

**AGENDA
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

JULY 11, 2017

SEA BRIGHT, NEW JERSEY

Mayor Long called the meeting to order at 7:00 pm and requested those present to join her in the Pledge of Allegiance.

Mayor Long read the following Compliance Statement:

COMPLIANCE STATEMENT (N.J.S.A. 10:4-18)

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 Was Sent to the Asbury Park Press and other local newspapers on November 15, 2016. In each instance, the Date, Time, And Location Of This Meeting Were Provided In The Notice. This Meeting Is Open To The Public."

PRESENT: Mayor Dina Long
Councilmember's Kevin Birdsall, William J. Keeler, Brian P. Kelly
Councilmember's John M. Lamia, Jr., Marc A. Leckstein, Charles H. Rooney

OTHERS: Attorney Richard Shaklee, Engineer Fran Mullan, CFO Michael J. Bascom,
Administrator Joseph L. Verruni, Clerk Christine Pfeiffer

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.

Christina Galinos, 1054 Ocean Avenue, asked Council for an update on her neighbor's building at 1056 Ocean Avenue. Ms. Galinos said she has leaks in her building that cannot be fixed because of the attached building next door and there was a recent fire at 1056 which fortunately did not spread to her property. Mayor Long responded that the Borough is taking action but it is a process - we are moving forward. Attorney Shaklee said that a motion was recently filed to re-open the case before the NJ Superior Court which will hopefully come down with a decision within a few months.

CONSENT AGENDA

Councilmember Birdsall offered a motion to remove Resolutions 124-2017 and 126-2017 from the consent agenda; seconded by Councilmember Leckstein:

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes Yes Yes Yes Yes

Councilmember Kelly offered a motion to approve the remaining items that are considered routine in nature under the consent agenda; seconded by Councilmember Birdsall:

Minutes

06-15-2017 Workshop Meeting
06-15-2017 Executive Session
06-20-2017 Regular Meeting
06-20-2017 Executive Session

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes Yes Yes Yes Yes

Resolutions:
No. 120-2017

Authorizing The Borough Of Sea Bright To Apply For Highway Traffic Safety Mobilization 2017 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Traffic Safety Grant

RESOLUTION No. 120-2017

**AUTHORIZING THE BOROUGH OF SEA BRIGHT TO APPLY FOR
HIGHWAY TRAFFIC SAFETY MOBILIZATION
2017 DRIVE SOBER OR GET PULLED OVER STATEWIDE
LABOR DAY CRACKDOWN TRAFFIC SAFETY GRANT**

Councilmember Kelly introduced and offered for adoption the following resolution; seconded by Councilmember Birdsall:

WHEREAS, the safety of all citizens travelling on the roadways in the Borough of Sea Bright and the surrounding roadways is vitally important; and

WHEREAS, in 2014, alcohol impaired fatalities accounted for 29% of New Jersey's traffic fatalities; and

WHEREAS, the *2017 Drive Sober or Get Pulled Over Grant* provides funding to implement an impaired driving enforcement campaign as part of the *2017 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown* from August 18, 2017 to September 4, 2017; and

WHEREAS, grant funds in the amount of \$5,500.00 are available, with no local match, from the National Highway Traffic Safety Administration to reimburse police personnel, on an overtime basis, for special enforcement patrols targeting impaired drivers; and

WHEREAS, the deadline to apply for the grant is July 28, 2017; and

WHEREAS, the Sea Bright Police Chief has recommended that the Borough apply for said Grant; and

WHEREAS, the Governing Body of the Borough of Sea Bright, County of Monmouth wish to apply for the *2017 Drive Sober or Get Pulled Over Grant* from the National Highway Traffic Safety Administration.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the appropriate officials are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the aforementioned grant funds from the National Highway Traffic Safety Administration for the *2017 Drive Sober or Get Pulled Over Grant*; and

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

- 1. Director of Finance
- 2. Chief of Police
- 3. CFO

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes Yes Yes Yes Yes

No. 121-2017 Renewal of the 2017-2018 Liquor License Licensee who has met all Borough and State Requirements and Paid all Applicable Fees

RESOLUTION NO. 121-2017
**RENEWAL OF THE 2017 -2018 LIQUOR LICENSE
 LICENSEE WHO HAS MET ALL BOROUGH AND STATE
 REQUIREMENTS AND PAID ALL APPLICABLE FEES**

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

WHEREAS, the Retail Renewal Application form for the 2017 - 2018 license term has been deemed complete in all respects, the annual fees have been paid to both the Borough of Sea Bright and the State of New Jersey, Division of ABC; and

WHEREAS, the Borough Council of the Borough of Sea Bright, County of Monmouth, hereby authorize the renewal of the following Retail Alcoholic Beverage Licenses for the 2017 -2018 license term:

RETAIL DISTRIBUTION LICENSES:	RENEWAL FEE: \$1,670.00
1343-44-006-011	Seabreeze Wines & Spirits Inc. t/a Cork and Barrel 1060 Ocean Avenue

WHEREAS, Seabreeze Wines & Spirits, Inc. petitioned the Division of Alcoholic Beverage Control for temporary permit to operate pending action by the Municipal issuing authority on June 28, 2017 to operate beyond July 1st.

WHEREAS, the Alcoholic Beverage Licensee Retail Tax Clearance Certificate pursuant to Chapter 161, Laws of NJ 1995 has been granted by the Division of Taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that authorization is hereby given to renew, effective July 1, 2017, the aforesaid liquor licensee for the license term 2017-2018; and

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

- 1. Chief of Police
- 2. Fiscal Officer
- 3. Division of Alcoholic Beverage Control

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes Yes Yes Yes Yes

No. 122-2017 Remove S. Kelly Corporation from Resolution No. 132-2017
2017/2018 Annual Renewal Liquor License (12.39 Special Ruling Required)
RESOLUTION No. 122-2017
Remove S. Kelly Corporation from Resolution #114-2017
2017/2018 Annual Renewal Liquor License (12.39 Special Ruling required)

Councilmember Kelly introduced and offered the following resolution for its adoption; seconded by Councilmember Birdsall:

WHEREAS, N.J.S.A. 33:1-12.39 "Special Ruling" if a license became inactive on or before June 30, 2015, the local issuing authority does not have the jurisdiction to renew a inactive license for the 2017-2018 license term, until the licensee obtains a "Special Ruling" from the Director of the New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, on June 20, 2017, the Governing Body of the Borough of Sea Bright passed a Resolution No. 114-2017 granting S. Kelly Corporation the 2017/18 Annual Renewal Liquor License; and

WHEREAS, S. Kelly Corporation has been inactive since December, 2014, therefore, the licensee is required to submit a "Verified Petition" to the Director before the local issuing authority can approve the 2017-2018 Annual Renewal Liquor License to the licensee; and

WHEREAS, the Borough Council has considered the foregoing.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth that S. Kelly Corporation doing business as The Madhatter, a Class C Plenary Retail Consumption License #1343-33-011-007 is hereby removed from Resolution No. 114-2017.

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

- 1. Division of Alcoholic Beverage Control
- 2. Department of Police
- 3. S. Kelly Corporation

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes Yes Yes Yes Yes

No. 123-2017 Accepting the Performance Guarantee(s) for Block 19, Lot 3
10 East Ocean Avenue, Kelly Management Corporation (The Madhatter)
RESOLUTION NO. 123-2017
ACCEPTING THE PERFORMANCE GUARANTEE(S) FOR BLOCK 19, LOT 3
10 EAST OCEAN AVENUE KELLY MANAGEMENT CORPORATION (THE MADHATTER)

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

WHEREAS, the Borough of Sea Bright has approved a development project on Block 19, Lot 3 also known as Kelly Management Corporation; and

WHEREAS, Hoder Associates prepared a performance guarantee estimate dated January 19, 2017 for Kelly Management Corporation; and

WHEREAS, in accordance with N.J.S.A. 40:55D-53, Kelly Management Corporation posted a performance guarantee for 120% of the cost of installing improvements in the total amount of \$91,050.00, ten percent (10%) (\$9,105.00) of which was cash and deposited with the Borough and the remaining ninety percent (90%) (\$81,945.00) was in the form of a surety performance bond, and

WHEREAS, Kelly Management Corporation posted five percent (5%) engineering inspection fees in the amount of \$3,793.75 and the required certificate of insurance.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that all requirements for entering into a developer's agreement are hereby waived; and

BE IT FURTHER RESOLVED that the performance guarantees are hereby accepted.

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

- 1. Hoder Associates, Consulting Engineer
- 2. Construction Official
- 3. Finance Manager
- 4. Kelly Management Corporation

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes Yes Yes Yes Yes

No. 125-2017 Reconstruction of Six Bulkheads and New Stormwater Pump Station
R. Kremer & Son Marine Contractors, LLC
Performance Bond Reduction/Maintenance Bond

RESOLUTION NO. 125-2017

**RECONSTRUCTION OF SIX BULKHEADS AND
NEW STORM WATER PUMP STATION
R. KREMER & SON MARINE CONTRACTORS, LLC
PERFORMANCE BOND REDUCTION / MAINTENANCE BOND**

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

WHEREAS, the Borough Council awarded a contract to R. Kremer & Son Marine Contractors, LLC of Brick, New Jersey in the amount of \$1,525,705.00 for the Reconstruction of Six Bulkheads and a new Stormwater Pump Station on April 21, 2015; and

WHEREAS, R. Kremer & Son Marine Contractors, LLC has requested a reduction of their Performance Bond No. 35583 in the amount of \$1,525,705.00, issued by The Service Insurance Company; and

WHEREAS, the Borough Engineer, Francis W. Mullan, P.E. submitted a revised letter to the Borough Administrator dated July 3, 2017 that the Performance Bond may be reduced with respect to approved improvements, with the exception of Bid Items 37 & 38 (\$234,935.00) related to Osborne Street Storm Water Pump Station and Alternate A2 (\$199,870.00) River Street Bulkhead reducing the Performance Bond to \$434,810.00; and

WHEREAS, the Borough Engineer in accordance with General Condition 33 – Maintenance Bond of the Contract Documents, recommends a maintenance bond be executed and delivered to the Borough prior to Performance Bond release or reduction. The maintenance bond shall be in an amount equal to 25% of the construction items completed and approved to date, which is \$271,990.24 (25% of \$1,087,960.95).

WHEREAS, the Borough Council is willing to reduce the amount of the performance bond as per the Borough Engineer's recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, that the performance bond for the Reconstruction of Six Bulkheads and new Stormwater Pump Station in the amount of \$1,525,705.00 with R. Kremer & Son Marine Contractors LLC of Brick, New Jersey be reduced to \$434,810.00, subject to the following conditions:

1. Certificate of Insurance be properly filed
2. Issuance of a Rider to reduce the Performance Bond to \$434,810.00
3. Issuance of a Maintenance Bond in the amount of \$271,990.24

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

1. Finance Manager
2. T & M Associates, Borough Engineer
3. The Service Insurance Company
3. R. Kremer & Son Marine Contractors LLC

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes Yes Yes Yes Yes

No. 127-2017 Grace Period Extension for Payment of 3rd Quarter Taxes

RESOLUTION No. 127-2017

**GRACE PERIOD EXTENSION FOR PAYMENT OF
3RD QUARTER 2017 TAXES**

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

WHEREAS, the Tax Collector has informed the Mayor and Borough Council that the Monmouth County Board of Taxation is delayed in forwarding necessary information for the preparation and mailing of final tax bills to the real estate taxpayers of the Borough of Sea Bright for the year 2017/2018; and

WHEREAS, the Borough Council has agreed that it would be unfair and unreasonable to impose a penalty for a delinquent payment when the amount of the payment is unknown.

WHEREAS, the present statute requires the imposition of a late charge if 3rd quarter 2017 taxes are not paid by the 10th of August; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Sea Bright, County of Monmouth authorizes:

1. That the Tax Collector is hereby ordered and directed in accordance with Public Law 1994, Chapter 72, signed July 14, 1994, that if tax bills are not delivered or mailed at least 25 (twenty-five) calendar days prior to the standard due date, then the delinquency date for 3rd quarter 2017 taxes shall be established as the twenty-fifth (25) calendar days after the date the tax bill was delivered or mailed. The tax bills will contain the date on which interest shall start accruing.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Sea Bright that the Borough Clerk shall forward certified copy of this Resolution to the following:

1. Patricia Spahr, Tax Collector

Vote:	Birdsall,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	Yes	Yes	Yes	Yes

INDIVIDUAL ACTION/RESOLUTIONS:

No. 124-2017 Rescinding Resolution No. 119-2017 - Change Order No. 5 (Increase)
 Reconstruction of Six Bulkheads and New Stormwater Pump Station
 R. Kremer & Son Marine Contractors, LLC

Councilman Birdsall stated the numbers did not add up to the new contract amount. Engineer Mullan explained the discrepancy.

RESOLUTION NO. 124-2017
(RESCINDING RESOLUTION NO. 119-2017)
CHANGE ORDER NO. 5 (INCREASE) RECONSTRUCTION OF
SIX BULKHEADS AND NEW STORMWATER PUMP STATION
R. KREMER & SON MARINE CONTRACTORS, LLC

Councilmember Birdsall introduced and offered the following Resolution as amended for adoption; seconded by Councilmember Leckstein:

WHEREAS, on June 20, 2017 the Borough Council approved Resolution No. 119-2017 which is hereby rescinded for further clarification; and

WHEREAS, on April 21, 2015, the Borough Council of the Borough of Sea Bright awarded a contract to R. Kremer & Son Marine Contractors, LLC of Brick, New Jersey for the Reconstruction of Six Bulkheads and New Stormwater Pump Station in the contract amount \$1,199,880.00; and

WHEREAS, on October 20, 2015, Resolution #101-2015 authorized the re-consideration to the base bid, to include Alternate A1, A2, A3 & A4 as submitted in the original bid package that awarded a contract to the lowest responsible bidder, R. Kremer & Son Marine Contractors, LLC of Brick, New Jersey for the Reconstruction of Six Bulkheads and New Stormwater Pump Station in an new contract amount of \$1,525,705.00; and

WHEREAS, the Borough Engineer, Jaclyn Flor, submitted Change Order No. 1 dated October 13, 2015, identifying two unforeseen issues with the bulkhead and storm drain installation on South Street resulting in an increase of \$41,517.25 and various items were reduced to reflect current as-built quantities resulting in a decrease of \$41,520.00 resulting in a net decrease of \$2.75 to the total contract amount; and

WHEREAS, the Borough Engineer, Jaclyn Flor, submitted Change Order No. 2 dated January 5, 2016, identifying a reduction of \$4,080.00 in Items #27, #30 and #A1-15 to reflect the current as-built quantities and Item #10 increased \$4,080.00 to reflect current as-built quantities, resulting in a zero cost change; and

WHEREAS, the Borough Engineer, Jaclyn Flor, submitted Change Order No. 3 dated February 16, 2016, increasing items No. 8, 9 and 24 which include additional paving, drainage items and adding an inlet necessary to avoid an existing unforeseen sanitary lateral at the end of Osborne Place in an amount not to exceed \$26,750.00; and

WHEREAS, the Borough Engineer, Francis W. Mullan, submitted Change Order No. 4 dated October 17, 2016: Item 41) an increase of \$6,500.00 for additional construction efforts to remediate the Osborne Place ponding issues, Item 37) a decrease of \$6,500.00 due to a revision in the testing requirements for the pump station testing on Osborne Place and identified Item A2-1) an increase in the contract of \$37,400 for Kremer's demobilization and remobilization costs as a result of the postponement of the River Street work until April 1, 2017 in an amount not to exceed \$37,400.00; and

WHEREAS, Revised Change Order No. 5 dated June 27, 2017, submitted by the Borough Engineer, Francis W. Mullan, will increase the contract by \$1,093.70, *as follows:* the contract will be reduced by the remaining balance for each of the completed Items #6,8,9,11, 13-18, 27-30 and A1-16 in the amount of \$41,071.80; extra supplementary items indentified as S-7, S-8, S-9 and S-10 necessary to complete the project will increase the contract in the amount of \$23,415.50; supplementary work identified as S-11 necessary to remove concrete around the existing water main on River Street where the water main enters the river is an increase of \$18,750.00; and, supplementary item S-12 to extend the completion date of Alternate A-2 (River Street) 92 days until September 15, 2017 due to the delay of the water main extension by NJAW; the new contracted amount is \$1,590,945.95.

CERTIFICATION OF FUNDS

I, Michael Bascom, Chief Financial Officer, certify that funds are available to pay the aforesaid contractor an additional amount of \$1,093.70 from Bond Ordinance 10-2012.


MICHAEL J. BASCOM, CFO

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, that it does hereby approve Change Order No. 5 resulting in an increase to the contract in the amount of \$1,093.70 that amended contract price to \$1,590,945.95 for the Reconstruction of Six Bulkheads and New Stormwater Pump Station; and

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

- 1. Finance Manager
- 2. Public Works
- 3. Borough Engineer
- 4. R. Kremer & Son Marine Contractors LLC

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes Yes Yes Yes Yes

ORDINANCE(s):

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE NO. 13-2017

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 130 "LAND USE", ARTICLE XI, "SIGNS," OF THE CODE OF THE BOROUGH OF SEA BRIGHT, SECTION 130-72, "PERMITTED SIGNS AND AWNINGS IN SPECIFIC ZONES"

Councilmember Leckstein offered a motion to introduce Ordinance No. 13-2017 for a public hearing to be held on August 1, 2017 and advertise according to law; seconded by Councilmember Birdsall:

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes Yes Yes Yes Yes

ORDINANCE NO. 13-2017

WHEREAS, the New Jersey Department of Environmental Protection requires all communities that contain tidal waters to provide for public access; and

WHEREAS, existing and future signage for public access is required at all public access locations identified in the Municipal Public Access Plan; and

WHEREAS, installation and maintenance of signage is a requirement of N.J.A.C. 7:7E-8.11(t).

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey that Chapter 130, "Land Use," of the Code of the Borough of Sea Bright, shall be amended as follows:

SECTION ONE: Section 130-72, "Permitted signs and awnings in specific zones" be and the same is hereby amended and supplemented to add the following subparagraph with all other sections not listed to remain the same:

D. Public Access Signs

- (1) "Public Access Signs" shall be a posted sign depicting the public access point to, from and along tidal waterways and their shores within the Borough of Sea Bright. Public Access Signs shall list the name of the access point as well as any restrictions.
- (2) All public access signs shall be installed at the entrance of the public designated access points as outlined in the Municipal Public Access Plan.
- (3) All public access signs shall be maintained by the Department of Public Works.

E. Awnings (note the re-numbering of "Awnings" - language in this section to remain the same)

SECTION TWO: All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies

SECTION THREE: If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and publication according to law and upon filing with the Monmouth County Planning Board.

INDIVIDUAL ACTION/New Business:

Vouchers: \$326,470.59

Councilmember Keeler offered a motion to approve the Voucher List dated July 11, 2017 as submitted by the Finance Manager, seconded by Councilmember Kelly:

**VOUCHER LIST
JULY 11, 2017
BOROUGH OF SEA BRIGHT**

02260	ADT SECURITY SERVICES		
17-00780	06/19/17 LIBRARY	Open	39.99
2418	ANDREW K. KNOX & COMPANY		
17-00805	06/28/17 LEGAL	Open	6,250.26
01983	ATHLETES' ALLEY		
17-00696	06/05/17 BEACH	Open	2,375.00
17-00697	06/05/17 JR. LIEFGUARD	Open	1,003.75

			3,378.75
01241	BAIN'S HARDWARE, INC.		
17-00832	07/07/17 HARDWARE	Open	993.79
01565	BOROUGH OF SEA BRIGHT		
17-00829	07/06/17 SPECIAL DUTY	Open	7,747.50
00063	CHESAPEAKE EXTERMINATING CO.		
17-00791	06/22/17 BUILDING & GROUNDS	Open	30.00
00886	CHESSMAN, SHARON		
17-00699	06/05/17 RECREATION	Open	425.00
00198	COMCAST		
17-00786	06/21/17 LIBRARY	Open	214.22
01493	COOPERATIVE INDUSTRIES, L.L.C.		
17-00821	07/05/17 NATURAL GAS	Open	417.65
2390	COSTA, VALERIA		
17-00807	06/29/17 BUILDING & GROUNDS	Open	750.00
01320	DEMAIO, R.N.		
17-00787	06/22/17 BEACH	Open	609.53
2400	DIEGNAN & BROPHY, LLC		
17-00782	06/21/17 COURT	Open	700.00
00419	DRAGER SAFETY DIAGNOSTICS, INC		
17-00693	06/05/17 POLICE	Open	179.00
2419	ENGINEERED TEXTILE PRODUCTS		
17-00809	06/29/17 RECREATION	Open	1,374.00
02101	GANNETT NJ		
17-00794	06/22/17 LEGAL AD	Open	69.10

REGULAR MEETING

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02181	GATEWAY PRESS		
17-00616	05/15/17 POLICE	Open	226.00
17-00712	06/12/17 A&E	Open	146.00

			372.00
00079	GEMPLER'S		
17-00694	06/05/17 DPW	Open	397.95
02219	Goodyear Auto Service Center		
17-00781	06/20/17 POLICE	Open	953.44
2281	GRAINGER		
17-00220	02/14/17 SEWER	Open	80.30
17-00221	02/14/17 DPW	Open	300.00
17-00660	05/30/17 DPW	Open	1,200.00

			1,580.30
01685	HILSEN TERMITE & PEST		
17-00790	06/22/17 BUILDINGS AND GROUNDS	Open	330.00
2297	INTEGRATED TECHNICAL SYSTEMS		
17-00798	06/28/17 PARKING KIOSKS	Open	770.00
01526	JCP & L		
17-00831	07/07/17 ELECTRIC	Open	5,881.49
00895	JOHNNY ON THE SPOT, INC.		
17-00792	06/22/17 BEACH	Open	109.20
17-00799	06/28/17 BEACH	Open	593.60

			702.80
00202	KAY PRINTING & ENVELOPE CO, INC		
17-00713	06/12/17 BUILDING DEPT	Open	169.68
00167	KEEP IT SAFE		
17-00833	07/07/17 LIVE VAULT	Open	210.35
02110	KLEIN, DON		
17-00800	06/28/17 BEACH	Open	168.69
17-00835	07/07/17 JR. GUARDS	Open	427.46

			596.15
2378	LANDTEK CONSTRUCTION		
17-00598	05/11/17 STREETSCAPE	Open	28,020.32
17-00838	07/07/17 STREETSCAPE	Open	36,944.75

			64,965.07
00275	M & S WASTE SERVICES, INC.		
17-00184	02/02/17 TRASH PICK UP	Open	10,070.25
17-00816	07/05/17 DUMPSTERS	Open	5,257.40

			15,327.65
2415	MARKERS, INC.		
17-00700	06/05/17 STREETSCAPE	Open	668.88
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
17-00828	07/06/17 LEGAL SERVICES	Open	7,964.81
00176	MODULAR SPACE CORPORATION		
17-00808	06/29/17 POLICE	Open	3,030.00
00457	MONMOUTH COUNTY ASSESSORS ASSN		
17-00802	06/28/17 TAX ASSESSOR	Open	150.00
00688	MONMOUTH COUNTY POLICE ACADEMY		
17-00718	06/13/17 POLICE	Open	55.00
02256	MONMOUTH TELECOM		
17-00823	07/05/17 PHONE	Open	1,233.95
2382	MORGAN, MICHAEL		
17-00098	01/23/17 CLOTHING ALLOWANCE	Open	399.00
00283	MUNICIPAL EMERGENCY SERV, INC.		
16-01428	11/16/16 OEM:CLOTHING	Open	1,500.60
00019	NJ AMERICAN WATER		
17-00775	06/19/17 WATER	Open	687.29
17-00797	06/28/17 HYDRANTS	Open	2,435.40

			3,122.69
00617	NJ E-Z PASS		
17-00711	06/12/17 POLICE	Open	100.00
00046	ONE CALL CONCEPTS, INC.		
17-00814	07/05/17 CALL BEFORE YOU DIG	Open	25.00
01662	ORIENTAL TRADING COMPANY		
17-00592	05/09/17 RECREATION	Open	239.91

REGULAR MEETING**JULY 11, 2017**

00163	OSWALD ENTERPRISES, INC. 17-00788 06/22/17 SEWER	Open	600.00
01737	PENGUIN MANAGEMENT, INC. 17-00714 06/12/17 FIRE DEPT	Open	1,074.00
01022	PITNEY BOWES SUPPLY LINE 17-00789 06/22/17 POLICE	Open	38.97
01554	SEA BRIGHT SERVICE CENTER 17-00783 06/21/17 POLICE	Open	965.15
2247	STAPLES ADVANTAGE 17-00740 06/15/17 OFFICE SUPPLIES 17-00812 06/30/17 OFFICE SUPPLIES	Open Open	260.61 259.43 ----- 520.04
01285	THE HOME DEPOT 17-00702 06/05/17 BUILDINGS & GROUNDS	Open	89.96
01243	TREASURER, STATE OF NEW JERSEY 17-00804 06/28/17 CLERK	Open	50.00
01403	TREASURER, STATE OF NEW JERSEY 17-00830 07/07/17 MARRIAGE LICENSE FEES	Open	125.00
02114	TWO RIVERS WATER RECLAMATION 17-00779 06/19/17 WATER RECLAMATION	Open	126,366.75
02061	VERIZON WIRELESS 17-00806 06/28/17 POLICE 17-00810 06/29/17 FIRE DEPT	Open Open	1,018.28 36.98 ----- 1,055.26
01164	WATCHUNG SPRING WATER CO, INC. 17-00822 07/05/17 SPRING WATER	Open	374.43
00077	WEX BANK 17-00837 07/07/17 GASOLINE	Open	4,360.24
TOTAL:			269,545.31

BILL LIST JULY 11, 2017-MANUAL CHECKS

7/6/2017	David Hoder Associates	\$2,665.00
17-00826	Engineer:Review/Escrow Accts.	
6/22/2017	Gannett NJ	\$52.60
17-00793	Legal Ad:Escrow Acct/ Review	
7/6/2017	McKenna,Dupon,Higgins & Stone	\$2,160.00
17-00827	Legal Service:Planning Board/Escrow	
7/7/2017	NJSHBP	\$52,047.68
17-00834	Health Ins/Active&Retired-July 2017	
		\$56,925.28

GRAND TOTAL: \$326,470.59

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes Yes Yes Yes Yes

COUNCIL COMMITTEE REPORTS:**BEACH / GRANTS:**

Committee Chair Lamia reported they had a good Fourth of July week - with 4,339 visitors on the guarded beaches over the holiday. The Jr. Lifeguard Program started this past Monday with over 100 participants. The beaches have re-opened in Highlands and our lifeguards are back on duty. Councilman Lamia said the Beach Manager is looking into getting a webcam for the beach with live feed on the website. The Dune Committee is scheduled to meet on July 29 at 9 am to discuss a plan for the fall. Reported progress on all other matters.

FINANCE / INSURANCE / COURT / VOLUNTEERS:

Committee Chair Keeler reported the 2016 Audit report has been completed - it is an excellent report with no open questions or negative comments and thanked CFO Mike Bascom for his contributions. We are still awaiting a decision from the State regarding our Sandy loans and the grace period for the 3rd quarter tax payments has been extended because the State and the County are having some procedural problems with the tax data. Councilman Keeler said he will be attending the monthly JIF Safety and Claims meeting and will report back on anything new. Reported progress on all other matters.

PERSONNEL / PUBLIC RELATIONS / RECREATION:

Committee Chair Leckstein reported the new digital sign is up and running and the P.R. Committee plans to have the next SeaBreeze issue out in August. Councilman Leckstein reported that movies on the beach have started on Thursday nights; the Farmers' Market is doing extremely well and the turnout has been tremendous this year; yoga on the beach is held on Thursdays as well. Councilman Leckstein reported the planning board adopted the new Master Plan at their last meeting.

PUBLIC SAFETY / EDUCATION / LIBRARY:

Committee Chair Rooney commended the DPW on the excellent job they have been doing keeping the town clean. The design group will attend the next workshop to go over the furniture and color coordination for the new library. Councilman Rooney reported the police have been very busy - up 40% in writing tickets from Memorial day through fourth of July. Councilman Rooney summed up the statistics on paid parking: in 2015, prior to paid parking, from Memorial Day through this date, we saw 4,138 badge holders, in 2016 during the same timeframe, we saw 6,754 badge holder and this year with 6-7 bad days, we've seen 7,777 - up 3,600 since the implementation of paid parking - it is working! Reported progress on all other matters.

PUBLIC WORKS / BUILDING DEPARTMENT / CODE ENFORCEMENT:

Committee Chair Birdsall reported the new working foreman, Shawn Thomas, attended a MEL Leadership Skills Training session for new supervisors June 25 & 26. The DPW has been working really hard and doing a great job keeping the Borough clean and the new landscaped areas weeded and recently installed rope around some of the landscaped areas to keep people from walking over the new plantings. Councilman Birdsall also provided an update on the new permits issued in the building department. Reported progress on all other matters.

SEA BRIGHT RECOVERY/CAPITAL PLAN/FLOOD CONTROL/BEAUTIFICATION:

Committee Chair Kelly reported the plans for the cell tower are moving along and the permits were dropped off to the building department last week. The pilings for the beach pavilion have been installed and the next phase of significant construction won't begin until the end of August. Councilman Kelly reported plans for the municipal building are being finalized and we should be ready to proceed by the end of August. Regarding Beautification, Councilman Kelly reported we are waiting for proposals for north and south of town. Reported progress on all other matters.

INDIVIDUAL ACTION/RESOLUTIONS:

No. 126-2017 Change Order No. 5, (FINAL) Decrease Contract Amount by \$288.00 and Extend Contract Completion Date to July 7, 2017 to Allow for LED Message Sign - Ocean Avenue Streetscape Improvements Project - LandTek

Engineer Mullan reported that after further review with the CFO, the Resolution does add up correctly.

RESOLUTION No. 126-2017

Change Order #5, (FINAL) Decrease Contract Amount by \$288.00 and Extend Contract Completion Date to July 7, 2017 to Allow for LED Message Sign Ocean Avenue Streetscape Improvements Project - LandTek Construction

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

WHEREAS, on October 4, 2016, the Borough Council of the Borough of Sea Bright awarded a contract to LandTek Construction d/b/a/ United Terrain Group of Piscataway, New Jersey for the Ocean Avenue Streetscape Improvements Project in the contract amount of \$1,108,996.00; and

WHEREAS, on March 7, 2017, Resolution No. 52-2017 authorized Change Order No. 1, to extend the contract completion date from March 29, 2017 to April 13, 2017, Extra: Item 17 - increased to reflect as-built quantities for the project and Supplementary Item S1 - Police Traffic Directors increase in rate in the amount of \$11,317.50 due to current rate change used for Police Traffic Directors in the Borough of Sea Bright increasing the original contracted amount from \$1,108,996.00 to \$1,120,313.50; and

WHEREAS, the Borough Council approved Resolution #67-2017 for Change Order No. 2 dated March 21, 2017, to extend the contract completion date for the work between New Street and Church Street from April 13, 2017 to May 4, 2017; Reductions: Item 9 was reduced \$30,000.00 to reflect the upgrade from stamped concrete to pavers at the sidewalk border; Extra: Items 7 and 16 were increased \$12,300.00 to reflect work proposed between Church Street and New Street; Supplementary: Increase of \$81,808.75 as follows - Item S2 was introduced to reflect the upgrade to decorative pavers in the

border area of the sidewalk and Items S3 through S11 were introduced to reflect the additional work required between Church Street and New Street for a net increase in the revised contract amount from \$1,120,313.50 to \$1,184,422.25; and

WHEREAS, the Borough Council approved Resolution #84-2017 for Change Order No. 3 dated April 12, 2017, which includes reductions for as-built quantities and additional items for work added to the contract due to field conditions and changes; Reductions of \$80,844.00 for Items 8, 10, 11,13,15,29, 40, 42,48-51, 59, A2-1 and A3-2 were reduced to reflect as-built quantities; Extra: increased the amount by \$4,214.00 for Items 38, 39 and A3-3 that were increased to reflect as-built quantities; and Supplementary: An increase amount of \$29,380.00 for Items S12 through S23 that were introduced to reflect additional various work items required due to field conditions and changes for a net decrease in the amount of \$47,250.00 changing the revised contract amount from \$1,184,422.25 to \$1,137,172.25.

WHEREAS, the Borough Council approved Resolution #101-2017 for Change Order No. 4 dated May 16, 2017, to extend the contract to June 23, 2017 to allow for the installation of Item S70-LED Message Sign; Reductions: Items 4-8, 12, 15, 16, 18, 27-29, 41, 44, 47, 50, 56, 57, 58, 60, A2-2, A2-3, A2-6, A2-7, A2-8, A2-9, A2-10 and S5 were reduced by \$119,801.40 to reflect as-built quantities for the project; Extra: increased the amount by \$11,967.00 for Items 2, 13, 30, 38, 39, 40, A3-2 and S1 that were increased to reflect as-built quantities for the project; Supplementary: increased the amount of the project by \$180,999.65 for Items S24 through S72 introduced to reflect the additional various landscaping and work items required due to field conditions and changes for a net increase in the amount of \$73,165.25 changing the revised contract amount from \$1,137,172.25 to \$1,210,337.50.

WHEREAS, the Borough Engineer, Francis W. Mullan, submitted Change Order No. 5 dated July 7, 2017, to extend the contract to July 7, 2017 to allow for the installation of Item S70-LED Message Sign and Items 40 and 41 were reduced by \$288.00 to reflect as-built quantities for the project changing the revised contract amount from \$1,210,337.50 to \$1,210,049.50.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey that it does hereby approve Final Change Order No. 5 that decreases the amended contract amount from \$1,210,337.50 to a new revised contract amount of \$1,210,049.50 and extends the contract completion date to July 7, 2017 for the Ocean Avenue Streetscape Improvements Project awarded to LandTek Construction.

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

- 1. Finance Manager
- 2. T & M Associates, Borough Engineer
- 3. Landtek Construction

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes Yes Yes Yes Yes

MAYOR DINA LONG – Reports and Communications

ANNOUNCEMENT: Council is in Receipt of the 2016 Municipal Audit - and the report is a very good one.

Mayor Long commended the DPW for the great job they are doing keeping Sea Bright neat and clean considering all the extra work with the new landscaping. Mayor Long also commended the police for the great job they are doing as well as the beach staff.

Mayor Long reported the bird population is flourishing - there are 10 pairs of piping plovers (endangered species) nesting on the beach this year which is why so much more of the beach is roped off.

Mayor Long advised Council she was approached by representatives working to "Save the Sandlass House" on Sandy Hook and said they are looking to establish a "Jersey Coast Heritage Museum" that will preserve the remaining history from Mr. Sandlass' legacy in the Highland Beach Resort and the beginning of beach clubbing. Mayor Long said they asked if there was an opportunity to create a historical display in one of our new buildings. Councilman Leckstein would like to see exactly what they have in mind as there is also a lot of Sea Bright history that needs a home to be displayed. Councilmember's Leckstein and Kelly will join the Mayor at the next meeting.

EXECUTIVE SESSION

Councilmember Leckstein offered a motion to enter into Closed Session; seconded by Councilmember Kelly:

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:
 - A. Litigation
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:	Birdsall,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	Yes	Yes	Yes	Yes

There being no further business to discuss a motion to go back into the regular meeting was made by Councilman Birdsall and seconded by Councilman Leckstein with unanimous voice vote approval.

ADJOURNMENT

Councilmember Leckstein offered a motion to adjourn the meeting; seconded by Councilmember Birdsall:

Roll Call:	Birdsall,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	Yes	Yes	Yes	Yes

Respectfully submitted,

Christine Pfeiffer
Borough Clerk