

Council President Keeler called the meeting to order and requested those present to join him in the Pledge of Allegiance to the Flag.

Administrator Kachmar 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: Keeler Kelly, LoBiondo, Murphy, Attorney Oxley, Engineer Flor, Chief Financial Officer Bascom, Police Chief Sorrentino, Administrator Kachmar.

ABSENT: Mayor Fernandes, Bills, Long

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

Tom Largey of Beachway said that the new tar recently laid on Beachway had been deficient because the tar was coming away from the road.

Bruno Fiabane of Tradewinds Lane inquired as to when the bonding company would agree to a settlement and when would the punch list for Tradewinds be complete. Attorney Oxley said that the bonding company has agreed to a fixed dollar amount and the punch list would be addressed as well.

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.

7A. Councilman Murphy introduced and offered the following resolution for adoption:

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 143-2011**

WHEREAS, there exists a need for the appointment of a **MUNICIPAL CLERK** in the Borough of Sea Bright, County of Monmouth, State of New Jersey; and

WHEREAS, N.J.S.A. 40A:9-133 states that the term of office of a Municipal clerk shall be three years and that the term shall be deemed to have begun as of the actual date upon which a person serving as Municipal Clerk is appointed; and

WHEREAS, **Richard M. Kachmar** has successfully completed the required five courses offered through Rutgers, The State University, and passed the required State examination administered by the Division of Local Government Services, Department of Community Affairs, and has been certified as a Registered Municipal Clerk #C-0766 in accordance with the requirements of Chapter 174, Laws of 1985.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Sea Bright that **Richard M. Kachmar** be appointed **MUNICIPAL CLERK** for a term of three (3) years effective July 1, 2011 in accordance with N.J.S.A. 40A:9-133.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None
 Abstain: None
 Absent: Bills, Long

B. OATH OF OFFICE - RICHARD M. KACHMAR, MUNICIPAL CLERK was sworn in as Sea Bright's Municipal Clerk by Deputy Borough Clerk Suzanne Branagan.

5. Administrator Kachmar called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of June 21, 2011.

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

ORDINANCE NO. 13-2011
BOROUGH OF SEA BRIGHT
AN ORDINANCE AMENDING SALARY ORDINANCE
OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES
OF THE BOROUGH OF SEA BRIGHT, MONMOUTH COUNTY, STATE OF NEW JERSEY
AND REPEALING ANY AND ALL OTHER ORDINANCES HERETOFORE ADOPTED
WHICH ARE INCONSISTENT HERewith

BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, as follows:

SECTION 1: Effective upon adoption and publication, employees of the Borough of Sea Bright having the position or title enumerated herein shall receive a rate of pay that is within the established pay ranges as set forth herein. The following salary ranges for the following officers and employees shall constitute the minimum and maximum salary, with the exact annual salary to be established by subsequent Resolution of the Mayor and Council within those limits based upon the employees' experience, abilities and education.

POSITION/TITLE	SALARY RANGE	
	MINIMUM	MAXIMUM
Borough Administrator	\$ 1,000.00	\$60,000.00
Borough Clerk/Registrar	\$ 1,000.00	\$78,500.00
Official Assessment Searcher	\$ 750.00	\$ 2,000.00
Deputy Borough Clerk	\$ 1,000.00	\$40,000.00
Administrative Assistant (full time)	\$ 1,000.00	\$40,000.00
Administrative Assistant Secretary (part-time hourly)	\$ 12.00	\$ 20.00
Borough Administrative Assistant, Construction Department Secretary, Technical Assistant	\$ 1,000.00	\$45,000.00
Tax Collector	\$ 1,000.00	\$75,000.00
Sewer Collector	\$ 1,000.00	\$40,000.00
Official Tax Searcher	\$ 750.00	\$ 2,000.00
Board of Health Secretary	\$ 750.00	\$ 2,000.00
Chief Financial Officer	\$ 1,000.00	\$30,000.00
Bookkeeper/Fiscal Officer (hourly)	\$ 15.00	\$ 30.00
Finance Manager	\$ 1,000.00	\$60,000.00
Payroll-Accounts Payable Clerk	\$ 1,000.00	\$40,000.00
Tax Assessor	\$ 1,000.00	\$25,000.00
Deputy Registrar	\$ 100.00	\$ 500.00
Library/Cultural Arts Director	\$ 1,000.00	\$20,000.00
Library/Cultural Arts Director (hourly)	\$ 12.00	\$ 25.00
Library/Cultural Arts Assistant (hourly)	\$ 7.25	\$ 15.00
Recreation Administrator	\$ 1,000.00	\$ 7,200.00
Recreation Coach (hourly)	\$ 7.25	\$ 10.00
Recreation Director	\$ 1,000.00	\$15,000.00
Recreation Assistant (hourly)	\$ 7.25	\$ 10.00
Beach Recreation Director	\$ 1,000.00	\$20,000.00
Planning/Zoning Board Secretary (part-time)	\$ 1,000.00	\$ 9,500.00
Attorney (casual-hourly)	\$ 75.00	\$ 200.00

Municipal Court Judge	\$ 1,000.00	\$31,000.00
Prosecutor	\$ 1,000.00	\$25,000.00
Alternate Prosecutor (per appearance)	\$ 100.00	\$ 500.00
Public Defender	\$ 1,000.00	\$ 7,500.00
Municipal Court Administrator	\$ 1,000.00	\$48,000.00
Deputy Court Administrator	\$ 1,000.00	\$35,000.00
Deputy Court Administrator (hourly)	\$ 10.00	\$ 20.00
Municipal Court Assistant (part-time hourly)	\$ 7.25	\$ 12.00
Construction Official/Building Inspector (part-time)	\$ 1,000.00	\$ 15,000.00
Fire Official/Fire Marshal (part-time)	\$ 1,000.00	\$ 10,000.00
Fire Sub-Code Official (part-time)	\$ 1,000.00	\$ 7,500.00
Zoning Officer/Assistant Code Enforcement Official (part-time)	\$ 1,000.00	\$ 7,500.00
Plumbing Inspector (part-time)	\$ 1,000.00	\$ 7,500.00
Electrical Inspector (part-time)	\$ 1,000.00	\$ 7,500.00
Code Enforcement Officer/Housing Inspector,	\$ 1,000.00	\$ 10,000.00
Assistant Code Enforcement Official	\$ 1000.00	\$ 3000.00
Construction Dept. Secretary- Technical Assistant (hourly)	\$ 8.00	\$ 26.00
Planner (part-time) yearly retainer	\$ 1,000.00	\$ 2,000.00
Planner (part-time) hourly	\$ 55.00	\$ 75.00
Chief of Police	\$ 1,000.00	\$110,000.00
Dispatcher (hourly)	\$ 7.25	\$ 12.00
Senior Police Dispatcher	\$ 7.25	\$ 15.00
Special Police Officers First Class (hourly)	\$ 7.25	\$ 12.00
Special Police Officers Second Class (hourly)	\$ 8.00	\$ 15.00
Special Officer - Class A (part-time hourly)	\$ 10.00	\$ 30.00
Police Matron (casual-hourly) 2 hour minimum per call	\$ 7.25	\$ 10.00
Clerk/Dispatcher	\$ 1,000.00	\$ 57,000.00
School Crossing Guards (hourly)	\$ 7.25	\$ 10.00
Emergency Management Coordinator	\$ 500.00	\$ 4,000.00
Emergency Management Assistant Coordinator (hourly)	\$ 10.00	\$ 15.00
Fire Drivers (per year)	\$ 110.00	
Director of Public Works	\$ 1,000.00	\$ 82,000.00
Superintendent of Boro Maintenance- Recycling Coordinator	\$ 1,000.00	\$ 63,000.00
Certified Principal Public Works Manager	\$ 1,000.00	\$ 3,000.00
Public Works Maintenance Persons	\$ 1,000.00	\$ 35,000.00
C-1 Collection System Operator (Alternate-Hourly as needed)	\$ 7.25	\$ 75.00
Beach Maintenance Supervisor	\$ 1,000.00	\$ 25,000.00
Beach Administrator	\$ 1,000.00	\$ 20,000.00
Water Safety Director	\$ 1,000.00	\$ 25,000.00
Lifeguard Officers (hourly)	\$ 10.00	\$ 15.00
Lifeguards (hourly)	\$ 7.25	\$ 15.00
Assistant Beach Manager (hourly)	\$ 9.00	\$ 12.00
Beach Office Attendants (hourly)	\$ 7.25	\$ 13.00
Beach Cleaner (part-time hourly)	\$ 7.25	\$ 15.00
Gate Attendants (hourly)	\$ 7.25	\$ 12.00
Public Building Custodian (hourly)	\$ 7.25	\$ 12.00
Casual Employees/Maintenance (hourly)	\$ 7.25	\$ 15.00
Casual Employees/Office (hourly)	\$ 7.25	\$ 25.00
Part-time Employees/Maintenance (hourly)	\$ 7.25	\$ 15.00
Part-time Employees/Office (hourly)	\$ 7.25	\$ 15.00
Carpenter & Maintenance Repair (hourly)	\$ 10.00	\$ 35.00

SECTION 2: Should any section, part or provisions of this Ordinance be held unconstitutional or invalid, such decision shall not affect the

validity of this Ordinance as a whole or any part thereof, than the section, part or provisions so held unconstitutional or invalid.

SECTION 3: Any and all other Ordinances or parts of Ordinances heretofore adopted fixing salaries or compensations different than hereinabove set forth and fixed, and being inconsistent herewith are hereby repealed.

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: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

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

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

Councilman Keeler made a motion to approve Ordinance No. 13-2011 on its Second and Final Reading and advertise it according to law. Second by Councilman Murphy and approved upon the following vote:

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

B. Administrator Kachmar read by title only and Councilwoman Bills introduced an Ordinance entitled.

ORDINANCE NO. 15-2011

BOROUGH OF SEA BRIGHT

ORDINANCE AUTHORIZING THE GUARANTY BY THE BOROUGH OF SEA BRIGHT, NEW JERSEY OR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2011 (SHORE REGIONAL BOARD OF EDUCATION PROJECT) OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on August 2, 2011. Second by Councilman Kelly and approved upon the following vote:

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

***Supplemental Debt Statement has been supplied.**

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

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

**RESOLUTION NO.141-2011
PAYMENT OF BILLS 07-05-2011**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling

\$586,018.98 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.

00120	7-ELEVEN OF SEA BRIGHT		
11-00664	06/10/11 POLICE-5/28/11 PRISONER FOOD	Open	5.98
00820	APOLLO SEWER & PLUMBING, INC.		
11-00249	02/23/11 SEWER-TELEWISE SEWER LINES	Open	600.00
11-00660	06/09/11 BLDGS/GRNDS-REPAIR PIPE	Open	350.00

			950.00
00384	AT & T MOBILITY		
11-00776	06/29/11 DPW-JUN 2011 CELL BILL	Open	103.57
01542	ATLANTIC MARINE SUPPLY		
11-00674	06/13/11 FIRE DEPT-BOAT MATERIALS	Open	75.09
01631	BOROUGH OF OCEANPORT		
11-00773	06/29/11 COURT SHARED SERVICES:JUL 2011	Open	6,503.34
01565	BOROUGH OF SEA BRIGHT		
11-00717	06/15/11 T/F ADMIN FEE:06/15/11 PAYROLL	Open	14.50
11-00740	06/20/11 T/F ADMIN FEE:06/15/11 PAYROLL	Open	96.00
11-00764	06/28/11 T/F ADMIN FEE:06/30/11 PAYROLL	Open	12.00
11-00766	06/28/11 T/F ADMIN FEE:06/15/11 PAYROLL	Open	1,140.00

			1,262.50
01249	BRANAGAN, SUZANNE		
11-00762	06/27/11 MUNI CLERK-5/9 & 6/20/11 TRAV	Open	33.50
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.		
10-01255	10/20/10 FIRE DEPT-PUMP TESTING:4376/77	Open	650.00
00198	COMCAST		
11-00735	06/20/11 POLICE DEPT-INTERNET:JUN 2011	Open	95.17
11-00751	06/27/11 LIBRARY-INTERNET:JUN 2011	Open	100.12
11-00774	06/29/11 FIRE DEPT-INTERNET:JUL 2011	Open	95.17

			290.46
01371	DOOLEY, KAREN		
11-00640	06/01/11 RECREATION-SWIM LESSONS	Open	350.00
00992	FIRST MOBILE TECHNOLOGIES		
11-00644	06/02/11 POLICE DEPT-COMPUTER MOUNT	Open	113.85
00257	FOSTER AND COMPANY, INC.		
11-00636	05/31/11 BEACH-TY WRAPS & DEVOUR	Open	150.71
00333	GARAVENTA, DEBORAH		
11-00726	06/20/11 IT SERVICES:5/2-6/6/11	Open	370.00
01549	GENERAL CODE PUBLISHERS CORP.		
11-00721	06/20/11 A&E-ECODE360 ANNUAL MAINT FEE	Open	1,195.00
11-00771	06/29/11 A&E-SUPPLEMENT #58	Open	1,404.08

			2,599.08
00145	HUGHES, DANA		
11-00639	06/01/11 RECREATION-SWIM LESSONS	Open	350.00
01526	JCP & L		
11-00777	06/29/11 MAY 2011 ELECTRIC SERVICE	Open	8,405.28
00297	JESSE A. HOWLAND & SONS, INC.		
11-00687	06/13/11 DPW-GARAGE RENT-JULY 2011	Open	1,772.00
11-00688	06/13/11 DPW-ADDT'L GARAGE RENT-JUL'11	Open	893.00

			2,665.00
00014	KIEFER WATER SAFETY SUPPLY		
11-00596	05/18/11 BEACH-VARIOUS ITEMS	Open	508.42
00443	KLINE, GEORGE		
11-00641	06/01/11 FIRE DEPT-PPE PANTS	Open	723.94
01334	M J F PLUMBING & HEATING, INC.		
11-00711	06/15/11 BEACH-PLUMBING REPAIRS	Open	1,167.00
01584	MACLEARIE PRINTING, LLC		
11-00331	03/15/11 BEACH-BLANKET:PRINTING	Open	42.00
00799	MAGLOLEN		
11-00626	05/26/11 POLICE DEPT-ANNUAL USER FEE	Open	400.00
01433	MALL CHEVROLET, INC.		
11-00226	02/18/11 POLICE DEPT-2011 CHEVY TAHOE	Open	28,645.00
01801	MASER CONSULTING, P.A.		
10-00451	04/12/10 PRJ#129 PARKING LOTS	Open	187.50
01900	MCKENNA, DUPONT, HIGGINS &		
11-00744	06/27/11 P/L BOARD-MAY 2011	Open	400.00
01985	MOBILE MINI, INC.		

11-00728	06/20/11	POLICE-TRAILER 2011 PYMT 07/13	Open	278.00
01323		MONMOUTH COUNTY TREASURER		
11-00676	06/13/11	ELECTION-POSTAGE:SAMPLE BALLOT	Open	69.04
01456		MR. SCOTT MUSIC, LLC		
11-00601	05/18/11	LIBRARY-6/29/11 PERFORMANCE	Open	200.00
00137		MUNICIPAL CAPITAL CORPORATION		
11-00059	01/21/11	A&E-2011 COPIER LEASE	Open	225.20
00019		NJ AMERICAN WATER		
11-00781	06/29/11	MAY 2011 WATER UTILITY	Open	480.66
00529		NJ DIVISION OF FIRE SAFETY		
11-00752	06/27/11	2011 ANNUAL LIFE HAZ USE REG	Open	148.00
01309		OCEANPORT BOARD OF EDUCATION		
11-00779	06/29/11	GRADE SCHOOL TAX - JUL 2011	Open	90,896.81
00158		PITNEY BOWES CREDIT CORP.		
11-00356	03/17/11	A&E-2011 METER RENTAL + MAINT	Open	384.00
00788		SCARINCI & HOLLENBECK, LLC		
11-00137	02/02/11	LEGAL-2011 RETAINER	Open	416.67
11-00727	06/20/11	LEGAL SERVICES:MAY 2011	Open	11,987.20

				12,403.87
01845		SEA BRIGHT FIRE DEPARTMENT		
11-00765	06/28/11	REFUND:POLICE SPECIAL DUTY	Open	301.00
01027		SHORE BUSINESS SOLUTIONS		
11-00723	06/20/11	POLICE-FAX ANNUAL MAINT FEE	Open	320.00
00053		SHORE REGIONAL HIGH SCHOOL		
11-00778	06/29/11	HIGH SCHOOL TAX - JUL 2011	Open	142,497.66
00285		STAPLE'S ADVANTAGE		
11-00659	06/07/11	POLICE DEPT-OFFICE SUPPLIES	Open	189.48
00083		T & M ASSOCIATES		
10-00302	03/08/10	PLANNING SERVICES	Open	1,225.00
10-00624	05/18/10	IMPROV:NORMANDIE PL/BEACH WAY	Open	2,585.44
11-00136	02/02/11	ENGINEERING-2011 RETAINER	Open	250.00
11-00377	03/23/11	DEVELOP:MUNICIPAL FACILITIES	Open	2,187.50
11-00499	04/21/11	PREP BID SPECS:TRASH/RECYCLING	Open	220.00
11-00538	05/05/11	ENGINEERING:8 CENTER STREET	Open	500.00
11-00739	06/20/11	ENGINEERING-4/26-5/20/11 MISC	Open	3,667.99

				10,635.93
01285		THE HOME DEPOT		
11-00620	05/24/11	BLDGS/GRNDS-BLANKET:MISC SUPP	Open	395.39
11-00738	06/20/11	BEACH-PVC & LATTICE	Open	71.02
11-00746	06/27/11	BEACH-MISCELLANEOUS SUPPLIES	Open	415.63

00352		THE WALL STREET JOURNAL		
11-00753	06/27/11	LIBRARY-1 YR SUBSCRIPTION RNWL	Open	257.40
00228		THOMSON WEST/WEST GROUP		
11-00607	05/20/11	CLERK/TAX/POLICE-PP UPDATES	Open	575.00
01403		TREASURER, STATE OF NEW JERSEY		
11-00772	06/29/11	2/Q/2011 MARRIAGE LICENSE FEES	Open	200.00
02114		TWO RIVERS WATER RECLAMATION		
11-00770	06/29/11	2011 PYMT 3/4 SEWER CHARGE	Open	93,070.75
01158		VACCARO, ANTHONY & ANNE,		
11-00705	06/14/11	SEWER OVERPAYMENT/REFUND	Open	79.20
01020		VERIZON COMMUNICATIONS		
11-00736	06/20/11	DPW-DSL INTERNET:MAY 2011	Open	49.99
02061		VERIZON WIRELESS		
11-00747	06/27/11	POLICE-JUN 2011 CELL & MDT	Open	793.69
01150		W.W. GRAINGER, INC.		
11-00648	06/02/11	DPW-(6) T-SHIRTS	Open	118.80
02177		WALSH, JOAN		
11-00741	06/27/11	LIBRARY-REIMB:6/26 SNACKS	Open	80.43
01829		WPCS INTERNATIONAL, INC.		
11-00722	06/20/11	POLICE DEPT-INSTALL RADIO	Open	403.45
		BORO OF SEA BRIGHT PAYROLL A/C (6/15/11 PAYROLL)		99,655.94
		DEPOSITORY TRUST CO (BOND INTEREST PAYMENT)		38,065.00
		MALLCHEVROLET, INC. (2005 MCIA)		35,082.70
		SHERIDAN, JOANN (ESCROW REFUND)		350.00
		T & M ASSOCIATES (ESCROW)		225.00
		TOTAL		586,018.98

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

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

B. Councilman Murphy introduced a motion approving the June 21, 2011 Council Meeting Minutes. Second by Councilman LoBiondo and approved upon the following roll call vote:

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

C. Councilman Murphy introduced and offered for adoption the following resolution.

**RESOLUTION 142-2011
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, by the Mayor and Council of Sea Bright, County of Monmouth, State of New Jersey that the proper officers, be and are hereby authorized to refund tax overpayment.

	BLOCK LOT	NAME	AMOUNT
24.02	5	John J. Gargana Jr.	\$5,409.51

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following refund of \$5,409.51. Second by Councilman LoBiondo and approved upon the following roll call vote:

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

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

**RESOLUTION NO. 144-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, authorization is hereby given to the Sea Bright Beach Recreation to schedule an 8 week Sea Bright Beach U-20 Volleyball program beginning 7/7 to 8/25 at \$20.00 per person (free registration to Sea Bright residents).

NOW, THEREFORE, BE IT RESOLVED that the above mentioned program and fees are hereby authorized and monies will be deposited in the Recreation Trust account.

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

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

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 145-2011**

WHEREAS, the Planning Board Secretary has indicated that the unused Planning Board escrow shall be refunded to:

APPLICANT	REFUND
Robert Murro, Jr.	\$511.71

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

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

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None
Abstain: None
Absent: Bills, Long

F Councilman Murphy introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 147-2011
BOROUGH OF SEA BRIGHT**

RESOLUTION APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2011 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS

WHEREAS, the Shore Regional School District (the "Board") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2011 (Shore Regional School District Project) (the "Bonds") payable from rentals by the Board pursuant to a Lease and Agreement by and between the Board and the Authority (the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2011, there has been prepared and submitted to the Borough of Sea Bright, New Jersey (the "Municipality") a Letter of Representation in the form attached hereto as Exhibit A; and

WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2011 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person");

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF SEA BRIGHT, AS FOLLOWS:

- Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.
- Section 2. That the Continuing Disclosure Agreement, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.
- Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the

sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2011 and all related transactions contemplated by this resolution.

Section 4. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective immediately.

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

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

G. Councilman Murphy introduced a motion approving the request from NJ Race Club for 37th annual A. Manning Ocean Swim on Saturday July 16, 2011. Second by Councilman LoBiondo and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

H. Councilman Murphy introduced a motion approving the request from Georgian Court University for access to dunes for removal of invasive plants. Second by Councilman LoBiondo and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

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

**RESOLUTION NO. 148-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright is desirous of entering into a public health program agreement in accordance with N.J.S.A. 26:3A2-1 et seq with the Monmouth County Regional Health Commission No. 1. for a minimum of two (2) years effective September 1, 2011 and ending on August 31, 2013, and;

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the Borough Sea Bright, Monmouth County, New Jersey hereby authorizes the Mayor or Acting Mayor and Borough Clerk to execute an Agreement for public health services between the Borough of Sea Bright and the Monmouth County Regional Health Commission No. 1.

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

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

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

**RESOLUTION NO. 149-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for BEACH PERSONNEL for the 2011 season.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Sea Bright. County of Monmouth, that the following people shall be hired for

the Beach and will receive the hourly rate of pay as specified after each name:

STAFF	RATE
Corridon, Karliegh	\$7.25

CERTIFICATION

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in the Beach Utility appropriation of the purpose stated in the above resolution.

Michael J. Bascom, CFO

WHEREAS, the hourly rate of pay for the beach personnel is in accordance with the salary range adopted by Ordinance 13-2006. Second by Councilman LoBiondo and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

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

**RESOLUTION NO. 152-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, a receivable balance of \$37.97 entitled "Grants Receivable - Community Development Block Grant" remains on the Beach Utility Fund balance sheet dedicated to a project that has since been completed and is no longer needed for the purpose for which it was appropriated and thus, must be cancelled; and,

NOW, THEREFORE, BE IT RESOLVED that the grant receivable in the amount of \$37.97 as described herein be cancelled,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officer and the Auditor.

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

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

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

**RESOLUTION NO. 154-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of a zoning officer. Jaclyn J. Flor, P.E. of T&M Associates as the interim zoning officer at \$125.00 hourly as per her engineering contract; and

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Sea Bright hereby appoint Jaclyn J. Flor, P.E. of T&M Associates as the interim zoning officer; and

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Planning Board O/E for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

7. NEW BUSINESS:

B. Councilman Keeler introduced a motion approving the N.J. State Firemen's Association membership application - Warren Jay Terwilliger, Jr. Second by Councilman Kelly and adopted upon the following roll call vote:
Ayes: Keeler, Kelly, LoBiondo,
Nays: None
Abstain: Murphy
Absent: Bills, Long

C. Councilman Keeler introduced and offered for adoption the following resolution:

**RESOLUTION NO. 146-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, the Governing Body of the Borough of Sea Bright Clerk has received a request from the Trade winds Homeowners Association regarding the enforcement of New Jersey Statutes Title 39:1-1 et.seq for the protection of residents and the public on the roadway know as Tradewinds Lane, and

WHEREAS, N.J.S. 39:5A-1 states "shall , in the discretion of the municipal authorities vested with the police powers in the locality within which the property of such persons, corporations or institutions is situate, and with the approval of the Commissioner of Transportation of this State, be made applicable thereto." And

NOW, THEREFORE, BE IT RESOLVED,
By the Mayor and Council of the Borough Of Sea Bright, County of Monmouth, State of New Jersey that it hereby authorizes the Borough of Sea Bright Police to enforce Title 39 Motor Vehicle Laws.

Be It Further Resolved that a certified true copy of this resolution be forward to the Borough of Sea Bright Police Chief, Tradewinds Homeowners Association, and the Commissioner of Transportation of the State of New Jersey and the Sea Bright Municipal Court Administrator and Magistrate.

Second by Councilman LoBiondo and adopted upon the following roll call vote:
Ayes: Keeler, Kelly, LoBiondo, Murphy
Nays: None
Abstain: None
Absent: Bills, Long

D. introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 150-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of Professional Engineering Services for the design of concrete stairs over the seawall at Tradewinds Development in accordance with the engineering proposal prepared by Jaclyn J. Flor, P.E. of T & M Associates dated June 22, 2011; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T & M Associates to provide the services as outlined in the proposal/letter dated June 22, 2011 in an amount not to exceed \$6000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Jaclyn J. Flor, P.E. of T & M Associates is hereby authorized to perform the above services as stated herein.

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in A&E line item for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

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

**RESOLUTION NO. 151-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, quotes were received for a Wireless Communications Consulting Services by the appropriate Borough officials and subject to the approval of the Governing Body of the Borough of Sea Bright, New Jersey.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby award the contract for Wireless Communications Consultant to:

**FSD Enterprises, LLC
65 Mechanic Street
Suite 201
Red Bank, NJ 07701**

The initial retainer will be \$3000.00 per cell tower site constructed. The fee upon completion of services for new installation will be 35% of first year gross lease for each carrier for each project undertaken. The fee upon completion of any equipment upgrades to an existing installation will be 35% of first year gross lease for each carrier for each project undertaken.

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

Ayes: Kelly, LoBiondo, Murphy

Nays: Keeler

Abstain: None

Absent: Bills, Long

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

**RESOLUTION NO. 153-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright authorizes an additional review of documents for the preparation of a mediation statement set forth in a proposal by Hill International dated April 8, 2011 for ongoing construction consulting services for the Sea Bright Storm Water Detention Facility dispute. The amount is not to exceed \$15,000 and this amount includes the replenishment of \$5,000 retainer for the preparation of an affidavit of merit due August 5, 2011.

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Legal O/E for the purpose stated in the above resolution.

BE IT RESOLVED, that the Mayor and Council authorizes Hill International to proceed with additional work on the Borough of Sea Bright's behalf for construction consulting services for the Sea Bright Storm Water Detention Facility dispute in an amount stated herein.

Second by Councilman Murphy and adopted upon the following roll call vote:
Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

G. Councilman LoBiondo introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 155-2011
BOROUGH OF SEA BRIGHT
AUTHORIZING EMERGENCY REPAIRS
FOR BEACH STREET PUMP STATION**

WHEREAS, it was determined by the Borough's Engineer, Jaclyn Flor of T&M Associates that the Beach Street Pump Station in the Borough of Sea Bright was unsafe, and, as such, emergency repair of the condition was necessary; and

WHEREAS, the Borough solicited two quotes for emergency repairs for the Beach Street Pump Station which were received and found in accordance with the specifications prepared by the appropriate Borough Officials and approved by the Governing Body of the Borough of Sea Bright; and

WHEREAS, quotes were received and D&D Utility Contractors, Inc., 272 West Avenue, Long Branch, New Jersey, 07740 submitted the qualified responsive quote; and

WHEREAS, this is an emergency services contract pursuant to N.J.S.A. 40A:11-6 since the Borough cannot allow the Beach Street pump station to deteriorate further and thereby exacerbate the unsafe condition.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available in Ordinance 20-2007 for the purpose stated herein.

MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Borough concurs with the immediate action that was taken by the Borough Engineer as necessary to protect the public health, safety and welfare.

2. The emergency repairs to be made to this property by D&D Utility Contractors, are hereby approved and ratified.

3. Subject to a certification of the availability of funds, Michael J. Bascom, the Chief Financial Officer is directed to disburse payment to D&D Utility Contractors, in an amount not to exceed \$2,300 upon receipt of appropriate vouchers.

4. The Mayor, Borough Clerk and any other applicable Borough officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution.

Second by Councilman Murphy and adopted upon the following roll call vote:
Ayes: Keller, Kelly, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills, Long

8. CORRESPONDENCE AND COMMUNICATIONS:

A. TWRA - May 2011 Monthly Flow

B. Recreation camp 2011 schedule

9. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. Council President said that Mayor Fernandes is on her way to recovery.

10. COMMENTS FROM THE AUDIENCE (limited to 3 minutes per person)

Jo-Ann Kalaka-Adams of 1184 Ocean Avenue commented that the residents in north beach need resident parking.

Janet Henschel of East Church Street said that it is unfortunate that the NJDEP would not permit the Borough to build a cell tower at the beach front.

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

11. ADJOURNMENT:

There being no further business before the Governing Body a motion to adjourn the meeting at 8:30 p.m. was made by Councilman Keeler Second by Councilman Murphy and approved upon unanimous voice vote.

Respectfully Submitted,

Richard M.Kachmar, RMC
Borough Clerk