

**BOROUGH OF PINE BEACH  
REGULAR MEETING  
February 22, 2010**

The Mayor and Council of the Borough of Pine Beach held the Meeting postponed from February 10, 2010 on February 22, 2010 at the Municipal Building, 599 Pennsylvania Ave. at 8:00 P. M.

MAYOR BOYLE CALLED THE MEETING TO ORDER AND READ THE STATEMENT OF ADEQUATE NOTICE:

IN COMPLIANCE WITH THE 'OPEN PUBLIC MEETING LAW' P.L. 1975 C 231 NOTICE OF THIS MEETING WAS SENT TO THE OBSERVER REPORTER AND THE ASBURY PARK PRESS, AND POSTED ON THE BULLETIN BOARDS OF THE PINE BEACH MUNICIPAL BUILDING AND THE PINE BEACH POST OFFICE. THIS STATEMENT SHALL BECOME A PART OF THE OFFICIAL MINUTES OF THIS MEETING

ROLL CALL:

Present: Mr. Budes, Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan  
Absent: Mr. Abatemarco

FLAG SALUTE was led by Council President Cuneo

Special Remembrance for recently deceased residents Dorothy Flaherty, Frank Schmitt Wesley Szypszak and Golda Family.

And also in special remembrance of these thirty-five brave Americans who lost their lives in service to their country during the month of January, 2010:

*Iraq:*

Private 1st Class Barnett, Scott G.; Private 1st Class Hurt, Gifford E.; Private 1st Class Jarrett, Michael R.; Specialist Croft Jr., David A.; Specialist Anderson, Brushaun X.

*Afghanistan:*

Captain Thompson, David J.; Specialist Decoteau, Marc Paul; Staff Sergeant Christian, Rusty H.; Sergeant Smith, David J.; Sergeant Gill, Carlos E.; Lance Corporal Smith, Zachary D.; Sergeant Angus, Daniel M.; Lance Corporal Poole, Timothy J.; Lance Corporal Kane, Jeremy M.; Petty Officer 2nd Class Qi, Xin; Staff Sergeant Montgomery, Thaddeus S.; Captain Pena, Paul; Technical Sergeant Ginett, Adam K.; Sergeant 1st Class Shannon, Michael P.; Specialist Donevski, Robert; Sergeant Hrbek, Christopher R.; Specialist Wright, Kyle J.; Sergeant Beachnaw, Lucas T.; Staff Sergeant Merriweather, Daniel D.; Private 1st Class Whitsitt, Geoffrey A.; Staff Sergeant Ingham, Matthew N.; Corporal Lowe, Jamie R.; Corporal Uzenski, Nicholas K.; Lance Corporal Meinert, Jacob A.; Lance Corporal Juarez, Mark D.; Sergeant 1st Class Hickman, Jason O. B.; Senior Airman Smith, Bradley R.; Private Dion, John P.; Sergeant Lengstorf, Joshua A.; Specialist Bowman, Brian R.

MAYOR BOYLE ANNOUNCED THAT COPIES OF ALL REPORTS ARE ON THE FRONT TABLE

MOTION to accept the minutes of the Regular Meeting of January 13, 2010 was made by Mr. Polhemus, seconded by Mrs. O'Brien.

5 Ayes

TREASURER'S REPORT was approved upon a motion made by Mr. Cuneo, seconded by Mr. Budes.

ROLL CALL:

Yes: Mr. Budesá, Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan

Absent: Mr. Abatamarco

REVENUE REPORTS were approved upon a motion made by Mr. Cuneo, seconded by Mr. Polhemus.

ROLL CALL:

Yes: Mr. Budesá, Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan

Absent: Mr. Abatamarco

BILLS RESOLUTION 2010-2-A, B, C, D, were approved upon a motion made by Mr. Cuneo, seconded by Mr. Polhemus.

POLICY, ALLOWING FIVE MINUTES FOR PUBLIC COMMENT ON THE  
BILLS RESOLUTION

ROLL CALL:

Yes: Mr. Budesá, Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan

Absent: Mr. Abatamarco

COMMITTEE REPORTS:

Mr. Cuneo reported on police activities for the month. The police department responded to 325 calls for service. Chief Sgro attended the quarterly Emergency Management Coordinators meeting, among the topics was possible FEMA disaster declaration, which would allow the county and municipalities to apply for reimbursement aid for expenses caused by the December 19<sup>th</sup> snowstorm.

The police officers and public works department have been working hard to ensure that our roads are kept passable during the snow events. Residents were thanked for their compliance in keeping the cars parked off the roadways. Chief Sgro reminded everyone that with this weather extra caution is needed while driving and to watch out for black ice.

Police, municipal court, water and sewer utility, building inspector, public works reports approved as submitted upon a motion made by Mr. Cuneo, seconded by Mr. Budesá.

ROLL CALL:

Yes: Mr. Budesá, Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan

Absent: Mr. Abatamarco

UNFINISHED BUSINESS

NEW BUSINESS

Resolution 10-24, Authorizing Mayor to sign Agreement with Ocean County for 911 Emergency Services was approved upon a motion made by Mr. Sheehan, seconded by Mr. Cuneo.

ROLL CALL:

Yes: Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan

Abstain: Mr. Budesá

Absent: Mr. Abatamarco

Resolution 10-25, Authorizing Mayor to sign interlocal agreement with O.C. Board of Health for providing animal facility services was approved upon a motion made by Mr. Polhemus, seconded by Mrs. O'Brien.

ROLL CALL:

Yes: Mr. Budesca, Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan  
Absent: Mr. Abatemarco

Resolution 10-26, Authorizing Mayor to sign Municipal Alliance Agreement for 2010 was approved upon a motion made by Mr. Sheehan, seconded by Mr. Cuneo.

ROLL CALL:

Yes: Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan  
Abstain: Mr. Budesca  
Absent: Mr. Abatemarco

Resolution 10-27, Supporting County of Ocean application for PARIS grant funding was approved upon a motion made by Mr. Sheehan, seconded by Mr. Cuneo.

ROLL CALL:

Yes: Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan  
Abstain: Mr. Budesca  
Absent: Mr. Abatemarco

PUBLIC HEARING ON ORDINANCES:

ORDINANCE 10-01-677

ORDINANCE OF THE BOROUGH OF PINE BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 76 OF THE CODE OF THE BOROUGH OF PINE BEACH, ENTITLED "DOGS AND OTHER ANIMALS."

This ordinance was introduced January 13, 2010, advertised in the Asbury Park Press February 1 and posted on the bulletin board of the municipal building

MAYOR BOYLE CALLED FOR THE PUBLIC HEARING

Mr. J. Lynch was concerned about allowing dogs on the Riverwalk, worried that the run off from the dog's urine and defecation will adversely affect the water quality and quality of life for the beach goers.

Mr. Bortko treasures the river recreation, and dogs on the boardwalk would be a detriment. The present walkway along Pennsylvania Ave. is proof that the dog owners are not responsible in cleaning up the fecal matter; the Riverwalk is in a very environmentally sensitive area. Neighboring towns such as Beachwood and Ocean Gate do not allow dogs on their boardwalks.

Mr. J. Lynch pointed out that allowing dogs on the dock is not a good idea that the dogs could urinate there directly into the river. He's concerned that our children and grandchildren will be deprived of a safe recreation area.

Mayor Boyle explained that the comments brought up refer to the next ordinance, that this public hearing for Ordinance 10-01-677 clarifies the recreation areas where dogs are allowed. The next ordinance changes where they can go to include the dock and boardwalk.

There being no further comments, the public hearing on Ordinance 10-01-677 was closed

Ordinance 10-01-677 was approved upon a motion made by Mrs. O'Brien, seconded by Mr. Sheehan.

ROLL CALL:

Yes: Mr. Budesca, Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan  
Absent: Mr. Abatemarco

ORDINANCE 10-02-678

ORDINANCE OF THE BOROUGH OF PINE BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 55 OF THE CODE OF THE BOROUGH OF PINE BEACH, ENTITLED "BEACHES, RECREATION, AND OPEN SPACE"

This ordinance was introduced January 13, 2010, advertised in the Asbury Park Press February 1 and posted on the bulletin board of the municipal building

PUBLIC HEARING

Mayor Boyle opened the public hearing, and suggested that the previous comments concern this ordinance.

Mr. Bortko offered the idea to allow dogs on the Avon dock in order to gain access to boats rather than the New Jersey Ave. pier where there are a lot of people crabbing.

Mr. J. Lynch was concerned with so many people on the dock New Jersey Ave. dock crabbing they don't need dogs there too.

Mr. Sheehan welcomed the comments and agreed with some of them.

Mr. Polhemus suggested that there were concerns for the safety of people walking along Riverside Drive and to allow them on the Riverwalk. Mrs. O'Brien agreed that the Riverwalk was put in for safety and dog owners are a part of this community too. They walk on the Pennsylvania Ave. walkway safely with dogs and children.

Mr. Cuneo mentioned that even with people picking up the feces, no matter where you're walking the dog, the fecal matter flows to the river.

Mr. Budesza mentioned that in Seaside, dogs can go in certain areas but not during the summer season.

There being no further discussion, a motion by Mr. Cuneo, seconded by Mrs. O'Brien was made to approve Ordinance 10-02-678.

ROLL CALL:

Yes: Mr. Cuneo, Mrs. O'Brien

No: Mr. Budesza, Mr. Polhemus, Mr. Sheehan

Absent, Mr. Abatemarco

Ordinance 10-02-678 was defeated.

PUBLIC COMMENTS

COUNCIL COMMENTS

Mr. Polhemus thanked Mr. Bortko, public works supervisor, for the hard work in managing the snow removal. They did a good job. In addition, the police department and office staff came in to keep the town going.

Mrs. O'Brien, Mr. Sheehan and Mr. Cuneo echoed the comments

Mr. Cuneo added that we purchased a used truck just in time for the snowstorm.

As for sports, finals are going on and he urges all to support our local kids.

On the ordinance that didn't pass, there were good questions and discussion.

## MAYOR'S COMMENTS

Mayor Boyle thanked Mr. Bortko and Chief Sgro for their work in coordinating the snow removal. All the employees did a good job. The dump truck developed transmission problems, and the small truck was good for the dead ends.

Sgt. Brown is back to work and will be on full duty soon.

There being no further business to discuss, the meeting was adjourned at 8:45 PM upon a motion by Mr. Cuneo and seconded by Mrs. O'Brien.

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Charlene A. Carney, RMC/MMC  
Municipal Clerk