

Mayor Fernandes called the meeting to order and requested those present to join her in the Pledge of Allegiance to the Flag.

Mayor Fernandes read the following statement:

"GOOD EVENING LADIES AND GENTLEMEN. THIS MEETING IS NOW CALLED TO ORDER. IN LINE WITH THE BOROUGH OF SEA BRIGHT'S LONGSTANDING POLICY OF OPEN GOVERNMENT, AND IN COMPLIANCE WITH THE "OPEN PUBLIC MEETINGS ACT", I WISH TO ADVISE YOU THAT ADEQUATE NOTICE OF THIS REGULARLY SCHEDULED MEETING HAS BEEN ADVERTISED IN THE ASBURY PARK PRESS ON JANUARY 20, 2011 AND POSTED ON THE BULLETIN BOARD IN THE BOROUGH OFFICE. IN EACH INSTANCE, THE DATE, TIME AND LOCATION OF THIS MEETING WERE PROVIDED IN THE NOTICE. THIS MEETING IS OPEN TO THE PUBLIC."

3. ROLL CALL:

PRESENT: Bills, Kelly, LoBiondo, Murphy, Mayor Fernandes
Attorney Oxley, Engineer Flor, Police Chief Sorrentino,
Administrator Smeltzer

ABSENT: Keeler, Chief Financial Officer Bascom

4. REMARKS FROM THE AUDIENCE (limited to 3 minutes per person)

Liz VonZegasar of 174 Ocean Avenue said that she is co-chairperson of the Sea Bright Library trust. She was told that the library will not be removed from its current position and hope there will be no more discussion regarding the moving of the library building.

Tom Scriven of 9 Atlantic Way said he was confused as to why the site plans show that the library was to be moved.

Betty Steffen of 1187 Ocean Avenue said that the town needs working plows and not a pool, let the people vote on what we should build.

Suzie Markson of 1187 Ocean Avenue said the plans got this far with out no one on the council being aware that the library was to be moved.

Maryann Chevalier of 666 Ocean Avenue said that the council keeps changing their minds about what is planned for this town.

No one else wished to be heard. Councilman Kelly introduced a motion to close the meeting to the public. Second by Councilman Murphy and approved upon unanimous voice vote.

5. Administrator Smeltzer called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of March 15, 2011.

A. Councilman Murphy moved to approve this Ordinance upon Second Reading.

BOND ORDINANCE NO. 6-2011

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF
\$380,000 FOR THE ACQUISITION OF FIRE
APPARATUS FOR AND BY THE BOROUGH OF SEA
BRIGHT IN THE COUNTY OF MONMOUTH, NEW JERSEY**

**AND, AUTHORIZING THE ISSUANCE OF \$361,000
BONDS OR NOTES OF THE BOROUGH FOR FINANCING
PART OF THE APPROPRIATION.**

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Sea Bright, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$380,000, such sum includes the sum of \$19,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$361,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$361,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for the acquisition of a rescue/pumper multi-purpose fire apparatus, including all necessary equipment and supplies.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$361,000.

(c) The estimated cost of the Improvements is \$380,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the

provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$361,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefore by this Bond Ordinance. Any such funds received may,

and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$361,000.

SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its adoption, passage and publication according to law and moved the Public Hearing to be held. Second by Councilman LoBiondo and approved by the following vote:
Ayes: Bills, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Keeler

There being no members of the Public who wished to be heard a motion to close the Public Hearing was made by Councilman Murphy. Second by Councilman Kelly and approved by the following vote:
Ayes: Bills, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Keeler

Councilman Murphy made a motion to approve Ordinance No. 6-2011 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Long and approved upon the following vote:
Ayes: Bills, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Keeler

Administrator Smeltzer called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of March 15, 2011.

B. Councilman Murphy moved to approve this Ordinance upon Second Reading.

BOND ORDINANCE NO. 7-2011

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$500,000 FOR THE IMPROVEMENTS TO MUNICIPAL FACILITIES AND DEVELOPMENT OF NEW MUNICIPAL FACILITIES FOR AND BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Sea Bright, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$500,000, such sum includes the sum of \$25,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$475,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$475,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for the improvements to municipal facilities and development of new municipal facilities, including renovations to the police, fire, emergency management system, Department of Public Works, parking and other facilities, and construction of a pool facility, including all work and materials necessary therefor and incidental thereto, and as shown on and in accordance with the plans and specifications on file with the Borough Clerk.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$475,000.

(c) The estimated cost of the Improvements is \$500,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local

Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$475,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$475,000.

SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its adoption, passage and publication according to law and moved the Public Hearing to be held. Second by Councilwoman Bills and approved by the following vote:
Ayes: Bills, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Keeler

There being no members of the Public who wished to be heard a motion to close the Public Hearing was made by Councilman

Murphy. Second by Councilwoman Long and approved by the following vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

Councilman Murphy made a motion to approve Ordinance No. 7-2011 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Long and approved upon the following vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

Administrator Smeltzer called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of March 15, 2011.

C. Councilman Murphy moved to approve this Ordinance upon Second Reading.

BOND ORDINANCE 8-2011

**BOND ORDINANCE AMENDING BOND ORDINANCE
NUMBER 20-2005 FINALLY ADOPTED BY THE
BOROUGH COUNCIL OF THE BOROUGH OF SEA
BRIGHT, NEW JERSEY ON NOVEMBER 1, 2005**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1: The Bond Ordinance of the Borough Council of the Borough of Sea Bright, in the County of Monmouth, New Jersey (the "Borough") entitled "Bond Ordinance Providing For The Sand Replenishment Project, Appropriating \$340,000 Therefor And Authorizing the Issuance of \$323,000 Bonds and Notes to finance a Portion Of The Costs Thereof, Authorized In And By The Borough Of Sea Bright, In The County Of Monmouth, New Jersey" finally adopted on November 1, 2005 (the "Ordinance") is hereby incorporated by reference in its entirety.

SECTION 2: Section 3(a) of the Ordinance is amended in its entirety as follows:

"(a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the Sand Replenishment Project as the local share of a joint project conducted by NJDEP, the Army Corps of Engineers and Monmouth County, and public access amenities which may include: (1) amenities that facilitate access to the beach by handicapped individuals (e.g., construction of handicapped-accessible walkways, provision of beach wheelchairs); (2) provision of additional parking within the Borough; (3) construction of additional facilities to make beach badges available other than at the municipal beach and the municipal parking lot; (4) public portions of beach structures and facilities for life guard and rescue personnel, public lockers, restroom facilities, and public showers; (5)

a public swimming facility/pool with changing rooms and lockers; and (6) public access ways, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough."

The Ordinance is hereby further amended by deleting the reference to "\$10,000" for expenses permitted under Section 20 of the Local Bond Law and substituting in lieu therefor "\$250,000".

SECTION 3: The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

SECTION 4: This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$323,000. All other provisions of the Ordinance shall remain unchanged.

SECTION 5: This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its adoption, passage and publication according to law and moved the Public Hearing to be held. Second by Councilwoman Long and approved by the following vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

There being no members of the Public who wished to be heard a motion to close the Public Hearing was made by Councilman Murphy. Second by Councilwoman Long and approved by the following vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

Councilman Murphy made a motion to approve Ordinance No. 8-2011 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Long and approved upon the following vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

Administrator Smeltzer called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of March 15, 2011.

D. Councilman Murphy moved to approve this Ordinance upon Second Reading.

ORDINANCE NO. 9-2011
BOROUGH OF SEA BRIGHT
AN ORDINANCE PROVIDING FUNDING FOR STRUCTURE
ELEVATION PROJECT FOR THE BOROUGH OF SEA
BRIGHT AND APPROPRIATING \$250,000 FOR SUCH
PURPOSE.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Sea Bright, in the County of Monmouth, New Jersey, authorizes the elevation of a structure located at 8 Center Street, Block 9, Lot 15 in the Borough of Sea Bright to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$250,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount is to be funded from a grant from Federal Emergency Management Agency in the amount of \$216,936, from the owner of the property located at 8 Center Street in the amount of \$24,104 and from the Capital Improvement Fund in the amount of \$8,960.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Sea Bright may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its adoption, passage and publication according to law and moved the Public Hearing to be held. Second by Councilman LoBiondo and approved by the following vote:
Ayes: Bills, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Keeler

There being no members of the Public who wished to be heard a motion to close the Public Hearing was made by Councilman Murphy. Second by Councilwoman Long and approved by the following vote:
Ayes: Bills, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Keeler

Councilman Murphy made a motion to approve Ordinance No. 9-2011 on its Third and Final Reading and advertise it according to law. Second by Councilman Kelly and approved upon the following vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

E. Administrator Smeltzer read by title only and Councilman Murphy introduced an Ordinance entitled.

ORDINANCE NO. 10-2011
AN ORDINANCE AMENDING CHAPTER 140 MERCANTILE LICENSES
ARTICLE III MISCELLANEOUS
SECTION 140-10 PARAGRAPH D SCHEDULE OF FEES AND
SECTION 140-13 NUMBER OF TAXICAB LICENSES
OF THE CODE OF THE BOROUGH OF SEA BRIGHT

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on April 12, 2011. Second by Councilman Murphy and approved upon the following vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

6. CONSENT AGENDA: A Certification of Funds supports any items requiring expenditure; any items requiring discussion will be removed from the Consent Agenda:

Item A, the Bill Resolution was removed from the Consent Agenda.

B. MINUTES:

Councilwoman Bills introduced a motion adopting the March 7, 2011 Budget Workshop Minutes. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

Councilwoman Bills introduced a motion adopting the March 15, 2011 Council Meeting Minutes. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

Councilwoman Bills introduced a motion adopting the March 24, 2011 Smart Growth Workshop Minutes. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

C. Councilwoman Bills introduced and offered the following resolution for adoption:

BOROUGH OF SEA BRIGHT
RESOLUTION NO. 77-2011

WHEREAS, the Finance Manager has indicated that the unused Planning Board escrow monies shall be refunded to:

APPLICANT	REFUND
1. Sofia Homes, LLC 24 Beach Street	\$250.00
2. Linda O'Mara 6 West Front Street	\$297.18

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize the unused Planning Board escrow monies be refunded.

Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

D. Councilwoman Bills introduced and offered for adoption the following resolution:

**RESOLUTION NO. 78-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, pursuant to a special use permit between Department of Environment Protection and the Borough of Sea Bright for the Borough use of New Jersey State owned property known as Anchorage Beach public access location. The Borough of Sea Bright will provide 150 daily beach badges during the period of public access beach closure for the July 4th fireworks display from July 3rd through July 4th (an additional 75 daily beach badges on July 5th if a rain date is needed) on a first come first serve basis.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Sea Bright, Monmouth County, New Jersey, that the issuance of said beach badges are hereby authorized.

Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

E. Councilwoman Bills introduced a motion approving the request for two beach badge donations from Henry Hudson school, Highlands. Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

F. Councilwoman Bills introduced a motion approving the request for two beach badge donations from Carpenter School, Old Bridge. Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

G. Councilwoman Bills introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 81-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need in the Department of Public Works for a full-time public works maintenance person.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following person be appointed and receive the rate of pay as specified below April 15, 2011:

<u>PUBLIC WORKS MAINTENANCE PERSON FULL TIME</u>	<u>SALARY</u>
Joseph Eskridge	\$25,000.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available in DPW Salaries & Wages for the purpose stated herein.

MICHAEL J. BASCOM, CFO

Second by Councilwoman Long and adopted upon the following roll call vote:

AYES: Bills, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSENT: Keeler

ABSTAIN: None

H. Councilwoman Bills introduced and offered for adoption the following resolution:

RESOLUTION NO. 82-2011
AUTHORIZING RETURN OF
PERFORMANCE AND MAINTENANCE BONDS
TO JESSE A. HOWLAND & SONS, INC.
FOR BLOCK 13 LOT 14

WHEREAS, The Jesse A. Howland & Sons, Inc. posted on January 11, 2008 a performance surety bond from Hartford Fire Insurance Company (Bond No. 13BCSEX4715) in the amount of \$35,694.00 and posted a two year maintenance bond (Bond No. 13BCSEX4715-M) on February 1, 2009 in the amount of \$4,957.50 for the property known as Block 13, Lot 14, 50 Church Street for on-site improvements on said property; and,

WHEREAS, David Hoder, P.E. of Maser Consulting has made the required final inspection of said property and recommends that the performance surety bond from Hartford Fire Insurance Company (Bond No. 13BCSEX4715) in the amount of \$35,694.00 and the two year maintenance bond (Bond No. 13BCSEX4715) the amount of \$4,957.50 be released and returned; and,

NOW, THEREFORE, BE IT RESOLVED, that the authorization is granted by the Mayor and Council of the Borough of Sea Bright to release and return the performance surety bond from Hartford Fire Insurance Company (Bond No. 13BCSEX4715) in the amount of \$35,694.00 and the two year maintenance bond (Bond No. 13BCSEX4715) the amount of \$4,957.50 to the attention of Nora Rodriguez, Hartford Fire Insurance Company, 100 Enterprise Drive, Rockaway, New Jersey, 07866 by certified mail, return, receipt, requested.

Second by Councilwoman Long and adopted upon the following roll call vote:

AYES: Bills, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSENT: Keeler

ABSTAIN: None

I. Councilwoman Bills introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 84-2011
AUTHORIZING THE PUBLIC DISPLAY OF FIREWORKS
BOROUGH OF SEA BRIGHT**

WHEREAS, pursuant to the New Jersey Uniform Fire Code, NJAC 5:70-3,3301 .2.4.3. the Mayor and Council of the Borough of Sea Bright hereby authorize the public display of fireworks on July 4, 2011 with a rain date of July 5, 2011; and

WHEREAS, there is also a need for a municipal official to be in charge of the July 4, 2011 fireworks display which would include, but not be limited to having the authority to state what areas in the municipal lot and beach are to be closed off in accordance with fire safety regulations and when the fireworks should be started or postponed and said official shall be the **FIRE OFFICIAL**.

NOW, THEREFORE, BE IT RESOLVED, that the public display of fireworks is hereby authorized by the Governing Body of Sea Bright to be held on July 4, 2011 with a rain date of July 5, 2011.

BE IT FURTHER RESOLVED that the Type 3ii Fireworks Display Permit Fee in the sum of \$331.00 shall be waived in this case.

BE IT FURTHER RESOLVED that the Fire Official and Borough Clerk shall insure that all applicable regulations are enforced, all required permits are obtained and all necessary insurance documents filed.

Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

Mayor Fernandes said the Scarinci and Hollenbeck failed to file a dismissal on a tax appeal and charged us for their work in the amount of \$796.53. and this amount should be deducted from the bill resolution.

A. Councilman Murphy introduced and approved for adoption the following:

**RESOLUTION NO.76-2011
PAYMENT OF BILLS 04-05-2011**

WHEREAS, the following listed vouchers have been audited and found to be correct.

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$ 969,482.56 are to be paid; and

BE IT FURTHER RESOLVED, that proper Officers are hereby authorized to execute and issue warrants for payments of said vouchers, but only if and when conditions of the Borough Treasury shall permit, and the said vouchers be approved by the proper Committees.

00820	APOLLO SEWER		
11-00304	03/07/11 SEWER-REPAIR SEWER MAIN	Open	475.00
00384	AT & T MOBILITY		
11-00380	03/25/11 DPW-MAR 2011 CELL BILL	Open	115.37
01241	BAIN'S HARDWARE, INC.		
11-00294	03/03/11 FEB 2011 PURCHASES	Open	500.48
01631	BOROUGH OF OCEANPORT		
11-00257	02/23/11 COURT SHARED SERVICES:APR 2011	Open	6,503.34
00627	BOROUGH OF RUMSON		
10-01171	09/28/10 POLICE-BLANKET:VEHICLE MAINT	Open	270.00
10-01249	10/19/10 PROCEEDS FROM JOINT OEM GRANT	Ope	9,987.69

10-01435	12/06/10	FIRE DEPT-REPAIRS:ASST CHIEF	Open	45.00	
11-00151	02/07/11	DPW-(2) TONS SALT	Open	143.20	

				10,445.89	
01249		BRANAGAN, SUZANNE			
11-00335	03/15/11	MUNI CLERK-3/8 & 3/11/11 TRAV	Open	34.68	
11-00385	03/28/11	MUNI CLERK-3/25/11 TRAVEL	Open	59.16	

				93.84	00530
BULLET LOCK & SAFE CO., INC.					
11-00307	03/07/11	BLDGS/GRNDS-REPAIR LOCK	Open	85.00	
01546		C.I.T. TECHNOLOGY FIN SERV, INC			
11-00061	01/21/11	POLICE DEPT-2011 COPIER LEASE	Open	147.72	
01358		CAMPBELL SUPPLY CO., L.L.C.			
10-01185	09/30/10	FIRE DEPT-4376 BRAKE REPAIR	Open	1,821.60	
00063		CHESAPEAKE EXTERMINATING CO.			
11-00348	03/16/11	BLDGS/GRNDS-JAN/FEB'11 EXTERM	Open	60.00	
00249		CLARK, DOUGLAS			
11-00376	03/23/11	DPW-REIMB:WINTER COAT	Open	131.62	
00198		COMCAST			
11-00355	03/17/11	POLICE DEPT-INTERNET:MAR 2011	Open	95.17	
11-00390	03/28/11	LIBRARY-INTERNET:MAR 2011	Open	100.12	

				195.29	
00091		DIGIROLAMO, LOUIS			
11-00277	03/01/11	2011 PYMT 04/12 HEALTH REIMB	Open	2,141.70	
01431		DIRECT TITLE			
11-00185	02/10/11	A&E-TITLE SEARCH:EASEMENT	Open	350.00	
01466		EAST COAST FLAG & BANNER, INC.			
11-00303	03/07/11	A&E-(12) 3'x 5' AMERICAN FLAGS	Open	177.60	
00126		EASTERN SURPLUS & EQUIPMENT CO			
10-01333	11/04/10	OEM-FUEL FILTERS & SWITCH	Open	113.00	
01754		EDMUNDS & ASSOCIATES, INC.			
10-01179	09/30/10	MUNI CLERK-(6) BACK-UP TAPES	Open	68.45	
01242		EMERALD ISLE FLOWERS & GIFTS			
11-00321	03/11/11	A&E-FLOWERS:MORRIS FAMILY	Open	84.95	
00333		GARAVENTA, DEBORAH			
11-00350	03/17/11	IT SERVICES:2/7-3/10/11	Open	662.09	
02181		GATEWAY PRESS			
11-00065	01/21/11	POLICE-PARKING PERMITS	Open	505.00	
00979		GIBBONS, P.C.			
11-00357	03/17/11	PREPARE BOND ORD 5-2011	Open	400.87	
01194		GLENCO SUPPLY, INC.			
11-00225	02/18/11	DPW-CHANNEL POSTS	Open	250.00	
01657		GOWAN, KERRY			
11-00386	03/28/11	POLICE DEPT-3/16/11 MATRON	Open	12.00	
01887		HEIM ELECTRONICS, INC.			
11-00364	03/21/11	BLDGS/GRNDS-RESET FIRE ALARM	Open	85.00	
01685		HILSEN TERMITE & PEST			
11-00284	03/01/11	BLDGS/GRNDS-TERMITE TREATMENT	Open	588.00	
00435		IMPACT TECHNOLOGY			
11-00263	02/28/11	COURT-SERV CONTRACT:VIDEO CONF	Open	1,140.00	
01286		INDUSTRIAL MARINE			
11-00359	03/17/11	REIMB:JAN & FEB 2011 ELECTRIC	Open	602.02	
01227		INNOVATIVE DATA SOLUTIONS, INC.			
11-00316	03/10/11	POLICE DEPT-DMS TRAINING SYSTM	Open	2,500.00	
01526		JCP & L			
11-00368	03/21/11	FEB 2011 ELECTRIC SERVICE	Open	9,551.90	
00297		JESSE A. HOWLAND & SONS, INC.			
11-00273	03/01/11	GARAGE RENT - APR 2011	Open	1,772.00	
11-00274	03/01/11	DPW-ADDT'L GARAGE RENT-APR'11	Open	893.00	
00270		JOHNSON, KENNETH			
11-00280	03/01/11	2011 PYMT 04/12 HEALTH REIMB	Open	1,024.69	
00443		KLINE, GEORGE			
11-00206	02/14/11	FIRE DEPT-GEAR & HARNESS	Open	4,440.76	
00104		LORAY, ROBERT			
11-00276	03/01/11	2011 PYMT 04/12 HEALTH REIMB	Open	1,300.25	
00161		LOU'S UNIFORMS, INC.			
11-00207	02/14/11	DPW-PANTS	Open	50.00	
01562		MACK, WILLIAM			
11-00322	03/14/11	2011 BEACH SEASON CHANGE FUND	Open	4,000.00	
01900		MCKENNA, DUPONT, HIGGINS &			
11-00382	03/25/11	P/L BOARD-FEB 2011	Open	420.00	
00106		MGL FORMS-SYSTEMS, LLC			
11-00214	02/15/11	FINANCE-1000 A/P CHECKS	Open	265.00	

01985	MOBILE MINI, INC.		
11-00388	03/28/11 POLICE-TRAILER 2011 PYMT 04/13	Open	278.00
00011	MONMOUTH COUNTY CLERK		
11-00289	03/03/11 MUNI CLERK-ANNUAL STORAGE FEE	Open	1,200.00
00140	MOORE, WILLIAM		
11-00278	03/01/11 2011 PYMT 04/12 HEALTH REIMB	Open	2,141.70
00137	MUNICIPAL CAPITAL CORPORATION		
11-00059	01/21/11 A&E-2011 COPIER LEASE	Open	225.20
00283	MUNICIPAL EMERGENCY SERV, INC.		
10-01220	10/15/10 OEM-PARKAS & POLO SHIRTS	Open	1,522.50
00433	NATIONAL ENTERTAINMENT		
11-00224	02/17/11 REC-TOY/CANDY EGGS FOR HUNT	Open	480.00
00019	NJ AMERICAN WATER		
11-00366	03/21/11 FEB 2011 WATER UTILITY	Open	219.39
01629	NJRHS COMMERCIAL SERVICES		
10-00342	03/18/10 BLDGS/GRNDS-PREVENTATIVE MAINT	Open	218.00
01309	OCEANPORT BOARD OF EDUCATION		
11-00272	03/01/11 GRADE SCHOOL TAX - APR 2011	Open	77,253.65
00242	OLD SCHOOL BASKETBALL		
11-00372	03/23/11 REC-B/BALL CLINIC:3/18-4/22/11	Open	360.00
00158	PITNEY BOWES CREDIT CORP.		
11-00356	03/17/11 A&E-2011 METER RENTAL + MAINT	Open	384.00
00164	RAIN, WILLIAM		
11-00279	03/01/11 2011 PYMT 04/12 HEALTH REIMB	Open	863.57
00165	RED BANK REGIONAL SOURCE		
11-00311	03/08/11 REFUND:RAFFLE LICENSE OVERPYMT	Open	20.00
00991	SANDERS, JOHN		
11-00396	03/28/11 FIRE DEPT-REIMB:SHIELD & BATT	Open	55.40
00788	SCARINCI & HOLLENBECK, LLC		
11-00137	02/02/11 LEGAL-2011 RETAINER	Open	416.67
11-00352	03/17/11 LEGAL SERVICES:FEB 2011	Open	4,034.47

			4451.14
00477	SEAPORT BUILDERS, LLC		
11-00001	01/21/11 EMERGENCY REPAIRS-BOROUGH HALL	Open	49,063.78
00053	SHORE REGIONAL HIGH SCHOOL		
11-00269	03/01/11 HIGH SCHOOL TAX - APR 2011	Open	164,304.00
00975	SMACK, EDWARD		
11-00281	03/01/11 2011 PYMT 04/12 HEALTH REIMB	Open	863.57
00124	SPAHR, STEVEN		
11-00275	03/01/11 2011 PYMT 04/12 HEALTH REIMB	Open	2,141.70
01328	STAPLE BUSINESS ADVANTAGE		
11-00283	03/01/11 OFFICE SUPPLIES	Open	291.25
00285	STAPLE'S ADVANTAGE		
11-00085	01/25/11 POLICE DEPT-OFFICE SUPPLIES	Open	164.65
11-00301	03/07/11 POLICE DEPT-OFFICE SUPPLIES	Open	214.02

			378.67
01742	STATE TREASURER		
11-00383	03/28/11 MUNI CLERK-FEE:RENEW CERT	Open	50.00
01280	STATE TREASURER		
11-00384	03/28/11 MUNI CLERK-NOTARY PUBLIC FEE	Open	25.00
00083	T & M ASSOCIATES		
10-00302	03/08/10 PLANNING SERVICES	Open	687.50
10-00624	05/18/10 IMPROV:NORMANDIE PL/BEACH WAY	Open	54.33
10-00962	08/10/10 BORO HALL-SITE PLAN LAYOUT	Open	21.07
10-00963	08/10/10 TIDELAND LICENSE-NORMANDIE/BEA	Open	751.87
11-00134	02/02/11 SANITARY SEWER LINE REPAIRS	Open	1,472.62
11-00135	02/02/11 EASEMENTS FOR NORMANDIE PLACE	Open	74.54
11-00136	02/02/11 ENGINEERING-2011 RETAINER	Open	250.00
11-00369	03/21/11 ENGINEERING-2/2-2/4/11 MISC	Open	378.36
11-00370	03/21/11 ENGINEERING-2/15,2/17/11 DPW	Open	250.00
11-00397	03/29/11 EMERGENCY REPAIRS-BORO HALL	Open	1,762.75

			5,703.04
01285	THE HOME DEPOT		
11-00198	02/10/11 BLDGS/GRNDS-BLANKET:MISC SUPP	Open	132.16
00814	THE JERSEY SHORE PARTNERSHIP		
11-00399	03/29/11 A&E - 2011 MEMBERSHIP DUES	Open	100.00
00316	TREASURER, COUNTY OF MONMOUTH		
11-00291	03/03/11 POLICE-2011 MOCERT ASSESSMENT	Open	1,000.00
00331	TREASURER, STATE OF NJ		
11-00361	03/21/11 DPW-FY2011 POLLUTANT DISCHARGE	Open	1,050.00
02114	TWO RIVERS WATER RECLAMATION		
11-00319	03/10/11 2011 PYMT 2/4 SEWER CHARGE	Open	93,070.75

01960	VERIZON		
	11-00351	03/17/11 LOCAL/LONG DISTANCE:FEB 2011	Open 1,706.00
01020	VERIZON COMMUNICATIONS		
	11-00367	03/21/11 DPW-DSL INTERNET:FEB 2011	Open 49.99
02061	VERIZON WIRELESS		
	11-00345	03/16/11 BLDG/FIRE/COURT:MAR 2011 BILL	Open 80.48
	11-00347	03/16/11 FIRE DEPT-MDT:MAR 2011	Open 40.01
	11-00381	03/25/11 POLICE-MAR 2011 CELL & MDT	Open 776.04

			896.53
01150	W.W. GRAINGER, INC.		
	11-00315	03/10/11 DPW-SAFETY VESTS	Open 73.04
	11-00342	03/15/11 SEWER-REPLACEMENT WALL CAP	Open 91.76

			164.80
02177	WALSH, JOAN		
	11-00362	03/21/11 LIBRARY-REIMB:COMPUTER MOUSE	Open 68.50
01164	WATCHUNG SPRING WATER CO, INC.		
	11-00365	03/21/11 MAR 2011 SPRING WATER	Open 276.96
01552	YARY PHOTOGRAPHY		
	10-01009	08/16/10 BEACH-LIFEGUARD PICTURES	Open 400.00
01557	ZIMMERER, MARK A.		
	11-00363	03/21/11 TAX ASSESSOR-RUN NEW CABLE	Open 248.00
	Boro Of Sea Bright Payroll A/C (3/15/11 Payroll)		76,182.82
	Boro Of Sea Bright Payroll A/C (3/30/11 Payroll)		75,931.04
	Lynn, Eric (Escrow Refund)		274.48
	McKenna, Dupont, Higgins & Stone (Escrow)		200.00
	NJSHBP (February 2011)		25,097.60
	O'Mara, Linda (Escrow Refund)		297.18
	State Of NJ Div Of Pensions (PERS)		83,655.00
	State Of NJ Div Of Pensions (PFRS)		241,290.00
	T & M Associates (Escrow)		715.44
	U.S. Postal Service (Postage:Sewer Billing)		<u>208.32</u>
	Total		\$969,482.56

Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

J. Councilwoman Bills introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 84-2011
AUTHORIZING THE PUBLIC DISPLAY OF FIREWORKS
BOROUGH OF SEA BRIGHT**

WHEREAS, pursuant to the New Jersey Uniform Fire Code, NJAC 5:70-3,3301 .2.4.3. the Mayor and Council of the Borough of Sea Bright hereby authorize the public display of fireworks on July 4, 2011 with a rain date of July 5, 2011; and

WHEREAS, there is also a need for a municipal official to be in charge of the July 4, 2011 fireworks display which would include, but not be limited to having the authority to state what areas in the municipal lot and beach are to be closed off in accordance with fire safety regulations and when the fireworks should be started or postponed and said official shall be the **FIRE OFFICIAL**.

NOW, THEREFORE, BE IT RESOLVED, that the public display of fireworks is hereby authorized by the Governing Body of Sea Bright to be held on July 4, 2011 with a rain date of July 5, 2011.

BE IT FURTHER RESOLVED that the Type 3ii Fireworks Display Permit Fee in the sum of \$331.00 shall be waived in this case.

BE IT FURTHER RESOLVED that the Fire Official and Borough Clerk shall insure that all applicable regulations are enforced, all required permits are obtained and all necessary insurance documents filed.

Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

K. Councilwoman Long introduced and offered for adoption the following resolution:

**RESOLUTION NO.86-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, the Sea Bright Governing Body wish to donate two 2011 beach badges to Henry Hudson Regional, 1 Grand Tour, Highlands N.J.07732 for April 9th fundraiser; and

WHEREAS, the borough auditor has been informed and advised that a resolution should be passed to donate the two badges.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council authorize the donation of two 2011 beach badges to Henry Hudson Regional, 1 Grand Tour, Highlands N.J.07732 for April 9th fundraiser; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Beach Director.

Second by Councilman Murphy and adopted upon the following roll call vote:

AYES: Bills, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSENT: Keeler

ABSTAIN: None

L. Councilman Murphy introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 87-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T&M Associates to add a \$30,000 change order to the Normandie and Beachway project to include the repair of potholes by Precise Construction in the Municipal parking lot ; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T&M Associates in an amount not to exceed \$1,800.00 for pothole repair inspection, meeting with Precise Construction for the change order and pavement repair mark out.

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Bond Ordinance 7-2004 for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

Second by Councilwoman Bills and adopted upon the following roll call vote:

AYES: Bills, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSENT: Keeler

ABSTAIN: None

Mayor Fernandes said that this is overly expensive. She spoke with DPW Director Bahrle who said that his department could do the work and would not cost the town that much money.

M. Councilman Murphy introduced and offered for adoption the following resolution:

**RESOLUTION NO. 88-2011
BOROUGH OF SEA BRIGHT
AMENDING RESOLUTION NO. 38-2011
CHANGE ORDER NO. 1
RECONSTRUCTION OF NORMANDIE PLACE AND BEACHWAY**

WHEREAS, a change order is required to the original contract for the Reconstruction of Normandie Place and Beachway. The description for this change order is \$30,000 for the pothole repair to the Municipal Parking lot. The Change Order dated April 5, 2011 prepared by Jaclyn J. Flor of T&M Associates **increases** the original contract amount from \$299,610.00 to \$329,610.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright that the contract for the Reconstruction of Normandie Place and Beachway which was previously awarded to:

**Precise Construction Inc.
1016 Highway 35
Freehold, NJ 07728**

on February 1, 2011 be amended and a change order be allowed for an **increase** in the amount of \$ 30,000.00. The adjusted contract amount is \$329,610.00.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Bond Ordinance 7-2004 for the purpose stated herein.

MICHAEL J. BASCOM, CFO

Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Keeler

7. OLD BUSINESS:

A. DISCUSSION: - T&M letters dated April 6, 2010 and February 15, 2011 regarding Municipal Facilities Smart Growth Plan - Mayor Fernandes said that this was unfortunate that the Council did not pick up the mistake of the X on the plan, which signified that the library was going to be torn down. She said that papers were given to her at the last minute before the March 1st Council meeting by Borough Engineer Flor. There was no time to review such information before the meeting. She asked the council during that meeting to wait on their vote for the plans because no one had time to absorb the information. The Council said that this was an oversight and an accident.

The new plan will be on for a vote at the April 19th council meeting, after the Governing Body has reviewed it.

8. NEW BUSINESS:

A. Councilman LoBiondo introduced a motion approving the request from SBFD to conduct a vehicle extrication drill - April 18th at the municipal parking lot. Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long
Nays: None
Abstain: Murphy
Absent: Keeler

B. Councilman Murphy introduced and offered for adoption the following resolution:

RESOLUTION NO. 79-2011
BOROUGH OF SEA BRIGHT

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1343-33-012-006, heretofore issued to Stephen Grulich, Inc. T/A Ichabods for premises located at 1 East Church Street, Sea Bright, NJ; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW, THEREFORE, BE IT RESOLVED that the Sea Bright Governing Body does hereby approve, effective April 5, 2011 the transfer of the aforesaid Plenary Retail Consumption License to Woody's Ocean Grille, LLC and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: **"This license, subject to all its terms and conditions, is hereby transferred to Woody's Ocean Grille, LLC, effective April 5, 2011."**

Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler

C. Councilman Kelly introduced and offered for adoption the following Resolution:

RESOLUTION NO. 80-2011
BOROUGH OF SEA BRIGHT

WHEREAS, there exists a need for additional Police personnel pursuant to a letter received from Chief John Sorrentino.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following person be appointed and receive the hourly rate of pay as specified below effective April 1, 2011:

<u>DISPATCHER</u>	<u>HOURLY RATE</u>
Richard A. Frascati	\$8.00

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available in Dispatcher/Police Salaries & Wages

MICHAEL J. BASCOM, CFO

Second by Councilman LoBiondo and adopted upon the following roll call vote:

Ayes: Bills, Kelly, LoBiondo, Long

Nays: None

Abstain: Murphy

Absent: Keeler

D. Councilwoman Bills introduced and offered for adoption the following resolution:

**RESOLUTION NO.83-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, a New Jersey Department of Transportation investigation was done to determine the need for two (2) Handicapped Parking spaces pursuant to N.J.S.A. 39:4-197.5 along Route 36 (Ocean Avenue) in front of the Sea Bright First United Methodist Church in the Borough of Sea Bright, County of Monmouth, State of New Jersey; and

WHEREAS, NJDOT has completed their investigation and based upon their findings support the request for the Handicapped Parking spaces.

NOW, THEREFORE, BE IT RESOLVED that the Sea Bright Governing Body hereby support the findings done by NJDOT for two (2) Handicapped Parking spaces on Route 36 (Ocean Avenue) in front of the Sea Bright First United Methodist Church as follows:

HANDICAPPED PARKING ON STREETS:

In accordance with the provisions of N.J.S.A. 39:4-197.5, the following street locations are designated as handicapped parking spaces. Such spaces are for use by persons who have been issued special identification cards, plates, or placards by the New Jersey Division of Motor Vehicles, or a temporary placard issued by the Sea Bright Chief of Police. No other person shall be permitted to park in these spaces.

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Route NJ 36 (Ocean Avenue)	West	Beginning at a point 35 feet north of the northerly curb line of Church Street and extending to a point 44 feet north therefrom. (First two (2) spaces in front of the Sea Bright First United Methodist Church).

Parking Time Limited on Certain Street:

Name of Street:

Route NJ 36 (Ocean Avenue)

No Person shall park a vehicle for longer than the time limit, between the hours listed on any day, upon any of the streets or parts of streets described.

Along the northbound direction on the (easterly) side - Two hour time limit parking from 10:00 a.m. to 6:00 p.m. Sunday through Saturday including Holidays:

(A) Beginning at the northerly curb line of East Church Street and extending 220 feet northerly therefrom.

(B) Beginning at the prolongation of the northerly curb line of River Street and extending 555 feet northerly therefrom.

Along the southbound direction on the (westerly) side - Two hour time limit parking from 10:00 a.m. to 6:00 p.m. Sunday through Saturday including Holidays:

(A) Beginning at a point 395 feet south of the southerly curb line of Rumson Road (CR 520) to a point 79 feet north of the northerly curb line of Church Street.

(B) Beginning at the southerly curb line of Church Street to the northerly curb line of Surf Street.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to Michael E. Mihalic, Supervisor, Traffic Investigations, Bureau of Traffic Engineering & Investigations, NJDOT, P.O. Box 600, Trenton, NJ 08625-0600; to the Pastor, Sea Bright First United Methodist Church; and to the Chief, Sea Bright Police Department.

Seconded by Councilman LoBiondo and adopted upon the following roll call vote:

AYES: Bills, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSENT: Keeler

ABSTAIN: None

11. CORRESPONDENCE AND COMMUNICATIONS:

A. Monmouth County Planning board March 8, 2011 letter regarding U.S. Census counts. Administrator Smeltzer said our count went down by 400 people. She will contact the County Planning Board and work through them. Councilman Murphy introduced a motion for the Administrator to work with the County Planning Board to remedy this. Seconded by Councilman LoBiondo and adopted upon the following roll call vote:

AYES: Bills, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSENT: Keeler

ABSTAIN: None

B. Construction Department - February 2011 report

C. January 19, 2011 Monmouth County Regional Health Commission No. 1.

Mayor Fernandes said that she would like the dilapidated building report prepared by Fire Marshall Haege to be on the next agenda for discussion.

12. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. Mayor Fernandes stated that she has decided not to run for re-election for Mayor this year. She said that she feels great about this decision. She has served the Borough of Sea Bright as a Councilwoman for ten years; four years as the Mayor, sixteen years on the Planning & Zoning Board. She has served honorably, unselfishly and without conflict. She initiated and finished the sanitary sewer rehabilitation project, the downtown infrastructure improvement project (which she named DIIP), the downtown flood control project, which included the submersible

pumps, new curbs and sidewalks, replacement of various bulkheads and new roads throughout the Borough. She was instrumental with merging Sea Bright Municipal Court with Oceanport for shared services. She will finish her term on December 31, 2011 and she is extremely proud of all her accomplishments. She said that this is the right time for her to retire because she would be leaving on her own terms.

13. REMARKS FROM THE AUDIENCE (limited to 3 minutes per person)

Betty Steffer of 1187 Ocean Avenue said that the people of Sea Bright should have a voice as to whether a pool is built.

Liz Von Zegasar of 174 Ocean Avenue wished the best of luck to the Mayor and that the plans seemed to be an honest mistake.

Pat Mason of 1198 Ocean Avenue said that there is a ribbon cutting ceremony at the Highlands Bridge on May 1st. He commented that the town spent over \$30,000 for a hot patch machine and now we are hiring an outside company to fix the parking lot for \$30,000.

Mr.Henschel of 7 East Church Street said that the plans seem to suggest that the municipal complex will be on the south side of the municipal parking lot as the plans suggest.

Jo-Ann Kalaka-Adams of 1184 Ocean Avenue suggested that the permanent parking should be extended to Osborne Place.

14. ADJOURNMENT:

There being no further business before the Governing Body a motion to adjourn the meeting the meeting at 8:20 p.m. was made by Councilman Murphy. Second by Councilman LoBiondo and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer, RMC
Municipal Clerk