

**BOROUGH OF PINE BEACH
REGULAR MEETING
May 13, 2009**

The Mayor and Council of the Borough of Pine Beach held a meeting on May 13, 2009 at 7:30 PM at the Municipal Building, 599 Pennsylvania Ave.

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. Budesca, Mr. Cuneo, Mrs. O'Brien,
Mr. Sheehan (arrived at 7:55 PM)

Absent: Mr. Polhemus

FLAG SALUTE was led by Council President Cuneo

Special Remembrance for recently deceased former resident Robert Freeman, the Polhemus and Jonin families.

And also in special remembrance for the twenty-five brave Americans who lost their lives in service to their country during the month of April, 2009:

Iraq:

Petty Officer 2nd Class Tyler J. Trahan, Sergeant James R. McIlvaine, Staff Sergeant Mark A. Wojciechowski, Sergeant Leroy O. Webster, Company Sergeant-Major , Benjamin Moore Jr., Corporal William C. Comstock, Corporal Brad A. Davis, Lance Corporal Ray A. Spencer II, Sergeant Raul Moncada, Specialist Michael J. Anaya, Sergeant Christopher D. Loza, Staff Sergeant Gary L. Woods Jr., Staff Sergeant Bryan E. Hall, Corporal Jason G. Pautsch, Private 2nd Class Bryce E. Gautier, Sergeant Edward Forrest, Specialist Israel Candelaria Mejias, Lance Corporal Stephen F. Dearmon
Sergeant Daniel J. Beard

Afghanistan:

Private 1st Class, Dewater, Richard A.; Corporal, Aguila, Francisco X.; Airman 1st Class, Ramsey, Jacob I.; Lance Corporal, Oleski, Blaise A.; Specialist, Kuligowski, Adam M.; Staff Sergeant, Myers, Phillip A.

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

MOTION to accept the minutes of the Regular Meeting April 8, 2009 was made by Mr. Budesca, seconded by Mrs. O'Brien.

4 Ayes

MOTION to accept the minutes of the Special Meeting April 20, 2009 was made by Mr. Cuneo, seconded by Mrs. O'Brien.

4 Ayes

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

ROLL CALL:

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

REVENUE REPORTS were approved upon a motion made by Mr. Cuneo, seconded by Mrs. O'Brien.

ROLL CALL:

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

BILLS RESOLUTION 2009-05-A, B, C, D,

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

BILLS RESOLUTION 2009-05-A, B, C, D, were approved upon a motion made by Mr. Budesca, seconded by Mr. Cuneo.

Mr. Wieck asked about the check to Moby's, and it was for a new stand and ride lawn mower.

ROLL CALL:

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

COMMITTEE REPORTS:

Police: April 2009 our officers responded to a total of 324 call for service. Our Aggressive enforcement campaign against traffic violators continues. As reported by the APP, our enforcement statistics increased 153% over previous 6 months. Although this is an important issue, it is only part of our continued effort to ensure that the residents of Pine Beach are afforded the best "Quality of Life". The department also placed a new police vehicle into service this month retiring our old unit from service. All our vehicles now reflect our blue and grey color scheme. Please be alert while driving and remember that non-hands free cell phone use and texting while driving is illegal. Also, slow down, the little bit of time you are going to give up will pay you dividends in the long run by the good feelings you should have for being courteous to some else.

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. Budesca.

Mr. Wieck commented on the Asbury Park Press article about the productivity of our police department. It was a positive article about our community. Driving through town is a way to avoid Rt. 9 traffic and our children walk to school. He hopes the enforcement continues.

Mr. Jardel commented that the blue and gray police cars are difficult to see, and that he observed a police car traveling fast but without lights behind a speeder. Chief Sgro responded that police training is to close the gap and get license plate number prior to putting on lights. The officers are trained specifically for safe driving.

4 Ayes

UNFINISHED BUSINESS, None
NEW BUSINESS

With the permission of Council, Mayor Boyle presents the following resolutions as a matter of consent: Resolutions 41, 42, 43, 47 were approved upon a motion made by Mr. Abatemarco, seconded by Mr. Cuneo.

- 41, Recycling tonnage grant
- 42, Trash collection to twice a week
- 43, water use restrictions
- 47, seasonal employees

ROLL CALL:

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

Resolution 09-45, Budget to read by title only was approved upon a motion made by Mr. Budesca, seconded by Mr. Abatemarco.

ROLL CALL:

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

Mr. Sheehan arrived at 7:55 pm.

PUBLIC HEARING ON BUDGET

Mr. Wieck commented on the increase of one half cents, and he congratulated Council on their diligence in keeping taxes down. He also commented that the Freeholders and School have also helped to keep taxes down. Neighboring communities have cut services, but Pine Beach has not.

Mrs. Braks, former Councilwoman, added that it is commendable to keep the expenses in check and to be fiscally conservative. Pine Beach did not accept the PERS reduction. She was concerned about the surplus, and Mrs. Steib replied that the surplus is replaced each year. Our taxes are up one-half cent but the regional school and county taxes have not been officially approved.

Mr. Cuneo explained that this was not an easy budget to put together. The town is fiscally sound and the budget is responsible, but with no frills. Other towns are having difficulty and have furloughed employees but we don't have to.

Resolution 09-49, Adoption of Municipal Budget for 2009 was approved upon a motion made by Mr. Cuneo, seconded by Mrs. O'Brien.

ROLL CALL:

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

Resolution 09-44, Refund of excess Development fees paid was approved upon a motion made by Mr. Budesca, seconded by Mrs. O'Brien.

ROLL CALL:

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

Resolution 09-46, Authorizing bids for Linden Ave project was approved upon a motion made by Mr. Cuneo, seconded by Mrs. O'Brien.

Mr. Cuneo explained that the Borough will utilize County "Schedule C" for the milling and paving roadwork and utilize this bid for other work. We will get a price from the County prior to work being done.

Mr. Henbest asked to extend work on Linden Ave. one more block. Mr. Cuneo explained that this is utilizing a DOT grant and it's a matter of budget figures for the amount of work.

ROLL CALL:

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

Resolution 09-48, Water utility adjustment was approved upon a motion made by Mr. Budesca, seconded by Mrs. O'Brien.

ROLL CALL:

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

Absent: Mr. Polhemus

INTRODUCTION OF ORDINANCE:

ORDINANCE 09-04-673

ORDINANCE AUTHORIZING AN ADDITIONAL SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$25,000 FOR THE PREPARATION OF A MASTER PLAN UPDATE FOR AND BY THE BOROUGH OF PINE BEACH, IN THE COUNTY OF OCEAN, NEW JERSEY

This ordinance will be published in the Asbury Park Press on May 22, 2009 and will have a public hearing on June 10, 2009 at 7:30 PM.

Ordinance 09-04-673 was introduced upon a motion made by Mr. Budesca, seconded by Mrs. O'Brien.

ROLL CALL:

Yes: Mr. Abatemarco, Mr. Budesca (reluctantly), Mrs. O'Brien (reluctantly) and Mr. Sheehan

No: Mr. Cuneo

Absent: Mr. Polhemus

PUBLIC HEARING ON ORDINANCES:

ORDINANCE 09-02-671

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF PINE BEACH, IN THE COUNTY OF OCEAN, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$306,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,950 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

This ordinance was introduced on April 8, 2009 and published in the Asbury Park Press on April 20, 2009. It has been posted on the bulletin board and copies are available.

PUBLIC HEARING: There were no comments from the public.

Ordinance 09-02-671 was approved upon a motion made by Mr. Cuneo, seconded by Mrs. O'Brien.

ROLL CALL:

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

Absent: Mr. Polhemus

ORDINANCE 09-03-672

CALENDAR YEAR 2009 ORDINANCE TO ESTABLISH A CAP BANK (N.J.S.A.. 40A:4-45.14)

This ordinance was introduced on April 8, 2009 and published in the Asbury Park Press on April 20, 2009. It has been posted on the bulletin board and copies are available.

PUBLIC HEARING:

Mr. Wieck asked the purpose of this ordinance, and Mrs. Steib explained that our budget was below what the cap amount is. This will allow us to utilize that money in the next year's budget.

Ordinance 09-03-672 was approved upon a motion made by Mr. Cuneo, seconded by Mrs. Abatemarco.

ROLL CALL:

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

PUBLIC COMMENTS

Mrs. Braks asked about the \$25,000 appropriation and it was explained that in order to comply with Council of Affordable Housing rules we keep spending money for the planner, COAH attorney. The State keeps requesting more information. Compliance is a Planning Board function and the Master Plan must be in compliance.

Mr. Budesca added that when this is complete we'd be OK for as long as ten years.

Mr. Henbest asked about the two new group homes in town, if they comply with zoning. Mayor Boyle explained that by state law, they are the same zoning as single-family residential homes.

Mrs. Braks stated that the home is much improved, but would have liked to have neighbors notified that this will be a group home.

Mr. Wieck commented that special needs housing is generally single family residence.

There were no further comments from the public.

COUNCIL COMMENTS

Mr. Cuneo is happy the budget is approved, much earlier than past years. Our students are involved with various sports and Vista Park is busy every day.

If anyone is interested in volunteering, the area of the flagpole on the bluff could use a good weeding, and if anyone would like to adopt a spot to weed or generally clean up it would be appreciated.

The Pine Beach Yacht Club is complete and has a certificate of occupancy. Thank you for your patience, and at some point they will have an open house.

Mr. Budesca announced that the Memorial Day ceremony is a One o'clock on Monday the 25th at the Firehouse. He is glad to pass the budget; this year the state allows us to have a self-exam.

Mr. Abatemarco announced that there will be a volunteer effort to resurface the Henley Ave. dock on May 30. He thanked Chief Sgro for compiling the measurements.

MAYOR'S COMMENTS

Mayor Boyle congratulated Mrs. O'Brien being named Manalapan Teacher of the Year, and council joined him in congratulations.

Mayor Boyle thanked those in attendance for coming to the meeting.

There being no further business to discuss, the meeting was adjourned at 8:15 PM upon a motion by Mr. Cuneo and seconded by Mr. Budesca.
