specifically the dividing lines between the POS (Public Facilities and Open Space), R-5 (Residential) and GB (General Business) Zone Districts shall be adjusted to the heavy solid line as shown.

(b) The Official Zoning Map of the Borough of Rumson, adopted December 6, 1989, as amended is further amended as follows:

<u>Proposed Zoning Changes</u>			
<u>Borough of Rumson</u>			
<u>Block</u>	<u>Lot</u>	<u>Zone Change</u>	<u>Location</u>
5	2	R-5 to GB	Barnacle Bills/1 First Street
25	4	R-5 to GB	Bank of America/49 W. River Road
26	1	R-5 to GB	JNM Office Building/47 W. River Road
30	3.01	R-5 to GB	JNM Office Building/38 Bingham Avenue

Specifically the dividing lines between the, R-5 (Residential) and GB (General Business) Zone Districts shall be adjusted to the heavy solid line as shown on Exhibit “A through C” attached hereto.

2. Schedule of District Regulations. through 5. Revisions to the Official Zoning Map.

No Change.

b. *Interpretation of District Boundaries.* No Change.

**22-5.2 Description of Districts. through 22-5.14 Regulations Controlling the H-BP Historic-Barley Point Seasonal Residential Zone District.**

No Change.

**22-5.15 Mixed-Use Affordable Housing Overlay Zone.**

a. *Purpose* through b. *General Requirements and Conditions* No Change.

c. *Administrative Entity.*

1. The Borough has designated ~~the Township of Middletown~~ an agency appointed by the Mayor and Council to act as the Borough’s Affordable Housing Authority as the administrative entity that will administer the affordable units created in accordance with the Borough’s Mixed-Use Affordable Housing Overlay Zone. The administrative responsibilities of ~~Middletown Township~~ the Borough’s Affordable Housing Authority include advertising, income qualifying prospective renters, setting rents and annual rental increases, maintaining a waiting list, distributing the subsidy, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions and monitoring reports and affirmatively marketing the accessory unit program. ~~The Township of Middletown~~ Borough’s Affordable Housing Authority shall administer the program in accordance with COAH’s regulations and the subsection 22-7.35, Affirmative Marketing of Affordable Housing Units, and subsection 22-7.36, Affordable Housing Developments.

2. The Borough retains jurisdiction on all other approvals required by this chapter, including, but not limited to, development permits and variances, subdivision or site plan approvals.

d. *Change in Use.* Any change in use effecting an approved mixed-use affordable housing development shall be subject to site plan approval by the Borough, except as otherwise exempted from site plan approval by this chapter. The conversion of a non-affordable residential unit to an affordable unit shall be permitted, subject only to administrative support by ~~Middletown Township~~ the Borough's Affordable Housing Authority.

## SECTION 2

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 3

The Borough Clerk is hereby directed, upon adoption of the Ordinance after public hearing thereon, to publish notice of the passage thereof and to file a copy of this Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

## SECTION 4

This Ordinance shall take effect immediately upon final passage and publication according to law and filing with the Monmouth County Planning Board.

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

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

In the negative: None.

Absent: Broderick and Shanley.

Mayor Ekdahl stated that this ordinance would be published and posted and come up for final consideration and public hearing at the Tuesday, August 12, 2014 meeting of the Borough Council at 7:30 p.m.

### **INTRODUCTION OF ORDINANCE 14-008 G TO AMEND CHAPTER VIII, BUILDING AND HOUSING, SECTION 8-1 STATE UNIFORM CONSTRUCTION CODE AND SECTION 8-6 PROPERTY MAINTENANCE CODE IN FIRST READING. PUBLIC HEARING SCHEDULED FOR TUESDAY, AUGUST 12, 2014 AT 7:30 P.M.:**

The Municipal Clerk/Administrator advised that the updates to the permit fees in this Ordinance Amendment were in accordance with State requirements.

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

### **14-008 G**

#### **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON BY AMENDING CHAPTER VIII, BUILDING AND HOUSING**

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 VIII (Building and Housing) 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 VIII (Building and Housing) to amend the State Uniform Construction Code Fee Schedule and Adopt the International Property Maintenance Code.

*Chapter VIII (Building and Housing), Section 8-1 State Uniform Construction Code and Section 8-6 Property Maintenance Code; Basic Mechanical Code; Basic Fire Prevention Code 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 VIII, Building and Housing, shall be amended to as follows:

### CHAPTER VIII BUILDING AND HOUSING

#### 8-1 STATE UNIFORM CONSTRUCTION CODE.

##### 8-1.1 Enforcing Agency Established. through 8-1.2 Smoke Alarm Inspection.

No Change.

##### 8-1.3 Fee Schedule.

The fee for a construction permit shall be the sum of the subcode fees listed in a. through o. hereof and shall be paid before the permit is issued as determined by the construction official.

a. *General.* No Change.

b. *Basic Construction.*

1. New Construction Fees. through 2. Renovations, alterations, additions, repairs, pre-manufactured construction and minor work fees.

No Change.

3. Special Fees. Structures for which volume cannot easily be computed.

(a) Swimming pools.

(1) No Change.

(2) The fee for installation of an aboveground swimming pool or hot tub at least 24 inches deep or having a surface area of at least 250 square feet shall be seventy-five (\$75.00) dollars.

(3) through (4) No Change,

(b) No Change.

(c) The permit fee to install, erect or construct all utility and miscellaneous structures classified as Us Groups (U) shall be a fee of eighteen (\$18.00) dollars per one thousand (\$1,000.00) dollars of estimated cost, with a minimum fee of:

(1) Residential: ~~Fifty~~ Sixty (~~\$50.00~~ \$60.00) dollars.

(2) Nonresidential: One hundred ~~ten~~ (~~\$100.00~~ \$110.00) dollars.

(d) through (g) No Change.

c. *Fees for Continued Inspection of Equipment Subject to Limitations as Per N.J.A.C. 5-23-2.23(i).* through d. *State of New Jersey Training Fees.*

No Change.

e. *Demolition, Removal, or Moving of Buildings and/or Structures.* The fee shall be:

1. Demolition.

- (a) Minor accessory buildings and structures: One hundred (\$100.00) dollars.
- (b) One- or two-family dwellings not exceeding 30 feet in height: Two hundred fifty (~~\$200.00~~ \$250.00) dollars.
- (c) All other use groups, buildings or structures: Two hundred fifty (\$250.00) dollars.

2. through 3. No Change.

f. *Estimated Costs.* through h. *Signs, Excluding Traffic Control Devices Meeting State Motor Standards.*

No Change.

i. *Bulkheads, Docks and Piers for Construction and Repair of the Construction.* Permit fee shall be forty (\$40.00) dollars for the first one thousand (\$1,000.00) dollars of estimated cost and twenty (\$20.00) dollars for each additional one thousand (\$1,000.00) dollars of estimated cost or part thereof.

j. *Construction Trailers.* through k. *Certificate of Occupancy per U.C.C.*

No Change.

l. *Plumbing Subcode Fees.*

1. through 6. No Change.

7. Roof Drains. The fee shall be ~~ten~~ fifteen (~~\$10.00~~ \$15.00) dollars each.

8. through 14. No Change.

m. *Fire Protection Subcode Fees.*

1. through 2. No Change.

3. Special Fixtures and Equipment.

(a) through (f) No Change.

(g) Fees for smoke, CO and heat detectors, alarm systems, interconnected as wired or wireless systems:

(1) through (5) No Change.

4. No Change.

n. *Electrical Subcode Fees.* Required for the installation, removal, alteration and/or replacement of all listed items.

1. No Change.

2. Special electrical fixtures and devised for, but not limited to electrical heating, cooling, service conductors, feeders, switches, switchboards, panel boards, motors, control equipment, generators, transformers, smoke detectors, air conditioners, cooling equipment, lighting standards, swimming pools, hot tubs, hydromassage bathtubs, spas, steam baths and similar fixtures and devices. The fee shall be:

(a) through (b) No Change.

- (e) ~~Ceiling fan assemblies less than 35 pounds in weight and rated less than one horse power; and kitchen and bathroom exhaust fans rated less than one horsepower. The fee shall be ten (\$10.00) dollars each.~~
- (c) Ceiling fans and exhaust fans:
  - (1) Ceiling fan assemblies less than 35 pounds in weight and rated less than one horsepower. The fee shall be ten (\$10.00) dollars each.
  - (2) Kitchen and bathroom exhaust fans rated less than one horsepower. The fee shall be twenty (\$20.00) dollars each.
- (d) through (h) No Change.
- (i) Each motor or electrical device greater than ten hp and less than or equal to fifty hp; and for each transformer, generator, and device greater than ten kW and less than or equal to forty-five kW: The fee shall be ~~forty ninety~~ (\$40.00 \$90.00)
- (j) through (k) No Change.
- (l) Service panels, subpanels, automated transfer switches (ATS) or like components. The fees shall be:
 

100 amps or less	\$100.00
101 amps – 200 amps	\$150.00
201 amps – 300 amps	\$200.00
301 amps – 400 amps	\$250.00
401 amps or more	\$300.00
- (m) No Change.
- 3. through 4. No Change.
- 5. The minimum electrical subcode fees shall be: ~~Fifty (\$50.00) dollars.~~

<u>Residential:</u>	<u>Sixty (\$60.00) dollars</u>
<u>Nonresidential:</u>	<u>Seventy-five (\$75.00) dollars</u>
- 6. through 7. No Change.
- o. Miscellaneous. No Change.

**8-1.4 Biannual Report: Recommending New Fee Schedule. through 8-1.5 Surcharge: Reports Due.**

No Change.

**8-2 UNFIT BUILDINGS. through 8-5 FENCES. No Change.**

**8-6 PROPERTY MAINTENANCE CODE; BASIC MECHANICAL CODE; BASIC FIRE PREVENTION CODE.**

**8-6.1 Adoption.**

~~There is hereby adopted by the Borough for the purpose of regulating the maintenance of all existing and proposed buildings and structures and their service equipment the codes entitled: “The BOCA Basic Housing Property Maintenance Code,” Third Edition, 1975, “the BOCA Basic Mechanical Code,” Second Edition, 1975, and “The BOCA Basic Fire Prevention Code,” Third Edition, 1975, all published and promulgated by the Building Officials Conference of America, Inc. as the codes are changed, modified and amended\*. Not less than three (3) copies of each code have been filed in the office of the Borough Clerk and the same are hereby adopted and made part of this section as fully as if set out at length herein.~~

~~\*Editor’s Note: The BOCA Mechanical Code, 1975 and the BOCA Fire Prevention Code, 1975, are superseded by the State Uniform Construction Code.~~

That a certain document, three (3) copies of which are on file in the office of the Municipal Clerk of the Borough of Rumson, being marked and designated as the *International Property Maintenance Code*, 2006 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Borough of Rumson, in the State of New Jersey for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Borough of Rumson are hereby referred to, adopted, and made a part of hereof, as if fully set out in this ordinance.

**8-6.2 Changes in Codes. through 8-6.8 Violations and Penalties.** No Change.

**8-7 RENTAL PROPERTY—REGISTRATION REQUIRED.** No Change.

## SECTION 2

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 3

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

Councilman Hemphill 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, Day, Hemphill and Rubin.

In the negative: None.

Absent: Broderick and Shanley.

Mayor Ekdahl stated that this ordinance would be published and posted and come up for final consideration and public hearing at the Tuesday, August 12, 2014 meeting of the Borough Council at 7:30 p.m.

### **RESOLUTION 2014-0708-98 PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BUDGET OF THE BOROUGH OF RUMSON FOR A \$649.88 STATE OF NEW JERSEY, ALCOHOL EDUCATION, REHABILITATION AND EDUCATION FUND GRANT:**

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#### **2014-0708-98**

Councilman Day offered the following resolution and moved its adoption:

#### RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF RUMSON PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Rumson hereby requests the Director of the Division of Local Finance approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$649.88, which item is now available as a revenue from the State of New Jersey, Alcohol Education, Rehabilitation and Education Fund, pursuant to the provisions of statute; and

BE IT FURTHER RESOLVED that a like sum of \$649.88 be and same is hereby appropriated under the caption of Alcohol Education, Rehabilitation.

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

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

In the negative: None.

Absent: Broderick and Shanley.

**RESOLUTION 2014-0708-99 PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BUDGET OF THE BOROUGH OF RUMSON FOR A \$14,865.44 STATE OF NEW JERSEY, CLEAN COMMUNITY GRANT:**

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**2014-0708-99**

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF  
RUMSON PURSUANT TO N.J.S.A. 40A:4-87  
(CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Rumson hereby requests the Director of the Division of Local Finance approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$14,865.44, which item is now available as a revenue from the State of New Jersey, Clean Communities Grant, pursuant to the provisions of statute; and

BE IT FURTHER RESOLVED that a like sum of \$14,865.44 be and same is hereby appropriated under the caption of Clean Communities Grant.

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

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

In the negative: None.

Absent: Broderick and Shanley.

**RESOLUTION 2014-0708-100 AUTHORIZING THE FEES TO BE WAIVED FOR THE OCEANIC FREE LIBRARY'S ZONING BOARD OF ADJUSTMENT APPLICATION AND CONSTRUCTION PERMITS FOR THE ROOF RECONSTRUCTION:**

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**2014-0708-100**

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, Oceanic Free Library has served the residents in Rumson since it opened its doors on December 1, 1920 as a memorial gift to the residents from Mr. and Mrs. Eugene Meeker to honor their son, William H. Meeker, who died in World War I; and

WHEREAS, the Oceanic Free Library is one of the State's only privately-funded public libraries supported by donations of its patrons, the Borough of Rumson and the annual Community Appeal; and

WHEREAS, the Library is in need of the roof on the building to be reconstructed; and

WHEREAS, the Mayor and Borough Council feel that the Zoning Board of Adjustment Application and Construction Permit fees would place a hardship on the Library funding and adversely affect the residents of Rumson;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby authorize the Zoning Officer and Construction Official to waive all fees associated with the Zoning Board of Adjustment Application and the various Construction Permits; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Zoning Officer, Construction Official and Chief Financial Officer.

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

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

In the negative: None.

Absent: Broderick and Shanley.

**RESOLUTION 2014-0708-101 AUTHORIZING THE CANCELLATION OF PROPERTY TAXES FOR THE PERIOD OF TIME THAT BOROUGH OWNED COAH PROPERTY AT 19 NORTH STREET:**

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**2014-0708-101**

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION CANCELLING TAXES  
FOR BLOCK 46, LOT 15**

WHEREAS, on August 6, 2012 the Borough of Rumson Affordable Housing Trust Fund acquired Block 46 Lot 15, otherwise known as 19 North Street; and

WHEREAS, this property was classified 15C, tax exempt for 2013; and

WHEREAS, effective 2014 this property was classified 2, Residential; and

WHEREAS, the Borough of Rumson sold the property on March 17, 2014; and

WHEREAS, the 2014 annual taxes were billed in two installments, the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2014; and

WHEREAS, the Borough Tax Collector has recommended cancellation of the property taxes, in the amount of \$300.82, which is for the period of time that the Borough of Rumson owned the property;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that property taxes in the amount of \$300.82 for Block 46, Lot 15 be cancelled; and

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

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

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

In the negative: None.

Absent: Broderick and Shanley.

**CONSENT AGENDA:**

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**RESOLUTION 2014-0708-102 AUTHORIZING THE REFUND OF A TAX OVERPAYMENT FOR BLOCK 18, LOT 22:**

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**2014-0708-102**

RESOLUTION REFUNDING TAX OVERPAYMENT  
FOR BLOCK 18, LOT 22

WHEREAS, the amount billed for the 2014 2<sup>nd</sup> quarter property taxes for Block 18, Lot 22 was \$8,442.00; and

WHEREAS, on April 30, 2014, a payment in the amount of \$8,442.00 was remitted by Hudson City Bank on behalf of the former property owners; and

WHEREAS, on April 30, 2014, an additional payment in the amount of \$8,442.00 was remitted by an attorney creating an overpayment of \$8,442.00; and

WHEREAS, V. David Shaheen of Jahos, Broege & Shaheen, LLP, has requested a refund of the overpayment; and

WHEREAS, Helen L. Graves, Borough Chief Financial Officer/Tax Collector has confirmed this overpayment and recommends a refund in the amount of \$8,442.00 be made to Jahos, Broege & Shaheen, LLP, 160 White Road, Suite 204, Post Office Box 248, Little Silver, New Jersey 07739;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the tax overpayment, in the amount of \$8,442.00, for Block 18, Lot 22 be refunded to Jahos, Broege & Shaheen, LLP, 160 White Road, Suite 204, Post Office Box 248, Little Silver, New Jersey 07739; and

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

**RESOLUTION 2014-0708-103 AUTHORIZING THE REFUND OF POLICE SECURITY FEE TO MARIANNE VELCAMP:**

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**2014-0708-103**

RESOLUTION TO AUTHORIZE REFUND TO  
MARIANNE VELCAMP

WHEREAS, Marianne Velcamp, 14 Allen Street, Rumson NJ 07760, posted \$200.00 for 5 hours of Police Security Services; and

WHEREAS, Police Chief Scott Paterson has confirmed that no Rumson Officers provided the requested services; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Marianne Velcamp, 14 Allen Street, Rumson NJ 07760 be refunded \$200.00; and

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

The above two (2) Resolutions on the Consent Agenda were moved for adoption by Councilman Rubin. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

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

In the negative: None.

Absent: Broderick and Shanley.

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

Councilman Hemphill offered the following resolution and moved its adoption:

\$	17.40	NJ Dept Health/Sr Services
\$	17.40	Animal Control Account
\$	172,380.00	Mid-Atlantic Truck Centre Inc
\$	172,380.00	Capital Account
\$	2.80	Acme Locksmith Service
\$	113.00	AR Communications
\$	2,112.52	City of Asbury Park
\$	1,584.00	Atlantic Tree Material
\$	730.00	Barnabas Health Corp Care
\$	62.18	Stephen Barrett
\$	319.90	Bob's Uniform Shop
\$	8,000.00	Borough of Rumson Trust Other
\$	31,680.00	Borough of Fair Haven
\$	48.00	Butch's Auto Car Wash Inc
\$	406.65	Circle Chevrolet Inc
\$	523.30	Cooper Electric Supply Co
\$	8,078.86	Deckman Electric Inc
\$	435,613.13	Depository Trust Company
\$	10.00	Carol Ann Dice
\$	67.62	Direct Energy Business
\$	170.00	Dynamic Testing Service
\$	1,250.00	Elite Equipment Services
\$	206.96	Emergency Medical Products Inc
\$	122.28	Fair Haven Hardware Inc
\$	464.55	Fastenal Co
\$	584.67	F & C Automotive Supply Inc
\$	555.42	WW Grainger Inc
\$	975.00	Gramco Business Communications
\$	8,442.00	Jahos Broege & Shaheen LLP
\$	313.68	Johnny on the Spot Inc
\$	2,581.68	John Deere Landscaping
\$	437.50	K & E Fire Protection Corp
\$	266.16	Lertch Recycling Co Inc
\$	537.26	Mid-Atlantic Truck Centre Inc
\$	21,971.13	Treasurer, County of Monmouth
\$	479.48	Naylor's Auto Parts
\$	9,068.80	New Jersey American Water
\$	380.86	NJ Natural Gas Co
\$	81,780.32	State of NJ Pensions/Active
\$	40,043.18	State of NJ Pensions/Retiree
\$	7,959.00	Oceanic Hook and Ladder
\$	75,000.00	Oceanic Free Public Library
\$	180.50	PEP Express Parts
\$	1,050.00	Realty Appraisal Company
\$	1,050.00	Bernard M Reilly LLC
\$	1,845.41	Reussille Law Firm LLC
\$	150.36	Thomas S Rogers
\$	150.00	Roy Press Printers

\$	7,959.00	Rumson EMS
\$	3,158,337.83	Rumson Elementary School Dist
\$	2,302,597.67	RFH Regional High School
\$	7,959.00	Rumson Fire Company
\$	189.07	Seaboard Welding Supply Inc
\$	250.00	State Shorthand Reporting Serv
\$	673.67	Staples Advantage
\$	1,605.68	Suasion Communications Grp LLC
\$	2,150.00	TASC Fire Apparatus inc
\$	1,411.80	Taylor Fence Co Inc
\$	1,484.00	Trane
\$	5,267.76	Treasurer State of NJ
\$	225.00	Treasurer State of NJ
\$	72.00	Treasurer State of NJ
\$	4.96	The Two River Times
\$	94.90	Up-Tite Fasteners Inc
\$	200.00	Marianne Velcamp
\$	30.11	Verizon
\$	1.71	Warshauer Electric Supply
\$	407.80	ZEP Sales & Service
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\$	6,238,290.12	Current Fund
\$	875.00	Bartlett Tree Experts
\$	73.00	Lawn Doctor
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\$	948.00	Endowment Inc Account
\$	1,434.75	Athlete's Alley
\$	400.00	Dorothy T Bailey
\$	165.00	Jennifer Colum-Glassman
\$	165.00	Stacy Connone
\$	9.33	Fair Haven Hardware Inc
\$	30.00	Theodore Montalbano
\$	325.00	Paper Moon Puppet Theatre
\$	315.00	Alex Stein
\$	945.00	The New Fun Services
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\$	3,789.08	Recreation Account
\$	193.50	State of New Jersey
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\$	193.50	Unemployment Account
\$	4,262.52	Current Fund Appropriations
\$	6,234,027.60	Current Fund Appropriations
\$	17.40	Animal Control Fund Expenses
\$	172,380.00	Capital Fund Disbursements
\$	948.00	Endowment Disbursements
\$	3,789.08	Recreation Disbursements
\$	193.50	Unemployment Disbursements
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\$	6,415,618.10	Total Of All Funds

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

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

In the negative: None.

Absent: Broderick and 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:

Richard Jones of 37 Navesink Avenue asked a question of the Council regarding the July 7<sup>th</sup> Planning Board meeting. He stated that the Planning Board Attorney had advised that the deed restriction on property at 2 Orchard Lane that was removed from the application but the deed restriction would still be enforced and would be under the jurisdiction of the Borough Council to have the deed restriction removed. Mr. Jones stated that he wondered about the process and asked if construction on the property would be allowed.

Mayor Ekdahl stated that the Mayor and Council, back sometime in the 1950's, had put the restriction in place and not the Planning Board, which was unusual. He stated that was probably the reason that the Planning Board Attorney had stated that it would not be a matter for the Mayor and Council.

Mr. Jones stated that he was curious if the matter did come before the Council, would the surrounding property owners be notified as they are with Planning Board matters.

The Borough Attorney stated that he was not familiar with the situation and would have to review the documentation.

The Municipal Clerk/Administrator advised that we don't know what the applicant planned to do and the Council and Borough Attorney had no knowledge of the matter in question. He stated that until it was brought to the attention of the Council there was no way to speculate on how it would be handled.

Mayor Ekdahl stated that the situation was unprecedented.

The Borough Attorney stated that he recalled that the Planning Act came into effect in New Jersey in 1953 and this deed restriction matter may have pre-dated that.

Mr. Jones thanked the Mayor and Council.

Michael Humphreys of 447 River Road, Fair Haven stated that he was attending this meeting to present a Certificate of Appreciation to Mayor Ekdahl from the Navesink Maritime Heritage Association for his unsolicited endorsement of their June 5<sup>th</sup> through June 9<sup>th</sup> cruise of the 50-foot full-size replica of the 17<sup>th</sup> Century sailing ship *Onrust* in the Navesink River stopping along the route from Highlands to Red Bank. He presented the Mayor with the Certificate of Appreciation:

CERTIFICATE OF APPRECIATION  
THE PRESIDENT & BOARD OF NAVESINK MARITIME HERITAGE ASSOCIATION  
THANKS  
MAYOR JOHN E. EKDAHL OF THE BOROUGH OF RUMSON  
FOR HIS SUPPORT FOR THE SAILING SHIP *ONRUST* DURING ITS CRUISE  
OF THE NAVESINK RIVER THAT COMMEMORATED THE 350<sup>TH</sup> ANNIVERSARY  
OF THE FIRST SETTLERS TO ARRIVE IN MONMOUTH COUNTY

It was noted that a photograph was on the certificate depicting the *Onrust* in full sail underway on the Navesink River with the Oceanic Bridge in the background.

Mayor Ekdahl thanked Mr. Humphreys for the very nice certificate and advised that he would hang it in his office.

Mr. Humphrey described their cruise on the Navesink in June and the stops in Fair Haven and Red Bank where over 600 people boarded the *Onrust* and learned its history. He also advised of a program that the Navesink Maritime Heritage Association has for children to canoe the Navesink River for five days that is a real educational and team building experience.

The Mayor and Council thanked Mr. Humphreys and the Association.

**ADJOURNMENT:**

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On motion by Councilman Rubin, seconded by Councilman Hemphill, the meeting adjourned at 7:45 p.m. All in favor.

Respectfully submitted,

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