

**MINUTES
SPECIAL MEETING
BOROUGH OF SEA BRIGHT**

NOVEMBER 7, 2013

SEA BRIGHT, NEW JERSEY

Mayor Long called the meeting to order at 7:12 p.m. and requested those present to join her in the Pledge of Allegiance to the Flag.

Mayor Long read the following Compliance 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 the 48 hour notice requirement for this meeting has been met. A copy of the agenda has been forwarded to the Asbury Park Press and The Link News on October 10, 2013 and posted on the bulletin board in the Borough office. This meeting is open to the public. Official action will be taken.

PRESENT: Mayor Dina Long, Councilmembers Peggy Bills, William J. Keeler, Brian P. Kelly, Marc A. Leckstein, James A. LoBiondo, C. Read Murphy

ALSO PRESENT: Borough Attorney Sheila K. Siegelbaum, Borough Engineer Jacklyn J. Flor, Acting Borough Administrator/Clerk Joseph L. Verruni

REMARKS FROM THE AUDIENCE: (limited to 3 minutes)

The Public Comment portion of this meeting allows members of the audience to bring their concerns or comments to the Mayor and Council's attention. Pursuant to Borough Ordinance 3-2011, a member of the public who wishes to speak shall give his/her name and address for the record and may have up to three minutes to state his/her comments to the Mayor and Council as a Body. If additional time or information is requested, an appointment can be made with the Administrator's office during regular business hours.

Chris Doxey, 9 Church Street, asked about the bulkhead status. Mayor Long responded, informing Ms. Doxey that a discussion of the bulkheads is on this evening's Workshop Meeting Agenda. Representatives of The Army Corps of Engineers met in Sea Bright this week, and the bulkheads status was discussed.

CONSENT AGENDA:

Minutes:

Councilmember Leckstein offered a motion to approve the minutes of the following meetings; seconded by Councilmember Kelly.

April 2, 2013 Regular Meeting
April 19, 2013 Regular Meeting
May 7, 2013 Regular Meeting

Roll Call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

Resolutions:

RES No.192-2013 Authorizing a Waiver of Construction Permit Fees for Construction Work at 25 Center Street

**RESOLUTION NO. 192-2013
WAIVER OF CONSTRUCTION PERMIT FEES
FOR CONSTRUCTION WORK AT 25 CENTER STREET**

Councilmember Leckstein offered the following resolution and moved its adoption; seconded by Councilmember Kelly.

WHEREAS, the Borough of Sea Bright, received a funding with the New Jersey Office of Emergency Management for a FY 12 Severe Repetitive Loss Elevation Project to raise the residential structure located at 25 Center street also known as Block 10, Lot 13, above the Base Flood Elevation, and,

WHEREAS, the State of New Jersey has indicated that pursuant to N.J.A.C. 5:23-4.19(b)5 the State will waive the State permit surcharge fee for construction permits if the municipality waives the local fee; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth, that the municipal construction permit fees for construction work are hereby waived for the house raising and/or any associated fees related to raising of 25 Center Street; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the following:

- 1. Business Administrator
- 2. Chief Financial Officer
- 3. Construction Official
- 4. Borough Engineer

Roll Call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

RES No.193-2013 Authorizing Release of Performance Guarantees for Edgewater Beach Club, Block 4, Lot 6, 1465 Ocean Avenue

RESOLUTION NO. 193-2013
Authorize the Release of Performance Guarantees

Councilmember Leckstein introduced and offered for adoption the following Resolution; seconded by Councilmember Kelly.

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Borough of Sea Bright to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Borough Engineer; and

WHEREAS, Edgewater Beach Club has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$187,680.00 (\$168,912.00 in a form of a Performance Bond & \$18,768.00 in Cash) to guarantee the completion of all improvements on premises known as Block 4, Lot 6 also known as 1465 Ocean Avenue; and

WHEREAS, Jaclyn J. Flor, P.E., P.P., representing the Borough Engineer, has advised the Borough Council by letter dated October 18, 2013, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Borough Engineer recommends the acceptance of same and the release of the aforementioned performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$28,152.00) of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Jaclyn J. Flor, Borough Engineer and the performance guarantees totaling \$187,680.00 are hereby released, canceled and discharged.

BE IT FURTHER RESOLVED by the Borough Council that this resolution shall not become effective unless and until the Borough of Sea Bright is furnished with the posting of a maintenance guarantee in the amount of 15% (\$28,152.00) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

BE IT FURTHER RESOLVED that a copy of this resolution, certified to be a true copy, be forwarded to the following:

- 1. Borough Engineer
- 2. Finance Manager
- 3. Construction Official
- 4. Martin A. McGann, Jr. Atty for Edgewater Beach

Roll Call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

RES No.194-2013 2014 Software/Hardware Agreement with Edmunds & Associates, Inc.

RESOLUTION NO.194-2013
BOROUGH OF SEA BRIGHT 2014 SOFTWARE/HARDWARE AGREEMENT

Councilmember Leckstein offered the following resolution and moved its adoption; seconded by Councilmember Kelly.

WHEREAS, the Borough of Sea Bright wishes to maintain a software and hardware support agreement for the Sea Bright Administrative Offices from Edmunds & Associates, Inc. for CY 2014 as follows:

2014 SOFTWARE SUPPORT

Tax Collections	\$2,205.00
Financial Accounting	\$3,308.00
Utility Billing	\$2,316.00
MCSJ WIPP Tax Annual Fee	\$1,200.00
MCSJ WIPP Utility Annual Fee	\$1,200.00
SS Escrow Accounting	\$ 945.00
Sub-Total SOFTWARE SUPPORT	\$11,174.00

2014 HARDWARE SUPPORT

Maintenance H/W Pervasive SQLI	\$ 180.00
TOTAL	\$11,354.00

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Public Contracts Laws, N.J.S.40A:11-12; and

WHEREAS, the actual cost for the computer support agreements listed herein shall be \$11,354.00 for calendar year 2014.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright that the support agreements for computer software and hardware are authorized as described for the calendar year 2014.

CERTIFICATION OF FUNDS, I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds will be available in the 2014 Temporary Budget for Tax Other Expense; Finance Other Expense; and Sewer Other Expense appropriations for the purpose stated in the this resolution.

Michael J. Bascom, CFO

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the following:

1. Edmunds & Associates, Inc.
2. Chief Financial Officer
3. Tax Collector
4. Finance Manager

Roll Call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

RES No.195-2013 Amends Res No.190-2013 "Consent to Make Changes to the Title or Text of Appropriations for CDBG Essential Services Grant

RESOLUTION NO.195-2013

AMENDING RESOLUTION No.190-2013 ENTITLED "CONSENT TO MAKE CHANGES TO THE TITLE OR TEXT OF APPROPRIATIONS FOR CDBG ESSENTIAL SERVICES GRANT, PUBLIC WORKS FUNCTIONS AND PUBLIC SAFETY FUNCTIONS"

Councilmember Leckstein offered the following resolution for approval; seconded by Councilmember Kelly.

WHEREAS, on October 15, 2013 the Borough Council of the Borough of Sea Bright, County of Monmouth approved Resolution No. 190-2013 "Consent to Make Changes to the Title or Text of Appropriations which now requires a technical correction; and

WHEREAS, N.J.S. 40A:4-85 provides that the Director of the Division of Local Finance may, at the request of, or with the consent of, the governing body of the county or municipality, make changes of the title, text or amount of any appropriation appearing in the budgets as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality;

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S. 40A:4-85, the Borough of Sea Bright hereby requests the Director of the Division of Local Finance to make the following corrections in the budget of the year 2013;

<u>Appropriations:</u>	<u>From</u>	<u>To</u>
<u>CDBG ESSENTIAL SERVICES GRANT:</u>		
Police S & W	\$915,000.00	\$980,000.00
Fire Department OE	\$ 50,000.00	0.00
Solid Waste Disposal	\$110,000.00	0.00
DPW / Streets & Roads S&W	\$ 0.00	\$ 95,000.00
 <u>PUBLIC WORKS FUNCTIONS:</u>		
DPW / Streets & Roads S&W	\$205,000.00	\$110,000.00
Solid Waste Disposal	\$ 30,000.00	\$140,000.00
 <u>PUBLIC SAFETY FUNCTIONS:</u>		
Fire: Other Expenses	\$ 4,000.00	\$ 54,000.00
Police S&W	\$226,000.00	\$161,000.00

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the municipality for the reasons hereinafter set forth: This Change in Title and Text has been directed by the Division of Local Government Services so as to ensure that the Borough may comply with the terms of the Disaster Recovery Community Development Block Grant, Essential Services Grant Program.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Division of Local Government Services (2 copies)
2. Michael Bascom, Chief Financial Officer
3. Jaclyn Flor, Engineer
4. Phil Del Turco, Fiscal Officer

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
Yes Yes Yes Yes Yes Yes

RES NO.196-2013 Authorizing Refund of Construction Permit Fees as per Ordinance No. 17-2011 "Incentive to Volunteer Fire and First Aid Members"

RESOLUTION NO. 196-2013
REFUND OF CONSTRUCTION PERMIT FEE

Councilmember Leckstein introduced and offered for adoption the following Resolution: seconded by Councilmember Kelly:

WHEREAS, the Mayor and Council of Borough of Sea Bright, County of Monmouth, State of New Jersey adopted Ordinance No.17-2011 that provides incentives for volunteer fire and first aid members, and

WHEREAS, Article III, Section 20-14 entitled Incentives, subsection C. exemption of the municipal portion of the Uniform Construction Code fees for the issuance of building fees owned or occupied by an active member of a volunteer organization, and

WHEREAS, on October 16, 2013, Jyll S. Jakes, a volunteer Firemen for the Borough of Sea Bright hired Sampson Construction of Atlantic Highlands to make improvement to her home at 12 South Street and paid construction permits fees in the amount of \$984.00, and

WHEREAS, the Mayor and Borough Council hereby approve the refund for the construction permit fees in the amount of \$984.00 be returned to Sampson Construction of Atlantic Highlands on behalf of Jyll S. Jakes, homeowner.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Council of the Borough of Sea Bright authorized the Finance Manager to issue a refund in the amount of \$984.00 to Sampson Construction.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Finance Manager
2. Construction Department
3. Sampson Construction
35 Mountainside Avenue
Atlantic Highlands, NJ 07716
4. Jyll S. Jakes, Homeowner

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes Yes Yes Yes Yes Yes

RES NO.197-2013 Award of Contract for the 2013 Municipal Parking Lot Improvements to Fiore Paving Co., Oceanport, NJ

RESOLUTION NO.197- 2013
2013 Municipal Parking Lot Improvements Contract of Award

Councilmember Leckstein offered the following resolution and moved its adoption; seconded by Councilmember Kelly.

WHEREAS, the Borough Council of the Borough of Sea Bright authorized receipt of bids for the 2013 Municipal Parking Lot Improvements on October 8, 2013; and

WHEREAS, the Borough Clerk did duly advertise on September 27, 2013, to receive bids for said project; and

WHEREAS, in connection therewith the following, seven (7) bids were received by the Borough of Sea Bright on October 8, 2013 from All Surface Asphalt Paving, Inc, Point Pleasant, NJ; Black Rock Enterprises, LLC., Old Bridge, NJ; Cardinal Contracting Co., Inc., Southampton, NJ; Defino Contracting Co., Cliffwood Beach, NJ; Fiore Paving Co, Oceanport, NJ; Mixalia Enterprises, Shrewsbury, NJ and Stavola Contracting Co. Tinton Falls, NJ; and

WHEREAS, it was determined that the lowest responsible bidder meeting specifications for the bid was Fiore Paving Co., Inc. Oceanport, NJ at a total cost not to exceed \$1,136,734.75; and

WHEREAS, the Borough Engineer and the Borough Attorney have recommended that a contract be awarded to Fiore Paving Co. Inc. Oceanport, NJ as per their bid submitted on October 8, 2013; and

WHEREAS, Certification of Funds is hereby given by the Chief Finance Officer of the Borough of Sea Bright that there are adequate funds available for the purpose of award of this contract in the Bond Ordinance #18-2013.

Michael Bascom, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the 2013 Municipal Parking Lot Improvements be awarded to Fiore Paving Co., Inc. NJ, as per their bid proposal at a cost not to exceed \$1,136,734.75; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to return all bid bonds and/or certified checks received from unsuccessful bidders for this particular bid item; and

BE IT FURTHER RESOLVED that this award of contract is conditioned upon the delivery and execution thereof within ten (10) days from the date of the within resolution accompanied by such appropriate insurance certificate, Affirmative Action certificate and performance bonds as may be required by the specifications; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the

1. Finance Manager
2. Borough Engineer
3. Borough Attorney
3. Director of Public Works
4. Fiore Paving Co., Inc. Oceanport, NJ

Roll Call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

RES NO.198-2013 Award of Contract for the 2013 Road Program to Fiore Paving Co., Oceanport, NJ

RESOLUTION NO.198- 2013
2013 Road Program Contract of Award

Councilmember Leckstein offered the following resolution and moved its adoption; seconded by Councilmember Kelly.

WHEREAS, the Borough Council of the Borough of Sea Bright authorized receipt of bids for the 2013 Road Program on October 8, 2013; and

WHEREAS, the Borough Clerk did duly advertise on September 25, 2013, to receive bids for said project; and

WHEREAS, in connection therewith the following, five (5) bids were received by the Borough of Sea Bright on October 8, 2013 from Black Rock Enterprises, LLC., Old Bridge, NJ; Cardinal Contracting Co., Inc., Southampton, NJ; Defino Contracting Co., Cliffwood Beach, NJ; Fiore Paving Co, Oceanport, NJ; and L & L Paving, Tinton Falls, NJ; and

WHEREAS, it was determined that the lowest responsible bidder meeting specifications for the bid was Fiore Paving Co., Inc. Oceanport, NJ at a total cost not to exceed \$386,522.65; and

WHEREAS, the Borough Engineer recommended that a contract be awarded to Fiore Paving Co. Inc. Oceanport, NJ as per their bid submitted on October 8, 2013; and

WHEREAS, Certification of Funds is hereby given by the Chief Finance Officer of the Borough of Sea Bright that there are adequate funds available for the purpose of award of this contract in the Bond Ordinance #18-2013.

Michael Bascom, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the 2013 Road Program be awarded to Fiore Paving Co., Inc. NJ, as per their bid proposal at a cost not to exceed \$386,522.65; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to return all bid bonds and/or certified checks received from unsuccessful bidders for this particular bid item; and

BE IT FURTHER RESOLVED that this award of contract is conditioned upon the delivery and execution thereof within ten (10) days from the date of the within resolution accompanied by such appropriate insurance certificate, Affirmative Action certificate and performance bonds as may be required by the specifications; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

- 1. Finance Manager
- 2. Borough Engineer
- 3. Borough Attorney
- 3. Director of Public Works
- 4. Fiore Paving Co., Inc. Oceanport, NJ

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes Yes Yes Yes Yes Yes

RES NO.199-2013 Authorizing Mayor and Borough Clerk to execute an Access Agreement with the Adjacent Residents of the Severe Repetitive Loss Elevation Project at 25 Center Street

RESOLUTION NO.199-2013
BOROUGH OF SEA BRIGHT
ACCESS AGREEMENT – 25 CENTER STREET

Councilmember Leckstein introduced and offered for adoption the following Resolution; seconded by Councilmember Kelly.

WHEREAS, the Borough of Sea Bright entered into an agreement with McCauley Construction of Long Branch, NJ for the Severe Repetitive Loss Elevation Project at 25 Center Street on October 15, 2013; and

WHEREAS, it was determined that in order to accomplish this work the Contractor requires access onto properties adjacent to 25 Center Street in order to complete the process of raising the house located on 25 Center Street; and

WHEREAS, the residents of the properties adjacent to 25 Center Street are willing to provide such limited access to, and use of, the property, but only on the terms and conditions set forth in a Access Agreement; and

WHEREAS, the Residents adjacent to 25 Center Street, McCauley Construction and the Borough of Sea Bright will enter into Access Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk of the Borough of Sea Bright, State of New Jersey is hereby authorize to execute an Access Agreement with the Residents adjacent to 25 Center Street; and

NOW, THEREFORE, BE IT RESOLVED that a certified copy of this Resolution be forwarded to the following:

- 1. Adjacent Residents of 25 Center Street
- 2. Borough Engineer
- 3. Borough Attorney

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes Yes Yes Yes Yes Yes

RES NO.200-2013 Compliance with Promulgation of Local Finance Board of the State of New Jersey accepting the Borough of Sea Bright 2012 Annual Audit

RESOLUTION NO. 200-2013
Compliance with Promulgation of Local Finance Board
of the State of New Jersey accepting the
Borough of Sea Bright 2012 Annual Audit

Councilmember Leckstein introduced and offered for adoption the following Resolution; seconded by Councilmember Kelly.

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Borough of Sea Bright pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled

GENERAL COMMENTS and RECOMMENDATIONS

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled

GENERAL COMMENTS and RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright in the County of Monmouth, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
Yes Yes Yes Yes Yes Yes

RES NO. 201-2013 Designating Class II Special Police Officers

RESOLUTION NO. 201-2013
DESIGNATING CLASS II SPECIAL POLICE OFFICERS

Councilmember Leckstein introduced and offered for adoption the following Resolution; seconded by Councilmember Kelly.

WHEREAS, there exists a need to designate police employees as Class II Special Police Officers for the purpose of sending them to the Police Academy in January 2014, pursuant to a letter received from Chief John Sorrentino, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following people be designated as Special II Police Officers as specified in Ordinance No. 06-2013:

- 1. Kevin O'Donnell
- 2. Patrick Quirk
- 3. Michael Morgan

CERTIFICATION OF FUNDS

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

MICHAEL J. BASCOM, CFO

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

- 1. Finance Manager
- 2. Chief of Police

Roll Call:	Bills	Keeler	Kelly	Leckstein	LoBiondo	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

RES NO. 202-2013 Authorizing Transfer of Funds in accordance with N.J.S.A. 5-58 and N.J.S.A. 40A:4-45.4a.

RESOLUTION NO. 202- 2013
Authorize the Transfer of Funds in accordance with
N.J.S.A. 40A:5-58 and N.J.S.A. 40A:4-45.4a.

Councilmember Leckstein offered the following resolution and moved its adoption; seconded by Councilmember Kelly.

WHEREAS, there exists insufficient balances in certain line item appropriations of the 2013 budget, and

WHEREAS, under the provisions of N.J.S.A. 40A:5-58 and N.J.S.A. 40A:4-45.4, it is legal to transfer to certain appropriations which are expected to be insufficient between November 1 and December 31,

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, (not less than 2/3 of all member of the Governing Body (concurring) that the Borough Administrator and Chief Financial Officer are hereby authorized to make the following transfers in accordance with the annexed schedule:

Schedule of Budget Transfers - November 7, 2013

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

- 1. Director of Finance
- 2. Township Auditor
- 3. Fiscal Officer

Roll Call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

**BOROUGH OF SEA BRIGHT
SCHEDULE OF CURRENT FUND BUDGET TRANSFERS
MEETING NOVEMBER 7, 2013**

Account Description:	Amount	Totals
Transfers From (Inside CAPS):		
General Administration-O/E	-5,000.00	
Municipal Clerk-S&W	-5,000.00	
Tax Assessor-O/E	-2,000.00	
Legal-O/E	-10,000.00	
Borough Engineer-O/E	-10,000.00	
Planning Board-O/E	-3,500.00	
Insurance, Liability,Surety,Flood-O/E	-5,000.00	
Workmans Compensation Insurance-O/E	-5,000.00	
Employee Health Insurance-O/E	-2,000.00	
	-3,500.00	
Buildings & Grounds-O/E	-2,500.00	
Animal Control Services-O/E	-1,000.00	
Electric-O/E	-5,000.00	
Street Lighting-O/E	-5,000.00	
Water-O/E	-1,000.00	
Landfill/Disposal Tipping Fee-O/E	-2,000.00	
		-67,500.00
Transfers To (Inside CAPs):		
General Administration-S&W	12,000.00	
Municipal Clerk-O/E	4,500.00	
Finance/Treasurer-S&W	14,000.00	
Finance/Treasurer-O/E	5,000.00	
Computerized Information System	3,000.00	
Planning Board-S&W	6,000.00	
Uniform Construction Code-O/E	4,500.00	
Fire Marshall-O/E	1,000.00	
Unemployment Insurance-O/E	15,000.00	
Public Health Services-O/E	500.00	
Social Security-O/E	2,000.00	
		67,500.00
Net Transfer Proof		0.00

*Note: S&W = Salaries & Wages O/E = Other Expenses

The following Resolution was added to the agenda before the start of the meeting:

RES NO. 205-2013 Appointment of "Public Officer" Pursuant to Ordinance No. 162-2

**RES NO. 205-2013
Appointment of "Public Officer" Pursuant to Ordinance No. 162-2**

Councilmember Leckstein introduced and offered for adoption the following Resolution; seconded by Councilmember Kelly.

WHEREAS, pursuant to Ordinance No. 162-2, the Borough Council is required to designate a "Public Officer" to effectuate the provisions of Chapter 162 of the Code of the Borough of Sea Bright, titled, "Abandoned Properties"; and

WHEREAS, the Borough Council has determined that it wishes to appoint its Code Enforcement Officer, Tom Haege, to the position of "Public Officer";

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth, that Tom Haege be appointed to the position of "Public Officer" so as to effectuate the provisions of Chapter 162 of the Code of the Borough of Sea Bright, titled, "Abandoned Properties".

Roll Call: Bills Keeler Kelly Leckstein LoBiondo Murphy
 Yes Yes Yes Yes Yes Yes

INDIVIDUAL ACTION/New Business:

VOUCHERS: \$878,855.24

Councilmember Keeler offered a motion to approve the Voucher List dated November 7, 2013 as submitted by the Finance Manager; seconded by Councilmember Kelly.

**VOUCHER LIST
NOVEMBER 7, 2013 MEETING**

Vendor # Name	PO #	PO Date	Description	Status	Amount
01005 ADP, INC.	13-01392	10/28/13	FINANCE-OCT 2013 PROCESSING	Open	736.51
01062 ALL HANDS FIRE EQUIPMENT, LLC	13-01175	09/06/13	FIRE DEPT-VARIOUS ITEMS	Open	898.45
00820 APOLLO SEWER & PLUMBING, INC.	13-00452	04/18/13	FIRE DEPT-EMERG SERVICE:3/2/13	Open	225.00
00003 ASBURY PARK PRESS	13-00001	01/10/13	MUNI CLERK-BLANKET:NOTICES	Open	518.50
00384 AT & T MOBILITY	13-01384	10/28/13	DPW-OCT 2013 CELL BILL	Open	388.06
01042 ATLANTIC TOMORROWS OFFICE	13-01320	10/16/13	A&E-3/Q/12 COPY/CLICK CHARGES	Open	738.66
00171 AURILIO, PATTI	13-01408	11/01/13	COURT-10/30/13 DWI SESSION	Open	105.00
00167 AUTONOMY, INC.	13-00132	02/04/13	A&E-VAULT:2013 SERVER BACKUPS	Open	119.60
00006 AVAYA, INC.	13-00016	01/10/13	POLICE DEPT-2013 BOX/MOD MAINT	Open	76.14
	13-00202	02/15/13	POLICE DEPT-2013 PHONE MAINT	Open	91.47
	13-01400	10/29/13	POLICE DEPT-REPLACE LINES	Open	353.75
					521.36
01241 BAIN'S HARDWARE, INC.	13-01268	10/08/13	SEP 2013 PURCHASES	Open	251.38
01641 BORO OF SEA BRIGHT UNEMPLOYMNT	13-01387	10/28/13	T/F TO UNEMPLOYMENT TRUST A/C	Open	5,000.00
01631 BOROUGH OF OCEANPORT	13-01318	10/16/13	COURT SHARED SERVICES:NOV 2013	Open	6,503.34
01565 BOROUGH OF SEA BRIGHT	13-01352	10/21/13	T/F ADMIN FEE:10/15/13 P/R	Open	970.00

November 7, 2013 Voucher List

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Vendor # Name	PO #	PO Date	Description	Status	Amount
01525 BOROUGH OF SEA BRIGHT	13-01388	10/28/13	BEACH-T/F TO CURRENT FOR PERS	Open	686.21
	13-01389	10/28/13	SEWER-T/F TO CURRENT FOR PERS	Open	686.20
					1,372.41
01974 BOROUGH OF SEA BRIGHT COURT	13-01324	10/16/13	COURT-09/13 CREDIT CARD REIMB	Open	169.27

01819 BROWN, FRANCIS 13-01330 10/17/13 MUNI CLERK-RETURN ELECTION BKS	Open	30.00
01546 C.I.T. TECHNOLOGY FIN SERV,INC 13-00007 01/10/13 POLICE DEPT-2013 COPIER LEASE	Open	147.72
00063 CHESAPEAKE EXTERMINATING CO. 13-01373 10/24/13 BLDGS/GRNDS-EXTERM:AUG/SEP2013	Open	60.00
00198 COMCAST 13-01333 10/17/13 POLICE DEPT-INTERNET:OCT 2013	Open	104.95
13-01397 10/29/13 FIRE DEPT-INTERNET:NOV 2013	Open	114.90
		----- 219.85
00419 DRAEGER SAFETY DIAGNOSTICS,INC 13-01153 09/03/13 POLICE DEPT-SIMULATOR RECERT	Open	155.00
01720 FIREFIGHTER ONE, LLC 13-01129 08/23/13 FIRE DEPT-CO DETECTORS	Open	673.60
02181 GATEWAY PRESS 13-01222 09/18/13 P/L BOARD-MAILING LABELS	Open	98.00
13-01253 10/03/13 POLICE DEPT-ENVS, LETTERHEAD	Open	218.00
		----- 316.00
00136 GROVER, CHRISTOPHER d/b/a 13-01014 08/06/13 BEACH-REBUILD BOARDWALK	Open	14,812.50

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Vendor # Name PO # PO Date Description	Status	Amount
01365 HARTER EQUIPMENT, INC. 13-01209 09/17/13 RENTAL:SKID STEER	Open	1,488.00
01814 HERTZ EQUIPMENT RENTAL 13-01281 10/09/13 RENTAL:SKID STEER	Open	1,246.00
01286 INDUSTRIAL MARINE 13-01306 10/15/13 SEWER-WELD MANHOLE COVER	Open	150.00
00626 J. FLETCHER CREAMER & SON, INC 13-01325 10/16/13 SEWER-REPAIR SEWER MANHOLE	Open	4,918.88
01419 J. SWANTON FUEL OIL CO., INC. 13-00497 04/26/13 FUEL TANK RENTAL:POST SANDY	Open	300.00
00700 JACOBS, KHRISTI 13-01346 10/21/13 POLICE DEPT-REIMB:CLOTHING	Open	422.74
01526 JCP & L 13-01402 10/29/13 SEP 2013 ELECTRIC SERVICE	Open	5,627.08
01043 JERSEY PROFESSIONAL 13-01377 10/25/13 ACTING ADMINISTRATOR SERVICES	Open	6,205.00
13-01378 10/25/13 ACTING DEPUTY CLERK SERVICES	Open	7,182.50
		----- 13,387.50
00895 JOHNNY ON THE SPOT, INC. 13-01291 10/10/13 OCT 2013-(2) ADA-MAIN LOT	Open	576.60
00202 KAY PRINTING & ENVELOPE CO, INC 13-01302 10/15/13 BLDG DEPT-VARIOUS FORMS	Open	326.68
01555 LOCASIO, PETER 13-01349 10/21/13 COURT-10/17/13 COURT SESSION	Open	350.00
13-01410 11/01/13 COURT-10/30/13 DWI SESSION	Open	500.00
		----- 850.00
00161 LOU'S UNIFORMS, INC. 13-00968 07/29/13 POLICE DEPT-BADGE & CASE	Open	97.00

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Vendor #	Name	PO #	PO Date	Description	Status	Amount
00275	M & S WASTE SERVICES, INC.	13-01340	10/21/13	HURR SANDY CLEAN-UP:AUG/SEP'13	Open	3,255.27
01127	MARBRO, INC.	13-01023	08/12/13	BULKHEAD REPAIR/PARKING LOT	Open	117,420.66
00347	MCCAULEY CONSTRUCTION CO, INC.	13-01334	10/17/13	ELEVATE-25 CENTER STREET	Open	18,865.00
01985	MOBILE MINI, INC.	13-01304	10/15/13	POLICE-TRAILER 2013 PYMT 11/13	Open	204.75
00110	MONM CNTY REGIONAL HEALTH	13-01316	10/16/13	4/Q/2013 PUBLIC SERVICE HEALTH	Open	13,186.75
01854	MONMOUTH COUNTY BOARD/TAXATION	13-01341	10/21/13	TAX ASSESSOR-2013 MOD-IV SERV	Open	500.00
00340	MORRIS, KATHLEEN	13-01405	10/30/13	REC-REIMB: COMMUNITY DINNER	Open	167.72
00137	MUNICIPAL CAPITAL CORPORATION	13-00008	01/10/13	A&E-2013 COPIER LEASE	Open	225.20
00019	NJ AMERICAN WATER	13-01348	10/21/13	SEP 2013 WATER UTILITY	Open	369.31
00318	O'BRIEN'S RESPONSE	13-01312	10/15/13	CATASTROPHIC PLANNING SERVICES	Open	1,652.00
01309	OCEANPORT BOARD OF EDUCATION	13-01319	10/16/13	GRADE SCHOOL TAX - NOV 2013	Open	59,278.33
01648	PETRA OVERHEAD DOOR CO., INC.	13-01232	10/02/13	BLDGS/GRNDS-REPAIR FIRE DOOR	Open	150.00
		13-01273	10/09/13	BLDGS/GRNDS-REPAIR FIRE DOOR	Open	280.00
						----- 430.00
02054	POWERHOUSE SIGN WORKS	13-00250	02/26/13	FIRE DEPT-STICKERS & PATCHES	Open	52.50

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Vendor #	Name	PO #	PO Date	Description	Status	Amount
02167	QUALITY COMMUNICATIONS SYS, INC	13-00235	02/22/13	FIRE DEPT-INSTALL RADIO	Open	376.60
00411	R & R RADAR, INC.	13-00852	07/11/13	POLICE DEPT-INSTALL (3) RADAR	Open	400.00
00788	SCARINCI & HOLLENBECK, LLC	13-01313	10/16/13	LEGAL SERVICES:SEP 2013	Open	6,947.75
00408	SCHWAAB, INC.	13-01235	10/02/13	P/L BOARD-STAMP:SIGNATURES	Open	73.00
		13-01264	10/08/13	BLDG DEPT-DATE/PHRASES STAMP	Open	21.19
						----- 94.19
01640	SEA BRIGHT PIZZA	13-00867	07/12/13	REC-PIZZA/SUBS: SUMMER CAMP	Open	93.00
01554	SEA BRIGHT SERVICE CENTER	13-00334	03/19/13	FIRE DEPT-BLANKET:VEHICLE R&M	Open	209.25
		13-01006	08/05/13	POLICE-BLANKET:VEHICLE MAINT	Open	678.99
		13-01266	10/08/13	DPW-REPLACE DOOR ON F250	Open	1,132.55
		13-01276	10/09/13	DPW-REPLACE SIDE MIRROR F350	Open	174.10

			2,194.89
01120	SEA BRIGHT TAX COLLECTOR		
13-01374	10/24/13 2012 TAXES B18/L1	Open	473.93
00027	SEABOARD WELDING SUPPLY, INC.		
13-00183	02/13/13 DPW - 2013 CYLINDER RENTAL	Open	13.50
00053	SHORE REGIONAL HIGH SCHOOL		
13-01317	10/16/13 HIGH SCHOOL TAX - NOV 2013	Open	165,530.75
01778	SMITH, CAROL		
13-01409	11/01/13 COURT-10/30/13 DWI SESSION	Open	183.75

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Vendor #	Name	PO #	PO Date	Description	Status	Amount
00285	STAPLE'S ADVANTAGE					
13-01260	10/07/13	BORO HALL-OFFICE SUPPLIES	Open	369.85		
13-01300	10/15/13	BORO HALL-OFFICE SUPPLIES	Open	144.02		
13-01327	10/16/13	BORO HALL-OFFICE SUPPLIES	Open	195.18		
				-----		709.05
00083	T & M ASSOCIATES					
12-00485	04/18/12	BEACH ACCESS RAMP/PUBLIC RSTRM	Open	23,504.90		
13-00381	04/01/13	BULKHEADS & PUMP STATION	Open	22,247.81		
13-00566	05/08/13	ROADWAY/PARKING LOT REPAIRS	Open	2,846.91		
13-00602	05/15/13	HOME ELEVATION LOI:POST SANDY	Open	1,897.50		
13-00770	06/25/13	ENGINEERING:25 CENTER STREET	Open	10,574.33		
13-01307	10/15/13	MEETINGS:7/2, 7/31, 8/6/13	Open	948.69		
13-01308	10/15/13	ENGINEERING-7/2-8/21/13	Open	2,341.04		
13-01309	10/15/13	FEMA KICKOFF/ABFE MEETINGS	Open	845.00		
13-01328	10/17/13	PRELIM DESIGN:ROADS	Open	100.00		
13-01329	10/17/13	ENGINEERING RE:SANDY 8/29-9/17	Open	1,639.67		
13-01331	10/17/13	MEETINGS:9/3,9/12,9/17/13	Open	821.87		
13-01347	10/21/13	PRELIM DESIGN:ROADS	Open	25.00		
				-----		67,792.72
01285	THE HOME DEPOT					
13-01310	10/15/13	BLDGS/GRNDS-BLANKET:MISC SUPP	Open	60.48		
13-01381	10/28/13	BLDGS/GRNDS-10/22/13 INVOICE	Open	805.00		
				-----		865.48
00437	TONY D'S AUTO BODY, INC.					
13-01282	10/09/13	POLICE DEPT-REPAIR 2013 TAHOE	Open	1,148.53		
13-01283	10/09/13	POLICE DEPT-REPAIR 2013 TAHOE	Open	1,379.10		
				-----		2,527.63

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Vendor #	Name	PO #	PO Date	Description	Status	Amount
00460	TRIVETT'S SUNOCO, INC.					
13-01279	10/09/13	FIRE DEPT-BRAKES #4339	Open	945.60		
01960	VERIZON					
13-01314	10/16/13	LOCAL/LONG DISTANCE:SEP 2013	Open	2,084.48		
01020	VERIZON COMMUNICATIONS					
13-01344	10/21/13	DPW-DSL INTERNET:SEP 2013	Open	49.99		
13-01355	10/24/13	POLICE-FIOS STATIC IP:OCT 2013	Open	109.99		
				-----		159.98
02061	VERIZON WIRELESS					
13-01298	10/15/13	BLDG INSPECTOR-CELL:OCT 2013	Open	41.14		
13-01299	10/15/13	FIRE DEPT-MDT:OCT 2013	Open	40.01		
13-01369	10/24/13	POLICE-OCT 2013 CELL & MDT	Open	769.69		
13-01370	10/24/13	AIR CARDS/JET PACKS:OCT 2013	Open	160.04		

		1,010.88
01150 W.W. GRAINGER, INC.		
13-01233 10/02/13 BLDGS/GRNDS-TRASH LINERS	Open	287.88
01164 WATCHUNG SPRING WATER CO, INC.		
13-01390 10/28/13 SEP/OCT 2013 SPRING WATER	Open	162.12
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BALANCE CARRIED FORWARD		532,784.36
BORO OF SEA BRIGHT PAYROLL A/C		87,554.65
BORO OF SEA BRIGHT PAYROLL A/C		96,316.00
NJSHBP (SEP 2013)		32,495.68
NJSHBP (SEP 2013)		11,600.88
STATE OF NJ (3/Q/2013 UNEMPLOYMENT)		10,297.00
U.S. BANK (BOND P&I PAYMENT)		102,905.85
UNITED STATES POSTAL SERVICE (3/Q SEWER BILLS)		231.66
WEX BANK (VEHICLE FUEL-OCT 2013)		4,669.16
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GRAND TOTAL		878,855.24

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes Yes Yes Yes Yes Abstain

FOR DISCUSSION:

SUBJECT: Updates

ACTION: Mayor Long offered the following information:

- a.) 11/11/13 – Boro Hall closed for Veteran’s Day
- b.) 11/14/13 - Workshop Meeting Cancelled
- c.) 11/18/13 (Monday) - Council Meeting
- d.) 11/27/13 – Menorah lighting - Hanukkah begins at sundown
- e.) 11/28/13 - Boro Hall closed for Thanksgiving
- f.) 11/29/13 – Boro Hall closed day after Thanksgiving

ADJOURNMENT:

Councilmember Leckstein offered a motion to adjourn the meeting, seconded by Councilmember Kelly.

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes Yes Yes Yes Yes Yes

Time: 7:16pm

REOPEN THE MEETING:

Councilmember Leckstein offered a motion to reopen the meeting, seconded by Councilmember Kelly.

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes Yes Yes Yes Yes Yes

Time: 7:16 pm

EXECUTIVE SESSION: Personnel

Councilmember Leckstein introduced and offered for adoption a motion to enter into Closed Session; seconded by Councilmember Bills.

RES NO. 203-2013 to discuss Personnel

RESOLUTION NO. 203-2013
EXECUTIVE SESSION

Councilmember Leckstein offered the following resolution and moved its adoption; seconded by Councilmember Bills:

WHEREAS, Section 8 of the Open Public Meeting Act, NJSA 10:4-12 permits the exclusion

of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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.

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matters to be discussed are as follows:
Personnel
3. It is anticipated at this time that the subject matters will be made public, if and when, confidentiality is no longer needed. Action may be taken.
4. This Resolution shall take effect immediately

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

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes Yes Yes Yes Yes Yes

Time: 7:17 pm

ADJOURNMENT:

Councilmember Leckstein offered a motion to adjourn the meeting, seconded by Councilmember Kelly.

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes Yes Yes Yes Yes Yes

Time: 7:30pm

Respectfully Submitted,

Joseph L. Verruni

JLV/cbm