

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

Mayor Long requested all those present to continue standing for a moment of silence for the passing of former Mayor Maria D. Fernandes.

Mayor Long 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, 2012 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."

ROLL CALL:

PRESENT: Keeler, Kelly, Leckstein, Mayor Long, Attorney Oxley, Police Chief Sorrentino, Administrator Kachmar

ABSENT: Bills, LoBiondo, Murphy, Chief Financial Officer Bascom, Engineer Flor.

4.

A. Mayor Long called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of February 21, 2012.

Councilman Leckstein moved to approve this Ordinance upon Second Reading and open the public hearing.

ORDINANCE No. 04-2012

BOROUGH OF SEA BRIGHT

CALENDAR YEAR 2012

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Sea Bright in the County of Monmouth finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$39,092.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Sea Bright, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Sea Bright shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$136,822.00 and that the CY 2012 municipal budget for the Borough of Sea Bright be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Second by Councilman Keeler and approved by the following vote:

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

Councilman Leckstein made a motion to approve Ordinance No. 4-2012 on its Second and Final Reading and advertise it according to law. Second by Councilman Keeler and approved upon the following vote:

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

5. CONSENT AGENDA:

Certification of Funds supports any items requiring expenditure; any items requiring discussion will be removed from the Consent Agenda:

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

RESOLUTION NO.59-2012
BOROUGH OF SEA BRIGHT
PAYMENT OF BILLS 03-06-2012

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

NOW, THEREFORE, BE IT RESOLVED, that these vouchers totaling \$446,087.00 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.

02036	BAHRLE, DAVID		
12-00254	03/01/12 DPW-REIMB:NEW CELL PHONE	Open	42.67
01631	BOROUGH OF OCEANPORT		
12-00214	02/17/12 COURT SHARED SERVICES:MAR 2012	Open	6,503.34
00627	BOROUGH OF RUMSON		
12-00184	02/14/12 OEM-12/29/11 VEHICLE MAINT	Open	370.00
12-00185	02/14/12 OEM-BLANKET:VEHICLE MAINT	Open	164.40

			534.40
01565	BOROUGH OF SEA BRIGHT		
12-00204	02/15/12 T/F ADMIN FEE:02/15/12 PAYROLL	Open	456.00
01249	BRANAGAN, SUZANNE		
12-00255	03/01/12 MUNI CLERK-2/29/12 TRAV REIMB	Open	18.31
01546	C.I.T. TECHNOLOGY FIN SERV,INC		
12-00004	01/11/12 POLICE DEPT-2012 COPIER LEASE	Open	147.72
01614	CENTRAL JERSEY REGISTRARS ASSN		
12-00235	02/27/12 MUNI CLERK-2012 DUES	Open	30.00
00290	CENTRAL JERSEY REGISTRARS ASSN		
12-00236	02/27/12 MUNI CLERK-4/4/12 LUNCHEON	Open	48.00
00982	CITY OF LONG BRANCH		
12-00201	02/15/12 DPW-BLANKET:ROCK SALT	Open	1,042.08
00198	COMCAST		
12-00174	02/08/12 POLICE DEPT-INTERNET:FEB 2012	Open	102.25
12-00219	02/21/12 LIBRARY-INTERNET:FEB 2012	Open	107.17
12-00241	02/28/12 FIRE DEPT-INTERNET:MAR 2012	Open	102.21

			311.63
00135	COOPER ELECTRIC SUPPLY COMPANY		
11-01348	12/07/11 SEWER-SERVICE GENERATOR	Open	350.00
01430	EATONTOWN TV		
12-00220	02/21/12 FIRE DEPT-REFRIGERATOR	Open	98.00
02116	EBSCO SUBSCRIPTION SERVICES		
11-01351	12/07/11 LIBRARY-MAGAZINE SUBSCRIPTIONS	Open	443.96
00313	GAGLIANO APPRAISAL, LLC		
11-01361	12/12/11 TAX ASSESSOR-DEFEND APPEALS	Open	1,800.00
00333	GARAVENTA, DEBORAH		
12-00230	02/23/12 IT SERVICES:11/1-2/21/12	Open	560.00
01194	GLENCO SUPPLY, INC.		
12-00158	02/03/12 DPW-"MEMBERS ONLY" SIGNS	Open	153.12
01198	GUARANTEED PLANTS & FLORIST		
12-00216	02/21/12 A&E-FLOWERS:OXLEY FAMILY	Open	60.00
01286	INDUSTRIAL MARINE		
12-00217	02/21/12 REIMB:JAN 2012 ELECTRIC	Open	173.16
12-00231	02/23/12 REIMB:JAN 2012 WATER	Open	25.00

			198.16
01526	JCP & L		
12-00223	02/21/12 ELECTRIC SERV:XMAS TREE LIGHTS	Open	795.20
12-00237	02/27/12 JAN 2012 ELECTRIC SERVICE	Open	8,338.96

			9,134.16
00297	JESSE A. HOWLAND & SONS, INC.		
12-00210	02/17/12 DPW/OEM-GARAGE RENT-MAR 2012	Open	1,772.00
12-00211	02/17/12 DPW-ADDT'L GARAGE RENT-MAR'12	Open	893.00

			2,665.00

01985	MOBILE MINI, INC.		
12-00239	02/27/12 POLICE-TRAILER 2012 PYMT 03/13	Open	278.00
00137	MUNICIPAL CAPITAL CORPORATION		
12-00003	01/11/12 A&E-2012 COPIER LEASE	Open	225.20
01559	MURPHY, C. READ		
12-00222	02/21/12 REIMB:2/17/12 VEHICLE FUEL	Open	139.00
00019	NJ AMERICAN WATER		
12-00209	02/17/12 JAN 2012 WATER UTILITY	Open	225.47
01309	OCEANPORT BOARD OF EDUCATION		
12-00213	02/17/12 GRADE SCHOOL TAX - MAR 2012	Open	90,528.16
00163	OSWALD ENTERPRISES, INC.		
11-01360	12/09/11 SEWER-CLEAN OUT WET WELL	Open	1,475.00
00158	PITNEY BOWES CREDIT CORP.		
12-00027	01/11/12 POLICE DEPT-2012 METER RENTAL	Open	48.00
01357	PRECISE CONSTRUCTION, INC.		
11-00147	02/03/11 IMPROV:NORMANDIE PL/BEACH WAY	Open	20,104.27
01179	RUMSON MANAGEMENT CO. NJ, INC.		
12-00206	02/16/12 DPW-BULLDOZER OPERATOR	Open	6,000.00
01554	SEA BRIGHT SERVICE CENTER		
12-00054	01/17/12 POLICE-BLANKET:VEHICLE MAINT	Open	314.54
12-00083	01/20/12 POLICE-BLANKET:VEHICLE MAINT	Open	135.80
12-00238	02/27/12 FIRE DEPT-NEW HEADLIGHT #4375	Open	32.95

			483.29
00027	SEABOARD WELDING SUPPLY, INC.		
12-00066	01/17/12 DPW - 2012 CYLINDER RENTAL	Open	13.50
00053	SHORE REGIONAL HIGH SCHOOL		
12-00212	02/17/12 HIGH SCHOOL TAX - MAR 2012	Open	142,497.66
00031	SORRENTINO, JOHN		
12-00234	02/24/12 POLICE-REIMB:WINDOW REPAIRS	Open	181.90
01285	THE HOME DEPOT		
12-00058	01/17/12 BLDGS/GRNDS-BLANKET:MISC SUPP	Open	125.31
00363	TRICO EQUIPMENT, INC.		
12-00182	02/14/12 DPW-1/9 ROAD CALL:CASE LOADER	Open	471.92
00460	TRIVETT'S SUNOCO, INC.		
12-00153	01/31/12 FIRE DEPT-REPAIRS #4386	Open	887.39
01020	VERIZON COMMUNICATIONS		
12-00218	02/21/12 DPW-DSL INTERNET:JAN 2012	Open	50.75
02061	VERIZON WIRELESS		
12-00240	02/27/12 POLICE-FEB 2012 CELL & MDT	Open	816.41
01150	W.W. GRAINGER, INC.		
12-00180	02/13/12 DPW-CORE CUTTING MACHINE	Open	1,557.40
02177	WALSH, JOAN		
12-00227	02/23/12 LIBRARY-REIMB:2/21 TONER CART	Open	168.06
12-00257	03/01/12 LIBRARY-REIMB:2/26 OFFICE SUPP	Open	32.48

			200.54
01164	WATCHUNG SPRING WATER CO, INC.		
12-00228	02/23/12 FEB 2012 SPRING WATER	Open	166.61
BORO OF SEA BRIGHT (2/15/12 PAYROLL)			79,927.11
BORO OF SEA BRIGHT (2/29/12 PAYROLL)			75,087.56
TOTAL			446,087.00

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

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

B. Councilman Leckstein introduced and approved for adoption the following:

RESOLUTION NO 61-2012
BOROUGH OF SEA BRIGHT
TAX COURT JUDGMENT REFUND

BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the proper officers, be and are hereby authorized to refund the following successful Tax Court Judgment.

BLOCK	LOT	NAME	AMOUNT	YEAR
4	6	EDGEWATER BEACH INC.	\$19,356.97	2009
			\$25,626.67	2010
			\$15,698.41	2011
		TOTAL:	\$60,682.05	

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

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

D. Councilman Leckstein introduced a motion approving the request from First United Methodist Church for annual Easter Sunrise Service - Sunday, April 8th, 5:45 a.m. Second by Councilman Keeler and approved upon the following roll call vote:

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

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

RESOLUTION NO.68-2012
BOROUGH OF SEA BRIGHT

WHEREAS, the Sea Bright Governing Body wish to support the fundraising event for the Vinnie Roslin Memorial Benefit on March 11, 2012 by donating two 2012; 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 2012 beach badges for the Vinnie Roslin Memorial Benefit .

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Beach Director.
Second by Councilman Kelly and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

F. Councilman Leckstein introduced and offered for adoption the following resolution:

RESOLUTION NO. 64-2012
BOROUGH OF SEA BRIGHT

WHEREAS, the Mandatory Source Separation and Recycling Act P.L. 1967, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulation imposes on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Sea Bright to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, that the Borough of Sea Bright hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling. Second by Councilman Keeler and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBionso, Murphy

G. Councilman Leckstein introduced and offered for adoption the following resolution:

**RESOLUTION NO.69-2012
BOROUGH OF SEA BRIGHT**

WHEREAS, the Sea Bright Governing Body wish to support the fundraising event for Mater Dei, Catholic Preparatory School on March 22, 2012 by donating two 2012; 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 2012 beach badges for the Mater Dei, Catholic Preparatory School fundraising event.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Beach Director. Second by Councilman Keeler and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

C. Councilman Leckstein introduced and approved for adoption the following:

RESOLUTION NO 62-2012
BOROUGH OF SEA BRIGHT
REFUND OF TAX OVERPAYMENT

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 overpayments.

BLOCK	LOT	NAME	AMOUNT
3.02	36	Patricia Hellmers	\$239.75

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following refund of \$ 239.75.

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

Ayes: Keeler, Kelly

Nays: None

Abstain: Leckstein

Absent: Bills, LoBiondo, Murphy

6. NEW BUSINESS:

A. DISCUSSION: Sign Ordinance - Councilman Kelly. The sign ordinance will be reviewed in committee.

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

RESOLUTION NO. 63-2012
COUNCIL LIASON TO THE PLANNING BOARD
BOROUGH OF SEA BRIGHT

WHEREAS, Council Liaison Read Murphy submitted his resignation to the Governing Body on February 28, 2012 creating a vacancy; and

WHEREAS, it is necessary that a member of the Council be appointed as Council liaison (Class III) to the Sea Bright Planning Board for an expired term ending December 31, 2012;and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright that Marc A. Leckstein is hereby appointed to this position.

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

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

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

RESOLUTION 65-2012
BOROUGH OF SEA BRIGHT

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey hereby authorize that Sea Bright Fire Chief Charles R. Murphy, Jr.'s term be extended from March 31, 2012 to December 31, 2012.

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

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

D. Councilman Keeler introduced a motion carrying Resolution No. 66-2012 - Appointment of Special Counsel - Public School Education - MaryAnn McKenzie, Esq. and list on the March 20, 2012 agenda. Second by Councilman Kelly and approved upon the following roll call vote:

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

E. DISCUSSION: Beach Access Ramp and Public Restroom - T&M Associates proposal. Councilman Leckstein offered a motion authorizing the clerk to receive proposals for special engineer services for the CDBG beach access ramp and public restroom project at Anchorage beach. Second by Councilman Keeler and approved upon the following roll call vote:

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

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

**RESOLUTION NO. 67-2012
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 perform a punchlist inspection of the Tradewinds development, a field review of the public access stairs and issue a letter noting deficiencies; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T&M Associates to perform said services in an amount not to exceed \$800.

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

MICHAEL J. BASCOM, C.F.O.

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

Ayes: Keeler, Kelly, Leckstein

Nays: None

Abstain: None

Absent: Bills, LoBiondo, Murphy

7. CORRESPONDENCE/REPORTS:

A. Annual Tax Collector's 2011 Report

B. Construction Department January 2012 report

C. TRWRA - January 2012 Monthly Flow

8. MAYOR DINA LONG - REPORT AND COMMUNICATIONS. Mayor Long thanked Chief Sorrentino, Deputy Borough Clerk Branagan and Tax Collector Spahr for going above and beyond in making sure that we had a fitting memorial and tribute for Mayor Fernandes. The

Oceanport School of Education has notified us that we will be receiving a \$100,000 decrease in K-8 school taxes this year, without no department or job cuts. Mayor Long requested that the clerk send a thank you letter to the Oceanport School of Education.

Mayor Long said that in terms of Sea Bright's budget, there has been a decrease in revenue because of tax appeals, increase in pension and insurance, we are still working at cutting away at the budget. Our professionals worked with us holding their rates from 2011 and negotiations continue to ensue with other professionals to lower their rates 2012.

Mayor Long promotes a resolution to keeping the marine lab open at Sandy Hook and will be listed at the next council meeting.

Council President Kelly and she attended a mayor and council president seminar and came away with many great ideas.

Mayor Long said that there is an issue coming before the NJ Senate about the elimination of paying seasonal employees unemployment insurance. The bill would limit the ability of receiving unemployment funds to an employee working less than 32 consecutive weeks.

The next bill pending is the permit extension act which fails to stimulate the economy and has not helped Sea Bright at all. Councilman Leckstein recommended that a draft resolution would be sent to the council.

The piping plover season for both north and south beach areas begins March 15th.

9. COMMENTS FROM THE AUDIENCE (limited to 3 minutes per person)
Suzanne Markson commented about the need of having a special counsel for education.

Janet Henshel of East Church Street had concerns about the broken sign on the parking lot of Sea Bright Supermarket. She said that all the kiosks have not been installed. Mrs. Henshel would send a request letter for the donation of two beach badges for the Classic Car show. She commended the council for requesting proposals for a special engineer for the CDBG project.

10. ADJOURNMENT:

There being no further business before the Governing Body. Councilman Leckstein made a motion to adjourn the meeting at 8:00 p.m. Second by Councilman Kelly and approved upon unanimous voice vote.

Respectfully Submitted,

Richard M. Kachmar
Municipal Clerk