

**BOROUGH OF PINE BEACH
REGULAR MEETING
AUGUST 12, 2009**

The Mayor and Council of the Borough of Pine Beach held a meeting on August 12, 2009 in the Municipal Building, 599 Pennsylvania Ave. at 7:30 PM.

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. Abatemarco, Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan

Absent: Mr. Budesa

FLAG SALUTE was led by Council President Cuneo

Special Remembrance for recently deceased former resident Polly Slaby, Budesa Family, Stueber Family, Lindstrom Family, and Bezak Family.

And also in special remembrance of these fifty-three brave Americans who lost their lives in service to their country during the month of July 2009:

Iraq

Staff Sergeant Johnny Roosevelt Polk; Specialist Herberth A. Berrios-Campos; Lance Corporal Brandon T. Lara; Specialist Daniel P. Drevnick; Specialist James D. Wertish; Specialist Carlos E. Wilcox IV; Chief Warrant Officer Rodney A. Jarvis; Private Lucas M. Bregg

Afghanistan

Specialist, Miller, Alexander J.; Lance Corporal, Posey, Gregory A.; Lance Corporal, Stroud, Jonathan F.; Chief Warrant Officer, Vose III, Douglas M.; Sergeant, Smith, Gerrick D.; Private 1st Class, Vincent, Donald W.; Specialist, Coleman, Justin D. Corporal, Xiarhos, Nicholas G.; Lance Corporal, Lasher, Jeremy S.; Aviation Electronics Technician Airman, Charpentier, Andrew Scott; Sergeant, Lane, Ryan H.; Sergeant, Rimer, Joshua J.; Specialist, Neff, Jr., Randy L.J.; Specialist, Morales, Raymundo P. Sergeant, Owens Jr., Gregory; Specialist, Lightfoot, Anthony M.; Specialist, Roughton, Andrew J.; Private 1st Class, Pratt, Dennis J.; Corporal, Kopp, Benjamin S.; Captain, McDowell, Mark R.; Captain, Gramith, Thomas J.; Sergeant 1st Class, Fabrizi, Jason J.; Staff Sergeant, Spicer, David S.; Sergeant, Heede Jr., Michael W.; Staff Sergeant, Lindstrom, Eric J.; Master Sergeant, Hatfield, Jerome D.; Lance Corporal, Barbozaflores, Pedro A.; Corporal, Lembke, Matthew R.; Specialist, Farris, Joshua R.; Master Sergeant, Hayes, John E.; Lance Corporal, Hager, Roger G.; Aviation Ordnanceman Airman, Tate, Darren Ethan; Specialist, Missman, Gregory James; Sergeant, Roy, Michael C.; Specialist, Talbert, Christopher; Captain, Garner, Mark A.; 2nd Lieutenant, Williams, Derwin; Specialist, Hosford, Chester W.; Sergeant, Chavers, Brock H.; Specialist, Johnson, Issac L.; Private 1st Class, Gideon, Nicolas H. J.; Petty Officer 2nd Class, Randolph, Tony Michael; Private 1st Class, Fairbairn, Aaron E.; Private 1st Class, Casillas, Justin A.; Lance Corporal, Sharp, Charles S.

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

MOTION to accept the minutes of the Regular Meeting July 8, 2009 was made by Mr. Abatemarco, seconded by Mr. Sheehan.

4 Ayes

1 Abstain

TREASURER'S REPORT and Revenue Reports were waived upon a motion made by Mr. Cuneo, seconded by Mr. Abatemarco.

All Ayes

BILLS RESOLUTION 2009-8 -A, B, C, D, were approved upon a motion made by Mr. Cuneo, seconded by Mr. Abatemarco.

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

ROLL CALL:

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

Absent: Mr. Budes

COMMITTEE REPORTS:

Police Activities for the Months of June & July 2009

For the months of June and July combined the police department responded to a total of 692 calls for service.

On June 11th I attended the quarterly emergency management coordinators meeting at Miller Airpark. Topics included NIMS (National Incident Management System) and the 5 year training cycle to remain NIMS compliant. This is required to be followed to be eligible for special grants and other outside funding. Information was discussed regarding the upcoming FEMA exercise which the Borough OEM will participate in. The practice exercise will be Sept 9th with the actual drill on Oct 6th. The drill will simulate an event at the Oyster Creek Nuclear Generating Station and test our ability to respond according to our plans.

On June 17th Ptl. Jason York was recognized at an annual awards luncheon sponsored by Mothers Against Drunk Driving. He received a certificate for his dedicated service as he was one of two officers in Ocean County with the highest number of DWI arrests.

On June 24th and June 25th all officers attended our semi-annual firearms qualifications conducted by our range officers Sgt. Keith Brown and Ptl. Ron Risten. This training is required to insure that our officers remain proficient in their handling of issued firearms.

On June 28th the 10th annual Pine Beach 5K was run. The event was a success as usual, with approximately 1400 plus participants. The entire police department was here in force and along with the many volunteers, worked hard to insure the safety of all participants while trying to keep the inconvenience to residents to a minimum.

The July 4th holiday was another active but successful event. The weather was perfect and the parade kicked off at 9 am and was followed by festivities at the Vista Field. The fireworks went off without a hitch and most people complied with our local parking restrictions and road closures. Although this may be an inconvenience to some, this is critical to insure the safety of the entire town and to allow for the unrestricted access of emergency equipment. Our roads are also inundated with thousands of pedestrians which do not mix well with vehicles.

Finally, during the week of July 13th, Ptl. Christian Longhitano attended a 1 week course on DWI awareness. This course offers training in the area of DWI detection and offers enhanced testing methods to better an officer's ability to detect an impaired driver.

The Pine Beach Police Department hopes that everyone is enjoying a safe and happy summer and would like to remind everyone that school will be starting in less than a month so please drive safely and pay extra attention in our school zones.

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

ROLL CALL:

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

Absent: Mr. Budes

UNFINISHED BUSINESS

NEW BUSINESS

Honoring Rae Drach, Toms River High School South valedictorian was presented with a copy of Resolution 09-59, honoring high school graduates, which was passed last month. She was congratulated and wished good luck by the entire council.

Michael Jedziniak, Pine Beach representative on the Toms River Board of Education introduced Michael Ritacco, Toms River Schools Superintendent.

Mr. Ritacco mentioned that Pine Beach has a long history of being the hometown of valedictorians.

Mr. Ritacco stated that over the last 18 years he has served as the Superintendent, and that understanding the school tax is complex. A few years ago, the state removed debt service from the budget vote. The school budget has current expenses at a 4% cap. The school district debt ratio is low. In the past, surplus has been used against debt to keep the rate low.

Mayor and Council had an opportunity to ask questions regarding the school budget and the raise in taxes. Mr. Ritacco was thanked for his attendance at the Council meeting.

Michael Jedziniak gave a Council of Affordable Housing update. He explained that the Land Use Board is moving to amend the existing housing plan, which includes a sixteen-unit project on Borough property. It's difficult to finance a small project, and most likely the property would have to be donated. There is another idea, non-resident development such as doctor office or retail in the bottom and residential upstairs. It significantly decreases residential density. The plan amendment from the Land Use Board would be reviewed by them and then sent to council to endorse the plan.

Mr. Jedziniak has submitted the revisions to COAH for review.

Mr. Jedziniak explained that AMIB has purchased two homes in town, and we could receive credits with certain deed restrictions.

Mayor Boyle thanked Mr. Jedziniak for coming to the meeting and explaining this process.

Mayor and Council proceeded to regular business:

Resolution 09-68, Authorizing submission of Alliance grant was approved upon a motion made by Mr. Polhemus, seconded by Mr. Sheehan.

ROLL CALL:

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

Absent: Mr. Budesá

Resolution 09-69, Fire Company fee waived for raffle license was approved upon a motion made by Mr. Abatamarco, seconded by Mr. Cuneo.

ROLL CALL:

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

Absent: Mr. Budesá

Resolution 09-70, Tax grace period extended was approved upon a motion made by Mr. Cuneo, seconded by Mrs. O'Brien.

Mr. Cuneo explained that this resolution was necessary because the tax bills just went out and it's close to the due date. It extends the grace period but reverts to the 1st for interest after the grace period.

ROLL CALL:

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

Absent: Mr. Budesá

Resolution 09-71, Authorizing contract with County of Ocean for recycling center use was approved upon a motion made by Mr. Polhemus, seconded by Mrs. O'Brien.

ROLL CALL:

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

Absent: Mr. Budesá

Resolution 09-72, Appointing Philip M. Miller Municipal Court judge.

Mr. Sheehan made a motion to amend the last sentence of the resolution to include the correct date of "2012" and "with the advice and consent of the Borough Council" which was seconded by Mr. Cuneo.

A motion to approve the resolution as amended was made by Mrs. O'Brien and seconded by Mr. Polhemus.

ROLL CALL:

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

Resolution 09-73, Authorizing issuance of \$25,000 special emergency notes for master plan was approved upon a motion made by Mr. Sheehan, seconded by Mrs. O'Brien.

ROLL CALL:

Yes: Mr. Abatemarco, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan
No: Mr. Cuneo
Absent: Mr. Budesa

Resolution 09-74, Awarding contract for cleaning of sanitary sewers to National Water Main was approved upon a motion made by Mr. Cuneo, seconded by Mr. Abatemarco.

Mr. Cuneo explained that this regular maintenance for the sewer system.

ROLL CALL:

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

INTRODUCTION OF ORDINANCE

ORDINANCE 09-06-675

ORDINANCE OF THE BOROUGH OF PINE BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 122 OF THE CODE OF THE BOROUGH OF PINE BEACH, ENTITLED "PEACE AND GOOD ORDER," BY THE ADDITION OF NEW SUB-SECTION 12, ENTITLED "CURFEW FOR MINORS"

Ordinance 09-06-675 was introduced upon a motion made by Mr. Cuneo, seconded by Mr. Abatemarco.

This ordinance will be published in summary in the Asbury Park Press on August 24, 2009 and will have a public hearing on September 16, 2009 at 7:30 PM.

5 Ayes

ORDINANCE 09-07-676

BOND ORDINANCE PROVIDING FOR ACQUISITION OF THREE LOTS ON FORMER ADMIRAL FARRAGUT PROPERTY AND MUNICIPAL FACILITIES HANDICAPPED ACCESSIBILITY PROGRAM FOR AND BY THE BOROUGH OF PINE BEACH, IN THE COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$915,000 THEREFORE, INCLUDING \$23,370 AVAILABLE AS A COMMUNITY DEVELOPMENT BLOCK GRANT, AND AUTHORIZING THE ISSUANCE OF \$849,750 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Ordinance 09-07-676 was introduced upon a motion made by Mr. Cuneo, seconded by Mrs. O'Brien.

This ordinance will be published in summary in the Asbury Park Press on August 24, 2009 and will have a public hearing on September 16, 2009 at 7:30 PM.

Roll Call: Yes, Mr. Abatemarco, Mr. Cuneo, Mrs. O'Brien, Mr. Polhemus, Mr. Sheehan
Absent, Mr. Budesa

PUBLIC HEARING ON ORDINANCE:

ORDINANCE 09-05-674

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE OF THE BOROUGH OF PINE BEACH IN THE COUNTY OF OCEAN, ESTABLISHING MINIMUM-MAXIMUM LIMITATIONS ON SALARIES TO BE PAID THE MAYOR, COUNCILPERSONS AND ALL OTHER MUNICIPAL OFFICERS AND EMPLOYEES OF THE BOROUGH", AND REPEALING ALL PRIOR ORDINANCES

Ordinance 09-05-674 was approved upon a motion made by Mr. Abatemarco, seconded by Mr. Cuneo.

This ordinance was introduced on July 8, 2009 and published in the Asbury Park Press on July 21, 2009. It is posted on the bulletin board and copies are available.

Mayor Boyle explained that this ordinance establishes the minimum and maximum salaries for employees.

Public Hearing: There were no questions from the public.

ROLL CALL:

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

Absent: Mr. Budesa

COUNCIL COMMENTS

Mr. Polhemus thanked the people for coming to the meeting, and congratulated Rae Drach for going to Princeton on a full scholarship. He also mentioned that school will be starting and to be aware of school bus stops.

Mr. Sheehan commented that he hopes people enjoy the rest of the summer.

Mrs. O'Brien echoed his hope to enjoy the next few weeks.

Mr. Cuneo stated that the school board representative, Michael Jedziniak and the Superintendent Michael Ritacco attended the meeting and the school tax is complicated. The local tax went up ½ penny, but the school tax went up almost 5 cents and Mr. Ritacco explained this was due to debt service.

Mr. Budesa's mother passed away this week, and the family is wished all the best in this trying time.

MAYOR'S COMMENTS

The Alliance is sponsoring the Walk Against Drugs on August 21st at Vista Park.

PUBLIC COMMENTS

Dixie Karpensky asked Mr. Polhemus if he found out anything about the old infirmary. Mr. Polhemus explained that he spoke to the code enforcement officer and he is in the process of reviewing that and another property. There was also concern that the property has become a magnet for young people and they are worried that someone will be hurt.

Mayor Boyle stated that the Environmental Commission meeting concerning the trees and bushes at Vista Park is scheduled for tomorrow.

Mrs. Karpensky mentioned that mess the geese are making at Vista Park and the soccer field. She mentioned that the "dog" sign hasn't been put out in a while.

Mr. Salerno asked about a drainage issue on Linden Ave. Mayor Boyle will speak to the engineer.

The meeting was adjourned at 8:40 PM upon a motion by Mr. Cuneo and seconded by Mr. Abatemarco.

Charlene A. Carney, RMC/MMC
Municipal Clerk