

**BOROUGH OF PINE BEACH  
REGULAR MEETING  
January 12, 2011**

The Mayor and Council of the Borough of Pine Beach met on January 12, 2011 at 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 OCEAN COUNTY GAZETTE, RIVERSIDE SIGNAL 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, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

FLAG SALUTE was lead by Council President Cuneo

Mayor Boyle announced a Moment of Silence and Special Remembrance for recently deceased residents including the O'Brien Family and also in special remembrance of these eighty-nine brave Americans who lost their lives in service to their country during the months of November and December, 2010:

***November***

*Iraq:*

Sergeant Luff Jr., David J.; Staff Sergeant Gandy, Loleni W.

*Afghanistan:*

1st Lieutenant Milley, Scott F.; Sergeant 1st Class Jarvis, Barry E.; Staff Sergeant Oakes, Curtis A.; Specialist Ramsey, Matthew W.; Private 1st Class Gassen, Jacob A.; Private 1st Class Staggs, Austin G.; Private McLain, Buddy W.; Private Harris, Devon J.; 1st Lieutenant Donnelly IV, William J.; Lance Corporal Buenagua, Ardenjoseph A.; Specialist Middleton, William K.; Staff Sergeant Flannery, Sean M.; Specialist Robinson, David S.; Sergeant Smith, Jason T.; Private 1st Class Holder, Kyle M. ; Specialist Culbreth, Justin E.; Lieutenant Colonel Locht, Gwendolyn A.; Staff Sergeant Ortiz Rivera, Javier O.; Staff Sergeant Pape, Kevin M.; Staff Sergeant Senft, David P.; Specialist Ahmed, Shane H.; Specialist Lillard, Nathan E.; Specialist Nagorski, Scott T.; Private 1st Class Warriner, Christian M.; Specialist Snow, Jesse Adam; Specialist Carroll, Jacob C.; Corporal Carver, Jacob R.; Staff Sergeant Rivadeneira, Juan L.; Specialist Chihuahua, Shannon; Corporal Fannin, Shawn D.; Senior Airman Bubacz, Andrew S.; Specialist Lutes, David C.; Sergeant Bolen, Edward H.; Lance Corporal Stack, James B.; Lance Corporal Huse, Dakota R.; 2nd Lieutenant Kelly, Robert M.; Specialist Vargas, Anthony; Specialist Hutchins, Andrew; Sergeant Cruttenden, Aaron B.; Specialist Kridlo, Dale J.; Lance Corporal Braggs, Randy R.; Private 1st Class Reifert, Shane M.; Sergeant Paranzino, Michael F.; Specialist Whipple, Blake D.; Staff Sergeant Emrick, Jordan B.; Sergeant McCluskey, Jason J.; Lance Corporal Pearson, Brandon W.; Lance Corporal Broehm, Matthew J.; Specialist Young, James C.; Sergeant 1st Class Harris, Todd M.; 1st Lieutenant Zimmerman, James R.; Private 1st Class Meari, Andrew N.; Specialist Curtis, Jonathan M.

***December:***

*Iraq:*

Private 1st Class Finch, David D.

*Afghanistan:*

Sergeant Beckerman, Michael J.; Corporal Nguyen, Tevan L. ; Sergeant Misener, Garrett A.; Lance Corporal Corzine, Kenneth A.; Lance Corporal Crouse IV, William H.; Private 1st Class Javier Jr., Conrado D.; Corporal Torbert Jr., Eric M.; Lance Corporal ; Maldonado, Jose L.; Corporal Osterman, Sean A.; Specialist Cutsforth, Sean R.; Staff Sergeant Schmalstieg, Justin E.; Lance Corporal Hernandez, Jose A.; Corporal Collins, Sean M.; Corporal McLawhorn Jr., Willie A.; Specialist Deans, Patrick D.; Specialist Necochea Jr., Kenneth E.; Specialist Simonetta, Derek T.; Specialist Villacis, Jorge E.; Private 1st Class Goncalo, Ethan L.; Staff Sergeant Green, Stacy A.; Specialist Mixon, Kelly J.; Sergeant Ayube II, James A.; Lance Corporal Geary, Michael E.; Sergeant Peto, Jason D.; Private 1st Class Rusk, Colton W.; Corporal Wyatt, Derek A.; Sergeant Aleman, Nicholas J.; Staff Sergeant Reeves, Jason A.; Staff Sergeant Ashlock, Vincent ; W.; Lance Corporal Scott, Lucas C.; Sergeant 1st Class Thode, James E.; Sergeant Abbate, Matthew; Corporal Wade, Chad S.

and also in special remembrance for the six innocent victims killed in the horrific attack on Arizona Representative Gabrielle Giffords:

Christina-Taylor Green (aged 9), U.S. District Judge John M. Roll; Gabe Zimmerman; Dorothy Morris; Dorwin Stoddard; and Phyllis Scheck.

Our thoughts and best wishes are with the families and loved ones of all of the victims, as well as with Congresswoman Giffords, and all of the survivors and their families.

Mayor Boyle announced that COPIES OF ALL REPORTS ARE ON THE FRONT TABLE

MOTION to accept the minutes of the Reorganization meeting of January 3, 2011 was made by Mr. Cuneo and seconded by Mr. Budesca.

Mr. Wieck would like to make note that he would like to change his vote on Resolution 11-07, to abstain from that portion of the vote listing the appointment of his wife Rose.

Mr. Cuneo made a motion to approve the minutes as amended, and Mr. Budesca seconded.

ROLL CALL: Yes, Mr. Abatamarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

TREASURER'S REPORT was read by Mrs. Steib and approved upon a motion by Mr. Abatamarco and seconded by M. Polhemus.

ROLL CALL: Yes, Mr. Abatamarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

REVENUE REPORTS were read by Mrs. Steib, and approved upon a motion by Mr. Cuneo and seconded by Mr. Polhemus.

Mr. Abatamarco asked the finance officer about the insurance dividend, and Mrs. Steib explained that the Borough is self insured, and dividends are distributed yearly.

ROLL CALL: Yes, Mr. Abatamarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

BILLS RESOLUTION 2011-01- A, B, C, D was approved upon a motion by Mr. Cuneo and seconded by Mr. Budesca.

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

Mr. Cuneo commented on the traffic control money, asking Mrs. Steib if we are getting enough money from the contractors to cover costs, and she explained that we are receiving \$5.00 per hour more than we are paying the officer.

Mr. Polhemus asked Mrs. Steib why the payroll was different for each time period, and she explained that the monthly salaried people are paid the 15<sup>th</sup> of the month.

ROLL CALL: Yes, Mr. Abatamarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy,  
Mr. Polhemus,  
Yes, Mr. Wieck, abstaining from Rose Wieck's salary.

#### COMMITTEE REPORTS:

Chief Sgro reported that for the month of December, the police responded to 171 calls for service.

The officers conducted a DMV random checkpoint; some operators were issued summonses for safety violations and many of the vehicles were put through a roadside inspection process and if they passed they are issued a valid inspection sticker.

Sgt. Brown attended a weeklong Internal Affairs training given by the NJ State Division of Criminal Justice.

On December 26<sup>th</sup> we endured a storm of epic proportion, which dumped about 28 inches of snow. Our public works department did the best that they could to stay ahead of the snow. I am happy to report that we were fortunate in not having any serious emergency calls during the storm. Our department is equipped with a 4-wheel drive vehicle with which we were able to negotiate most of our streets, allowing us to respond to emergencies. Chief Sgro reminded everyone to use extra caution when driving, especially at night when the day's snow melt usually refreezes on the roadways making them extremely dangerous.

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

ROLL CALL: Yes, Mr. Abatamarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy,  
Mr. Polhemus, Mr. Wieck

#### UNFINISHED BUSINESS

Presentation by Brent Howard, a representative of the Richard Stockton Coastal Research Center to present the fall survey results at the Avon Rd. beach. He will supply a written report, but presented maps that show that the shoreline has increased in some areas since the July survey. Overall, the beach has lost an average five feet since 1995. Mr. Howard explained that bringing a large amount of sand will require several permits, including CAFRA and Army Corps of Engineers but adding a small amount, approximately 250 cubic yards will require just a general beach maintenance permit.

Mayor Boyle made note that there is difficulty with the grain size. In the past, we used sand that simply blew away.

Mayor Boyle stated that at our annual reorganization meeting on January 3<sup>rd</sup>, he urged this Borough Council to reconsider their failure to confirm the Mayor's appointment to the position of auditor. In spite of that, and in spite of the fact that no fault has ever been found with this firm during its many years of service to this Borough, and in spite of the fact that this firm proposes to charge us \$10,000.00 less for the 2010 Audit than the firm favored by the Borough Council, and in spite of the fact that under similar circumstances in January 2009, the decision made then by the Borough Council directly resulted in serious financial repercussions for our municipality, the Borough Council has made it clear that they will not honor my request. Having said that, the Mayor will further note that this Borough Council is indeed fortunate to count among its members a gentlemen who possesses the powers of persuasion of councilman Robert Budesca. It is solely due to that circumstance that the Mayor will entertain a motion on Resolution 11-19.

Resolution 11-19, Professional Services appointment of William Antonides was approved upon a motion by Mr. Cuneo and seconded by Mr. Abatamarco.

Mr. Abatamarco made a motion to amend the resolution, correcting paragraph number one changing the year 2009 to 2011, which was seconded by Mr. Cuneo.

Mr. Cuneo explained that last year we had difficulty with our financial reporting, and the auditor did not seek reappointment. Council decided to use another set of fresh eyes, in order to have the financials done in a timely manner.

ROLL CALL: As amended, Yes, Mr. Abatemarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

#### NEW BUSINESS

Resolution 11-14, Tax Sale redemption B 57 L 30 was approved upon a motion by Mr. Cuneo and seconded by Mr. Budesca.

ROLL CALL: Yes, Mr. Abatemarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

Resolution 11-15, Settlement with DEP re: Air Pollution Control Act was approved upon a motion by Mr. Cuneo and seconded by Mr. Budesca.

Mayor Boyle explained that this is a new state mandate to test and refit diesel vehicles. The paperwork was submitted after the deadline was passed and was incomplete. It has been rectified.

ROLL CALL: Yes: Mr. Abatemarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

Resolution 11-16, Authorizing Mayor to sign shared services agreements for Prosecutors Programs, traffic safety initiative and DWI checkpoint was approved upon a motion by Mr. Cuneo and seconded by Mr. Polhemus.

When our officers assist the Prosecutor's department they are paid by with Prosecutor's funds.

ROLL CALL: Yes, Mr. Abatemarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

Resolution 11-17, Authorizing the release of Performance Bond posted for Eagles Pointe Was approved upon a motion by Mr. Budesca and seconded by Mr. Abatemarco. The developer posted a performance bond, the work is done, and the engineer has approved a release.

ROLL CALL: Yes, Mr. Abatemarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

Resolution 11-18, Authorizing Mayor to sign Direct Install Program Participation Agreement was approved upon a motion by Mr. Cuneo and seconded by Mr. Polhemus.

This program will provide funding for energy saving improvements to various public buildings, totaling \$50,000.00.

ROLL CALL: Yes, Mr. Abatemarco, Mr. Budesca, Mr. Cuneo, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

#### INTRODUCTION OF ORDINANCE:

##### ORDINANCE 11-01-689

AN ORDINANCE OF THE BOROUGH OF PINE BEACH, COUNTY OF OCEAN, NEW JERSEY AMENDING ARTICLE VI, CHAPTER 22 AS IT AFFECTS THE APPOINTMENT AND QUALIFICATIONS OF THE MUNICIPAL ADMINISTRATOR

This ordinance will be published in the Asbury Park Press on January 28, 2011 and have a public hearing on February 9, 2011 at 7:30 PM.

Ordinance 11-01-689 was introduced following a motion by Mr. Budesa and seconded by Mr. Abatemarco.

ROLL CALL: Yes, Mr. Abatemarco, Mr. Budesa, Mr. Cuneo, Mr. Keczkemethy, Mr. Polhemus, Mr. Wieck

#### PUBLIC COMMENTS

Eric Weber mentioned that there is construction of a new building at Ocean County College, and perhaps sand from there could be used to add to the beach.

#### COUNCIL COMMENTS

Mr. Abatemarco hoped we could have the funding to purchase the sand, and that the permit won't be difficult to get.

Mr. Budesa thanked the Public Works employees for the great job they did with snow removal.

Mr. Cuneo cautioned everyone to be careful on the roadways, we have melting during the day and then freezing ice at night. There will be a benefit basketball game, Coaches vs. Cancer.

Mr. Cuneo extended his condolences to the O'Brien family.

Next week is a celebration of the work of Martin Luther King, and Mr. Cuneo urged all o think what he's done to improve the world.

Mr. Keczkemethy expressed his sympathy to the O'Brien family

Mr. Wieck complimented Chief Sgro for his help with the snowstorm. At 2:00 PM he spoke to the Chief about a problem near the Pine Beach School, and Chief Sgro took care of it so it would be safe for the kids.

Mr. Polhemus' thoughts are with the O'Brien family during this time of loss. He thanked the public works department for their hard work in the storm yesterday and this morning.

#### MAYOR'S COMMENTS

Mayor Boyle expressed his condolences to the O'Brien family. He also commented that with Mr. Wieck now on council, we've lost 50% of our regular audience.

There being no further business to discuss, the meeting was adjourned at 8:25PM following a motion by Mr. Polhemus and seconded by Mr. Abatemarco.

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Charlene A. Carney, RMC/MMC  
Municipal Clerk