

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

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:** Bills, Keeler, Kelly, Leckstein, LoBiondo, Long, Murphy, Mayor Long, Attorney Oxley, Engineer Flor, Chief Sorrentino.

**ABSENT:** None

**COMMENTS FROM THE AUDIENCE (limited to 3 minutes)**

Richard Lee, resident of Long Branch and a member of the Surfer's Environmental Alliance commented that the sand replenishment program will adversely affect surfing.

Beatrice Patton of 924 Ocean Avenue commented that the beach replenishment project is needed to save the beach.

William Brooks of Red Bank agreed with Richard Lee's comments.

Scott Thompson of Rumson commented no one should lose their property because of this project.

Steve Cashmore of Sea Bright said that the beach will continue to erode if not replenished.

John Connor of Surfer Alliance commented that their organization wishes to work with everyone concerned.

David DeSio of Sea Bright said that beach replenishment is needed.

Mary Jane O'Hare of Rumson said that the project will greatly affect surfing.

Ed Wheeler of 908 Ocean Avenue said that favors the beach replenishment project.

Tyler Thompson of Fair Haven said that he was against the project as it would adversely affect surfing.

**ORDINANCE:**

**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 September 18, 2012.

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

ORDINANCE NO. 12-2012

**BOND ORDINANCE FOR THE BEACH UTILITY PROVIDING AN APPROPRIATION OF \$1,200,000 FOR THE SAND REPLENISHMENT PROJECT FOR AND BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$1,140,000 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 \$1,200,000, such sum includes the sum of \$60,000 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 \$1,140,000 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 \$1,140,000 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 Sand Replenishment Project as the local share of a joint project conducted by the New Jersey Department of Environmental Protection, the Army Corps of Engineers and the County of Monmouth, including all work and materials necessary therefor or incidental thereto, as described in the plan on file with the Municipal Clerk and the Municipal Engineer.

(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 \$1,140,000.

(c) The estimated cost of the Improvements is \$1,200,000 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 \$1,140,000 and the obligations authorized herein will be

within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 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 (including funds from the County of Monmouth and/or any other governmental entity) 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 \$1,140,000.

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 Councilman Murphy and approved by the following vote:

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

Councilman Leckstein introduced a motion adopting Ordinance No. 12-2012 on its Second and Final Reading and advertise

it according to law. Second by Councilman Murphy and approved upon the following vote:  
 Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo Murphy  
 Nays: None  
 Abstain: None  
 Absent: None

**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.197-2012**  
**BOROUGH OF SEA BRIGHT**  
**PAYMENT OF BILLS 10-02-2012**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$670,686.27 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.

02105	AWE, INC.						
12-00702	06/15/12	LIBRARY-EARLY	LITERACY	STATION		Open	
2,741.00							
01241	BAIN'S HARDWARE, INC.						
12-01066	09/11/12	AUG 2012	PURCHASES			Open	
662.49							
00064	BONHIVERT, JAMES & CHRISTINE						
12-01030	08/31/12	TAX REFUND	B30/L15.01			Open	
3,063.11							
01631	BOROUGH OF OCEANPORT						
12-01002	08/22/12	COURT	SHARED	SERVICES:OCT	2012	Open	
6,503.34							
01565	BOROUGH OF SEA BRIGHT						
12-01079	09/13/12	T/F	ADMIN	FEE:09/14/12	PAYROLL	Open	
11.00							
12-01080	09/13/12	T/F	ADMIN	FEE:09/14/12	PAYROLL	Open	
450.00							
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461.00							
01546	C.I.T. TECHNOLOGY FIN SERV, INC						
12-00868	07/18/12	POLICE	DEPT-2012	COPIER	LEASE	Open	
147.72							
02160	CHERRY VALLEY TRACTOR						
12-00846	07/12/12	BEACH-TRACTOR	WITH	BEACH	RAKE	Open	
64,830.10							
00063	CHESAPEAKE EXTERMINATING CO.						
12-01106	09/25/12	POLICE	DEPT-BED	BUG	TREATMENT	Open	
550.00							
00198	COMCAST						
12-01093	09/18/12	POLICE	DEPT-INTERNET:SEP	2012		Open	
109.27							
12-01110	09/25/12	LIBRARY-INTERNET:SEP	2012			Open	
107.17							
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216.44							
00419	DRAEGER SAFETY DIAGNOSTICS, INC						
12-00946	08/13/12	POLICE	DEPT-SIMULATOR	RECERT		Open	
155.00							
02192	DYM, JENNIFER						

12-00966	08/15/12	BEACH-REFUND:BEACH	LOCKER	FEE	Open
200.00					
02191		ELDERHORST, KATHY			
12-01049	09/06/12	BEACH-REFUND:JR	LIFEGUARD	FEE	Open
150.00					
01605		EMERGENCY VEHICLE SERVICES			
12-01050	09/06/12	FIRE DEPT-EXAMINE	LADDER		Open
265.00					
00333		GARAVENTA, DEBORAH			
12-01047	09/06/12	IT SERVICES:7/3-8/30/12			Open
558.09					
00333		GARAVENTA, DEBORAH		Continued	
12-01048	09/06/12	DPW-IT SERVICES:9/4/12			Open
140.00					
					-----
698.09					
02181		GATEWAY PRESS			
12-01032	08/31/12	LIBRARY-HARVEST	DINNER	INVITES	Open
835.00					
01549		GENERAL CODE, LLC			
12-01107	09/25/12	A&E-SUPPLEMENT #62			Open
596.02					
00979		GIBBONS, P.C.			
12-01103	09/24/12	PREPARE BOND ORD	10-2012		Open
450.00					
01194		GLENCO SUPPLY, INC.			
12-00857	07/17/12	BLDGS/GRNDS-"IN	CASE OF	EMERG"	Open
128.23					
00305		GORCEY PLUMBING & HEATING, INC			
12-01056	09/11/12	SEWER-INSTALL	BACK FLOW	PREV	Open
535.00					
01198		GUARANTEED PLANTS & FLORIST			
12-01077	09/12/12	LIBRARY-FLOWERS:L.VON	ZIEGESAR		Open
100.00					
00398		IMAGE CREATORS			
12-01034	08/31/12	RECREATION-TSHIRTS:REC	CAMP		Open
203.85					
01286		INDUSTRIAL MARINE			
12-01065	09/11/12	REIMB:JUL&AUG 2012	ELECTRIC		Open
238.50					
01526		JCP & L			
12-01113	09/25/12	AUG 2012 ELECTRIC	SERVICE		Open
7,941.74					
00297		JESSE A. HOWLAND & SONS, INC.			
12-00787	07/02/12	DPW/OEM-GARAGE	RENT-OCT 2012		Open
1,772.00					
12-00788	07/02/12	DPW-ADDT'L GARAGE	RENT-OCT'12		Open
893.00					
					-----
2,665.00					
00161		LOU'S UNIFORMS, INC.			
12-00880	07/20/12	POLICE DEPT-BADGES			Open
708.00					
00315		MORGANO, PAUL			
12-00643	06/04/12	BLDGS/GRNDS-5/21-11/1/12	MOW		Open
1,175.00					
12-00644	06/04/12	BLDGS/GRNDS-2012	BRUSH CONTROL		Open
200.00					
12-00645	06/04/12	BLDGS/GRNDS-2012	WEEDING		Open
625.00					
					-----
2,000.00					
00137		MUNICIPAL CAPITAL CORPORATION			
12-00003	01/11/12	A&E-2012 COPIER	LEASE		Open
225.20					
00339		NAPA AUTO PARTS			
12-00574	05/21/12	DPW-BLANKET:VEHICLE	MAINT		Open
261.13					
PO #	PO Date	Description			Status
Amount	Void Amount	Contract	PO Type		

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01694    NAVESINK MARINA
  12-01051  09/06/12  FIRE    DEPT-BOAT    FUEL:8/22/12          Open
63.70
01110    NFPA
  12-01026  08/28/12  BLDG    DEPT-ELECTRICAL  CODE    BOOK    Open
89.50
00019    NJ AMERICAN WATER
  12-01092  09/18/12  AUG    2012    WATER    UTILITY          Open
1,166.70
00502    NJ STATE LEAGUE/MUNICIPALITIES
  12-01100  09/24/12  A&E-11/15/12  BREAKFAST          Open
30.00
  12-01101  09/24/12  LEAGUE  CONFERENCE  REGISTRATION          Open
600.00
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630.00
01309    OCEANPORT BOARD OF EDUCATION
  12-01003  08/22/12  GRADE  SCHOOL    TAX    -    OCT    2012          Open
81,740.26
00158    PITNEY BOWES CREDIT CORP.
  12-00309  03/16/12  A&E-2012  METER    RENTAL  +    MAINT          Open
384.00
01088    RYSER'S LANDSCAPE SUPPLY YARD
  12-01075  09/12/12  BEAUTIFICATION-MULCH          Open
84.00
00788    SCARINCI & HOLLENBECK, LLC
  12-01087  09/17/12  LEGAL  SERVICES-AUG  2012          Open
7,247.16
00027    SEABOARD WELDING SUPPLY, INC.
  12-00066  01/17/12  DPW    -    2012  CYLINDER  RENTAL          Open
13.50
01436    SERVICE WORKS, INC.
  12-01029  08/31/12  POLICE  DEPT-REPAIR  DVR          Open
803.22
01027    SHORE BUSINESS SOLUTIONS
  12-00995  08/21/12  A&E-FAX:TONER  CARTRIDGE          Open
264.00
  12-01088  09/17/12  POLICE-COPIER  ANNUAL  MAINT  FEE    Open
340.00
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604.00
00053    SHORE REGIONAL HIGH SCHOOL
  12-01004  08/22/12  HIGH  SCHOOL    TAX    -    OCT    2012          Open
177,549.47          0.00
00285    STAPLE'S ADVANTAGE
  12-00958  08/14/12  POLICE  DEPT-OFFICE  SUPPLIES          Open
443.57
  12-00994  08/21/12  BORO  HALL-OFFICE  SUPPLIES          Open
722.13
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1,165.70
00083    T & M ASSOCIATES
  12-01115  09/25/12  ZONING  OFFICER-8/2/12-8/23/12          Open
1,080.00
  12-01116  09/25/12  ENGINEERING-7/25-8/23/12  MISC          Open
2,252.29
00083    T & M ASSOCIATES          Continued
  12-01117  09/26/12  COUNCIL  MEETINGS:1/17-8/7/12          Open
2,110.00
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5,442.29
01757    THE BADGE COMPANY OF NJ
  12-00813  07/05/12  POLICE  DEPT-MAYOR'S  BADGE          Open
103.80
01285    THE HOME DEPOT
  12-00708  06/15/12  BLDGS/GRNDS-BLANKET:MISC  SUPP          Open
44.91

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02114 TWO RIVERS WATER RECLAMATION  
12-01005 08/22/12 2012 PYMT 4/4 SEWER CHARGE Open  
97,786.50  
01960 VERIZON  
12-01097 09/20/12 LOCAL/LONG DISTANCE:AUG 2012 Open  
2,094.11  
01020 VERIZON COMMUNICATIONS  
12-01111 09/25/12 DPW-DSL INTERNET:AUG 2012 Open  
50.75  
12-01118 09/27/12 POLICE-FIOS STATIC IP:SEP 2012 Open  
109.99  
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160.74  
02061 VERIZON WIRELESS  
12-01114 09/25/12 POLICE-SEP 2012 CELL & MDT Open  
827.32  
01164 WATCHUNG SPRING WATER CO, INC.  
12-01112 09/25/12 AUG/SEP 2012 SPRING WATER Open  
216.14  
02112 WAYNE'S MARKET  
12-01082 09/14/12 A&E-BASKETS:B.KELLY & D.LONG Open  
170.00  
BORO OF SEA BRIGHT PAYROLL A/C (9/14/12 PAYROLL)  
105,290.44  
BORO OF SEA BRIGHT PAYROLL A/C (9/28/12 PAYROLL)  
81,809.78  
FRENCH&PARELLO (KARAESCROW)  
1,660.00  
U.S.POSTALSERVICE (LIBRARYBULKMAILING)  
177.36  
WRIGHTEXPRESS (SEPT2012GASOLINE)  
5,830.71  
Total  
\$670,686.27

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

Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION 198-2012**  
**BOROUGH OF SEA BRIGHT**  
**SEWER ADJUSTMENT**

BE IT RESOLVED , by the Mayor and Council of Borough of Sea Bright, County of Monmouth, State of New Jersey that the proper officers, be and are hereby authorized to approved sewer adjustments on the following sewer account.

BLOCK	LOT	ACCOUNT	AMOUNT
4.01	1	376-0	99.00

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following sewer adjustment in the amount of \$99.00  
Second by Councilman Murphy and approved upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION 199-2012**  
**BOROUGH OF SEA BRIGHT**  
**TAX 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.

<b>BLOCK YEAR</b>	<b>LOT</b>	<b>NAME</b>	<b>AMOUNT</b>
30 2010.	39	Fairbanks Mgmt/Restaurant.	\$4,271.11
			<u>\$6,756.00</u>
2011			
<b>TOTAL:</b>			\$11,027.11

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

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

**RESOLUTION NO. 200-2012**  
**BOROUGH OF SEA BRIGHT**  
**CHAPTER 159**  
**DRUNK DRIVING ENFORCEMENT**

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright in the County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of **\$5,172.06** which is now available as a revenue from **FY 2012 Drunk Driving Enforcement**; and

**BE IT FURTHER RESOLVED**, that a like sum of **\$5,172.06** is hereby appropriated under the caption **FY 2012 Drunk Driving Enforcement**; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

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

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

**RESOLUTION NO. 201-2012**  
**BOROUGH OF SEA BRIGHT**  
**APPROVAL OF BEST PRACTICES CY 2012**

**WHEREAS**, the CY 2012 Best Practice Inventory Program has been completed by the Chief Financial Officer; and

**WHEREAS**, the Governing Body has reviewed the completed Best Practices Inventory at a public Meeting; 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 acknowledges that the Best Practices Inventory.

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

Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: None

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

**Resolution 202-2012**  
**BOROUGH OF SEA BRIGHT**  
**APPROVAL OF KSI PROPOSAL**  
**FOR M/E/P DESIGN**

**WHEREAS**, request for proposal were received on March 20, 2012 for Engineering Services for Mechanicals, Electrical and Plumbing design (M/E/P), and;

**WHEREAS**, there is now a need to complete the Anchorage Lot ADA Public Restrooms for Mechanicals, Electrical and Plumbing design (M/E/P), and;

**WHEREAS**, KSI, P.O. Box 628, Farmingdale, NJ has submitted a proposal for Engineering Services for Mechanicals, Electrical and Plumbing design (M/E/P) in an amount not to exceed \$4,000, and;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of Sea Bright, County of Monmouth, State of New Jersey authorizes KSI to complete the Mechanicals, Electrical and Plumbing design (M/E/P) for Anchorage Lot ADA Public Restrooms in an amount not to exceed \$4000.00, and;

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in the Ordinance 7-2011 appropriation of the purpose stated in the above resolution.

\_\_\_\_\_  
Michael J. Bascom, CFO

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

Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION NO.203-2012**  
**BOROUGH OF SEA BRIGHT**  
**AWARDING CELL TOWER LEASE VERIZON**

**WHEREAS**, the Council of the Borough of Sea Bright authorizes the leasing of municipal property for the construction and use of a telecommunications tower and related facilities on Borough owned property located at the Borough Hall Parking Lot known as Block 23, Lots 1, 1.01, 1.02, 2.01 and 2.02; and,

**WHEREAS**, the Borough Council approved the specifications and authorized competitive bidding for co-locators to lease municipal property on and at the Borough Hall Parking Lot Communication Tower; and,

**WHEREAS**, bid advertisements soliciting competitive bidding were published in the July 17, 2012 and July 24, 2012 issues of the Asbury Park Press; and,

**WHEREAS**, on August 14, 2012 at 10:00 a.m. the following two (2) bids were received, opened and their contents read aloud:

<b><u>Bidder</u></b>	<b><u>Bid Amount</u></b>
New York SMSA Limited Partnership annum d/b/a Verizon Wireless Verizon One Verizon Way Mail Stop 4AW100 Basking Ridge, NJ 07920	\$34,000.00 per
New Cingular Wireless PCS, LLC annum AT&T 340 Mt. Kimble Avenue Morristown, NJ 07960	\$36,000.00 per

**WHEREAS**, the Borough of Sea Bright's Wireless Telecommunications Consultant, FSD Enterprises, LLC has recommended that the Borough Council award contracts to each co-locator contingent upon the Borough Attorney resolving exceptions submitted by the bidders in compliance with NJSA 40A:12-14(a); and,

**WHEREAS**, the two bids submitted have been reviewed by the Borough Attorney and Borough Administrator and a contract award is recommended consistent with NJSA 40A:12-14 which requires award of a contract no later than the second regular meeting of the governing body after the bid opening and consistent with NJSA 40A:11-1. Currently, the Borough of Sea Bright is reviewing New York SMSA Limited Partnership d/b/a Verizon Wireless, proposed bid exceptions and, pending the adoption of an ordinance to lease the above-referenced Borough property; this award is therefore contingent upon the Borough's approval of New York SMSA Limited Partnership d/b/a Verizon Wireless, exceptions and/or retraction or amendment of such exceptions as a result of the Borough's disapproval of the same.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that a contract is hereby awarded consistent with NJSA 40A:12-14(a) and NJSA 40A:11-1 et. seq. to New York SMSA Limited Partnership d/b/a Verizon Wireless, One Verizon Way, Mail Stop 4AW100, Basking Ridge, NJ 07920, in accordance with the bid specifications for a first year rent of \$34,000 specifically and expressly contingent upon the Borough's approval of such exceptions and/or Verizon's retraction or amendment of such exceptions as a result of the Borough's disapproval of the same.

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

Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: None

**NEW BUSINESS:**

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

**RESOLUTION 204-2012**

**BOROUGH OF SEA BRIGHT**

**APPROVAL OF THE PROPOSAL FOR CONSTRUCTION SERVICES**

**ROBERT ADLER**

**WHEREAS**, Robert Adler of Adler Associates, P.A. submitted a proposal dated September 27, 2012 for the oversight of the construction process of the new, handicap accessible, public bathroom building and associated ramp and stairs to access the bathroom and beach in an amount not to exceed \$15,000, and;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council, Borough of Sea Bright, County of Monmouth, State of New Jersey, agrees to the terms and conditions of the agreement between Robert Adler of Adler Associates and the Borough of Sea Bright , and

**BE IT FURTHER REOSLVED THAT** the Governing Body of the Borough of Sea Bright authorizes the Mayor to execute the agreement.

**CERTIFICATION**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in the Ordinance 7-2011 appropriation of the purpose stated in the above resolution.

\_\_\_\_\_  
Michael J. Bascom, CFO

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

Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION 205-2012**

**BOROUGH OF SEA BRIGHT**

**AUTHORIZING THE GRANTING OF EASEMENT**

**BLOCK 23 LOTS 1, 2.01 & 2.02 TO THE STATE OF NEW JERSEY**

**WHEREAS**, the State of New Jersey requires easements for beach sand re- nourishment; and,

**WHEREAS**, it is the wishes of the Governing Body to participate in the New Jersey DEP Sand Replenishment; and,

**NOW, THEREFORE, BE IT RESOLVED**, that it hereby authorizes the Municipal Clerk and Mayor to sign and grant an easement for Borough of Sea Bright's Block 23 Lots 1, 2.01 and 2.02 on the official Tax Map of Sea Bright with the State of New Jersey and to file same with the Monmouth County Clerk.

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

Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: None

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

**Resolution No. 206-2012**  
**BOROUGH OF SEA BRIGHT**  
**APPROVAL OF CONSTRUCTION PLANS**  
**BEACH ACCESS RAMP AND PUBLIC RESTROOMS**

**WHEREAS**, the Borough Architect and Borough Engineer have submitted plans for the project know as, Beach Access Ramp and Public Restrooms, to the Governing body for review; and

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey do hereby accept and approve of the plans submitted.

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

Ayes: Bills, Kelly, Leckstein, LoBiondo, Murphy

Nays: Keeler

Abstain: None

Absent: None

**D.** Councilman Kelly introduced a motion to amend the agenda. Second by Councilman Murphy and approved upon unanimous voice vote.

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

Ayes: Bills, Kelly, Leckstein, LoBiondo, Murphy

Nays: Keeler

Abstain: None

Absent: None

**E.** Councilman Leckstein introduced Resolution No. 208-2012 authorizing T&M Associates to submit a proposal for the foundation design, CAFRA and construction permits and survey work for the Beach Pavillion.

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

Ayes: Bills, Kelly, Leckstein, LoBiondo, Murphy

Nays: Keeler

Abstain: None

Absent: None

**F.** Councilman Murphy introduced Resolution No. 209-2012 authorizing Robert Adler of Adler Associates for construction design, permitting, inspection, MPE for the Beach Pavillion.  
Second by Councilman Murphy and approved upon the following roll call vote:  
Ayes: Bills, Kelly, Leckstein, LoBiondo, Murphy  
Nays: Keeler  
Abstain: None  
Absent: None

**G.** Councilman Keeler introduced Resolution No. 210-2012 authorizing CFO Bascom to draft Bond Ordinances for three capital improvement projects; \$250,000- \$300,000 road paving and similar improvements, \$140,000 fire department equipment, \$100,000 municipal complex renovation.  
Second by Councilman Murphy and approved upon the following roll call vote:  
Ayes: Bills, Kelly, Leckstein, LoBiondo, Murphy  
Nays: Keeler  
Abstain: None  
Absent: None

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

**RESOLUTION 211-2012**  
**BOROUGH OF SEA BRIGHT**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE VILLAGE ROAD AND SANDPIPER LAND PROJECT.**

NOW, THEREFORE, BE IT RESOLVED, that Council of the Borough of Sea Bright formally approves the grant application for the above-stated project.

BE IT FURTHER RESOLVED, that the Mayor and Council and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013 - Sea Bright Borough-00322 to the New Jersey Department of Transportation on behalf of the Borough of Sea Bright.

BE IT FURTHER RESOLVED, that the Mayor and Council and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Sea Bright and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

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

**DISCUSSION:** Monmouth County S-32/Sea Bright-Rumson Bridge S-32 Mayor Long and Engineer Flor. Mayor Long said that the Governing Body needs to express their views of what is being proposed and how it is going to affect Sea Bright.

Councilman Murphy introduced a motion for this discussion to continue in executive session. Second by Councilman Murphy and approved upon the following roll call vote:

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

**REPORTS/CORRESPONDENCE :**

**A.** Construction Department -September Report.

**MAYOR DINA LONG** - REPORT AND COMMUNICATIONS. Mayor Long said on October 4<sup>th</sup>, 9L30 a.m. in Rumson, there will be a meeting with the project team to view the concepts and preferred alternative for the Sea Bright/Rumson replacement bridge.

She said that the Borough will hold fundraisers for dune grass planting for the entire 3 mile stretch in early March 2013. There will be a kick-off reception Raise the Dunes at McLoone's on January 25, 2013.

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

No one wished to be heard.

Councilman Leckstein introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 207-2012**  
**BOROUGH OF SEA BRIGHT**  
**EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:40.12 et seq. provides for closed session of the Council as appropriate; and,

WHEREAS, the Public Meetings Act provides for closed session of the Council; and,

WHEREAS, the matters to be discussed involves contractual.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey, that they meet in closed session to discuss the issues as herein set forth and when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

BE IT FURTHER RESOLVED that the Mayor and Council may come back into Regular Session to conduct additional business.

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

Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: None

**ADJOURNMENT :**

There being no further business before the Governing Body. Councilwoman Bills offered a motion to adjourn the meeting at 10:24 p.m. Second by Councilman Leckstein and approved upon unanimous voice vote.

Respectfully Submitted,

Suzanne Branagan, RMC  
Deputy Municipal Clerk