

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

NOVEMBER 7, 2018

SEA BRIGHT, NEW JERSEY

Mayor Long called the meeting to order at 7:00 pm and requested those present to join 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 17, 2017. 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, Marc A. Leckstein, Charles H. Rooney III, Jon Schwartz

OTHERS: Attorney Roger McLaughlin, Engineer Claire Petruzzella, 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.

No one wished to be heard.

Note: Two students from Monmouth University were present to observe the meeting but had no comments.

CONSENT AGENDA

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

Minutes

10-02-2018	Executive Session
10-11-2018	Workshop Meeting
10-11-2018	Executive Session
10-16-2018	Regular Meeting
10-16-2018	Executive Session

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

Resolutions:

**No. 162-2018 Monmouth County SPCA - 2019 Contract
(January 1, 2019 through December 31, 2019)**

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

WHEREAS, the Borough Council of the Borough of Sea Bright is in need of animal control services within the Borough, and

WHEREAS, the Borough Council are in receipt of the 2019 rates from the Monmouth County SPCA for animal control services for services in the Borough of Sea Bright, as follows:

Municipal Charge

**\$250 per dog/cat
\$75.00 per dog/cat**

**\$50.00 per kitten
under six weeks**

**\$50.00 per wildlife or
small domesticated animal**

Service

**Brought in by Animal Control Officer
(if the animal is reclaimed within 24 hours)
(kittens under six weeks brought in with mother
will be charged as one cat)**

Brought in alone.

Dropped off by Animal Control Officer

\$37.50 per cat

**Neutered and returned to the Borough
(Trap, Neuter, Release Program - with
Memorandum of Understanding)**

CERTIFICATION OF FUNDS

Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, has certified that funds are available in the Animal Control Trust Fund for this purpose.


MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby authorize the animal control services with the Monmouth County SPCA for the year 2018 as per the above schedule of rates and authorize the Mayor and Borough Clerk to sign a Memorandum of Understanding with the Monmouth County SPCA required to participate in the Trap, Neuter and Release Program; and

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

- 1. **Monmouth County SPCA**
- 2. **Police Department**
- 3. **Finance Manager**

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

**No. 163-2018 2019 Software Support and License Agreement
Edmunds & Associates, Inc.**

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 support and license agreement for the Sea Bright Administrative Offices from Edmunds & Associates, Inc. for CY2019 as follows:

2019 SOFTWARE MAINTENANCE FEES:

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
TOTAL:	\$11,174.00

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 support agreements listed herein shall be \$11,174.00 for calendar year 2019.

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 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019, when finally adopted, in the appropriations entitled Tax Collector 7-01-20-145-220, Finance 7-01-20-130-220, Sewer 7-07-55-502-220, WIPP Tax 7-01-20-145-220, WIPP Sewer 7-07-55-502-220, and Developers Escrow 7-01-20-130-220 for the purpose stated in this resolution.


MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby authorize the Borough Clerk to execute the support agreements for computer software and maintenance as described herein for the calendar year 2019.

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: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz
 Yes Yes Yes Yes Yes Yes

No. 164-2018 Authorizing the Purchase of Various Equipment for the Fire Department

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

WHEREAS, the Borough Council of the Borough of Sea Bright adopted Bond Ordinance No. 07-2018 for the acquisition of Fire Department equipment, including personal protective equipment, self-contained breathing apparatus, radio equipment and a thermal imaging camera; and

WHEREAS, the purchase of goods and services by local contracting units are authorized under the Local Public Contracts Law, NJSA 40A:11-12; and

WHEREAS, Fire Chief Dave Covert submitted a request to purchase equipment under State Contract as follows:

**State Contract No. A80961
Firefighter One, 34 Wilson Drive, Sparta, NJ 07870**

Quantity	Description	Amount
10	4.5 Air-Pak 75 - 4500 psi (Trade in Allowance)	\$57,285.00 (-\$17,655.00)
5	AV-3000 HT Face piece with Kevlar Head Harness	\$ 1,369.35
1	Thermal Imaging Camera	\$ 2,625.00

**State Contract No. A80948 and A80958
Skylands Area Fire Equipment & Training LLC, 23 Hamburg Tnpk., Riverdale, NJ 07457**

Quantity	Description	Amount
1	Fire Dept Uniform	\$ 2,987.57

TOTAL: \$46,611.92

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, certify that funds in the amount of \$46,611.92 are available in Bond Ordinance #07-2018 for the purposes stated herein.


MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Fire Chief Dave Covert is hereby authorized to secure the purchase of the aforementioned equipment for a total amount of \$46,611.92 as indicated above.

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

1. Fire Chief Dave Covert
2. Finance Manager

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

No. 165-2018 Contract Amendment for the New Beach Pavilion Engineering Services Provided by T&M Associates

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

WHEREAS, on November 19, 2012, the Borough Council of the Borough of Sea Bright authorized T&M Associates to perform professional engineering services for the design phase of the new beach facilities building for a cost not to exceed \$45,000.00 per their proposal dated November 19, 2012; and

WHEREAS, during the construction of the beach pavilion, the Borough requested T&M Associates provide on-site construction administration and inspection services for the site work and utility connections; and

WHEREAS, on October 31, 2018, the Borough Engineer, Francis W. Mullan, P.E., C.M.E. submitted an amendment to the November 19, 2012 proposal which includes construction administration and inspection services already provided and future services required to complete the project for a fee not to exceed \$15,000.00 increasing the original contracted amount from \$45,000.00 to \$60,000.00.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that the additional funds in the amount of \$15,000.00 are available in Bond Ordinance No. 15-2016 and Bond Ordinance No. 17-2016 for the purposes stated herein.


MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby approve T&M Associates' proposal amendment dated October 31, 2018 for construction administration and inspections associated with the new beach pavilion for an additional fee of \$15,000.00 for an amended contract amount of \$60,000.00; and

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

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

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

No. 166-2018 Refund of 2018 Tax Overpayment

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

WHEREAS, an overpayment was made by Daniel Cevallos and Sara Gamin for 3rd Quarter 2018 property taxes in the amount of \$1,218.88 for Block 10, Lot 26 - 16 Beach Street; and

WHEREAS, the tax overpayment should be refunded to Daniel Cevallos and Sara Gamin, 10 Beach Street, Sea Bright, New Jersey.

BLOCK	LOT	PAYER NAME	AMOUNT	REASON
10	26	Cevallos, Daniel & Gamin, Sara	\$1,218.88	3Q Overpayment

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that it does hereby authorize the Tax Collector and the Finance Manager to refund the said 2018 tax overpayment of \$1,218.88, and

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

- 1. Tax Collector
- 2. Finance Manager
- 3. D. Cevallos & S. Gamin

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

No. 167-2018 2017/18 Annual Renewal of Liquor License - (12.39 Special Ruling) S. Kelly Corporation aka Mad Hatter

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

WHEREAS, an application was made to the Division of Alcoholic Beverage Control of the State of New Jersey by **S. Kelly Corporation** for a special ruling to permit the renewal of inactive license **No.1343-33-011-007**; and

WHEREAS, in connection therewith, the owner of said license filed and met all of the necessary 2017/2018 annual renewal application requirements for a Class C License and paid all the required fees to renew their Plenary Retail Consumption License; and

WHEREAS, on November 2, 2018, the Borough of Sea Bright received a copy of a letter from the Director of the Division of Alcoholic Beverage Control, granting a Special Ruling to permit consideration of a renewal application for the above reference inactive license pursuant to N.J.S.A. 33:1-12.39 for the 2017/2018 license term. This Ruling merely determined that good cause exists for the issuing authority to consider the application for renewal; and

WHEREAS, it is within the purview of the local issuing authority to either grant or deny an application for renewal in the reasonable exercise of its discretion; 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 the following Class C Plenary Retail Consumption License be renewed for the 2017/2018 license term retroactive to July 1, 2017; and

License No. **1343-33-011-007**
Licensee: S. Kelly Corporation
 Borough of Sea Bright
 Monmouth County, New Jersey

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, Leckstein, Rooney, Schwartz
 Yes Yes Yes Yes Yes Yes

No. 168-2018 2018/19 Annual Renewal of Liquor License - (12.39 Special Ruling)
S. Kelly Corporation aka Mad Hatter

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

WHEREAS, an application was made to the Division of Alcoholic Beverage Control of the State of New Jersey by **S. Kelly Corporation** for a special ruling to permit the renewal of inactive license **No.1343-33-011-007**; and

WHEREAS, in connection therewith, the owner of said license filed and met all of the necessary 2018/2019 annual renewal application requirements for a Class C License and paid all the required fees to renew their Plenary Retail Consumption License; and

WHEREAS, on November 2, 2018, the Borough of Sea Bright received a copy of a letter from the Director of the Division of Alcoholic Beverage Control, granting a Special Ruling to permit consideration of a renewal application for the above reference inactive license pursuant to N.J.S.A. 33:1-12.39 for the 2018/2019 license term. This Ruling merely determined that good cause exists for the issuing authority to consider the application for renewal; and

WHEREAS, it is within the purview of the local issuing authority to either grant or deny an application for renewal in the reasonable exercise of its discretion; 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 the following Class C Plenary Retail Consumption License be renewed for the 2018/2019 license term retroactive to July 1, 2018; and

License No. **1343-33-011-007**
Licensee: S. Kelly Corporation
 Borough of Sea Bright
 Monmouth County, New Jersey

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, Leckstein, Rooney, Schwartz
 Yes Yes Yes Yes Yes Yes

No. 169-2018 Authorizing the Execution of a License Agreement with
Cross River Fiber, LLC

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

WHEREAS, Cross River Fiber, LLC has requested, pursuant to the applicable state statutes, a license agreement to utilize existing utility easements within the Borough to install dark fiber cable on existing telephone poles; and

WHEREAS, Cross River Fiber, LLC is licensed by the Board of Public Utilities of the State of New Jersey and would utilize only existing telephone poles in public rights-of-way; and

WHEREAS, Cross River Fiber, LLC will be responsible to pay any and all legal and engineering costs incurred by the Borough of Sea Bright in connection with its use of existing telephone poles in public rights-of-way;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Mayor and Borough Clerk be and are hereby authorized to execute a License Agreement between the Borough of Sea Bright and Cross River Fiber, LLC, a copy of which shall be maintained on file in the office of the Borough Clerk.

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

1. Borough Attorney
2. Finance Manager
3. Cross River Fiber, LLC

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

No. 170-2018 2018 Budget Transfers - Authorizing the Transfer of Funds in accordance with N.J.S.A. 40A:4-58

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

WHEREAS, there exists a need to transfer budget balances in certain line item appropriations of the 2018 budget; and

WHEREAS, N.J.S.A. 40A:4-58 authorizes the transfer of appropriations, during the last two (2) months of the calendar year, to said budget where adopted heretofore by the governing body by two-thirds vote thereof.

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 members 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 for the Current, Sewer and Beach Utility Funds:

Schedule of Budget Transfers – November 7, 2018

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: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz
 Yes Yes Yes Yes Yes Yes

**BOROUGH OF SEA BRIGHT
 SCHEDULE OF BUDGET TRANSFERS
 NOVEMBER 7, 2018**

<u>CURRENT FUND</u>		<u>TO</u>	<u>FROM</u>
GENERAL ADMIN	S/W	1,000.00	
GENERAL ADMIN	O/E		(4,829.20)
CLERK	S/W	1,800.00	
CLERK	O/E		(15,000.00)
FINANCE	S/W		(1,500.00)
FINANCE	O/E		(15,000.00)
COMPUTER INFORMATION SYSTEMS	O/E	1,500.00	
TAX COLLECTOR	S/W		(1,200.00)
TAX COLLECTOR	O/E		(6,000.00)
TAX ASSESSOR	S/W	750.00	
TAX ASSESSOR	O/E		(3,000.00)
LEGAL	O/E	25,000.00	
ENGINEERING	O/E	10,000.00	
PLANNING BOARD	S/W	6,000.00	
PLANNING BOARD	O/E	5,400.00	
UNIFORM CONSTRUCTION CODE	O/E		(4,500.00)
DEMO UNSAFE STRUCTURES	O/E		(3,500.00)

INS-LIABILITY FLOOD	O/E		(4,262.66)
WORKMAN'S COMP INS	O/E		(4,258.14)
POLICE	S/W		(30,000.00)
POLICE	O/E	7,000.00	
EMERGENCY MANAGEMENT	O/E	100.00	
FIRE HYDRANT	O/E	1,000.00	
PROSECUTOR	S/W		(6,000.00)
STREETS & ROADS	S/W	28,000.00	
STREETS & ROADS	O/E	16,000.00	
BULKHEAD	O/E		(2,500.00)
SOLID WASTE COLLECTION	O/E		(3,000.00)
BEAUTIFICATION OF BORO	O/E		(5,000.00)
PARKS AND RECREATION	O/E		(5,000.00)
CELEBRATION OF PUBLIC EVENTS	O/E		(1,000.00)
GASOLINE	O/E	5,000.00	
LANDFILL	O/E	500.00	
SOCIAL SECURITY	O/E	500.00	
MUNICIPAL COURT	S/W		(4,000.00)
MUNICIPAL COURT	O/E	500.00	
PUBLIC DEFENDER	S/W		(2,000.00)
LIBRARY (OUTSIDE OF CAP)	S/W	11,500.00	
		121,550.00	(121,550.00)
<u>SEWER OPERATING</u>		<u>TO</u>	<u>FROM</u>
SEWER	S/W		(12,500.00)
SEWER	O/E	14,500.00	
SOCIAL SECURITY	O/E		(2,000.00)
		14,500.00	(14,500.00)

ORDINANCE(s):

Adoption: Mayor Long to read the ordinance by title:

ORDINANCE NO. 10-2018
**AN ORDINANCE OF THE BOROUGH COUNCIL IN THE BOROUGH OF SEA BRIGHT,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING CHAPTER 115, FLOOD
DAMAGE PREVENTION and CHAPTER 130, LAND USE**

**Monmouth County Planning Board Acknowledgement Received 10/3/18
Borough of Sea Bright Planning Board Acknowledgement Received 10/24/18**

Councilman Leckstein announced for the record, a typo change in Section 3 to change the word "equally" to "equaling."

Councilmember Leckstein offered a motion to adopt Ordinance No. 10-2018 (as amended) and advertise according to law; seconded by Councilmember Birdsall:

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

Public Hearing: Mayor Long to read the ordinance by title:

ORDINANCE NO. 11-2018
**AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND
EMPLOYEES OF THE BOROUGH OF SEA BRIGHT FOR THE
YEARS 2019 through 2021 IN ITS ENTIRETY**

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 11-2018; seconded by Councilmember Keeler:

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

Public Hearing (Ord. No. 11-2018)

No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 11-2018; seconded by Councilmember Keeler:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 11-2018 and advertise according to law; seconded by Councilmember Birdsall:

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

Public Hearing: Mayor Long to read the ordinance by title:

ORDINANCE NO. 12-2018

AN ORDINANCE OF THE BOROUGH COUNCIL IN THE BOROUGH OF SEA BRIGHT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REVISING CHAPTER 66, BEACHES, OF THE CODE OF THE BOROUGH OF SEA BRIGHT

Councilman Keeler questioned if this bonfire ordinance covers unguarded beaches. Councilman Leckstein explained that this encompasses all beaches – guarded and unguarded (not just “supervised” beach clubs) and ultimately creates a process for obtaining a permit for a fire on the beach via the special events committee.

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 12-2018; seconded by Councilmember Birdsall:

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

Public Hearing (Ord. No. 12-2018)

No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 12-2018; seconded by Councilmember Keeler:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 12-2018 and advertise according to law; seconded by Councilmember Keeler:

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

Introduction: Mayor Long to read the ordinance by title:

BOND ORDINANCE NO. 13-2018

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$200,000 FOR THE RECONSTRUCTION OF EAST OCEAN AVENUE AND MOUNTAINVIEW WAY FOR AND BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$40,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

Councilmember Leckstein offered a motion to introduce Bond Ordinance No. 13-2018 for a public hearing to be held on December 18, 2018 and advertise according to law; seconded by Councilmember Birdsall:

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

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 \$200,000, such sum includes the sum of (a) \$155,626 expected to be received as a grant from the New Jersey Department of Transportation Trust Fund 2018 Municipal Aid Program and (b) \$4,374 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 \$40,000 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 \$40,000 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 reconstruction of East Ocean Avenue and Mountainview Way, including roadway reconstruction, curbing, drainage and other ancillary improvements and including all work and materials necessary therefor and incidental thereto, and as shown on and in accordance with the plans and specifications on file with the Borough Clerk.

(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 \$40,000.

(c) The estimated cost of the Improvements is \$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 20 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 \$40,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$40,000 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 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:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

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 \$40,000.

SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INDIVIDUAL ACTION/New Business:

Vouchers: \$1,303,470.87

Councilmember Keeler offered a motion to approve the Voucher List dated November 7, 2018 as submitted by the Finance Manager; seconded by Councilmember Leckstein:

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

VOUCHER LIST

01005	ADP, INC.		
18-01332	10/16/18 FINANCE	Open	447.44
18-01385	10/30/18 PAYROLL	Open	419.34

			866.78
02260	ADT SECURITY SERVICES		
18-01387	10/30/18 ALARM	Open	42.18
02113	AMERICAN WATER		
18-01341	10/18/18 WATER USAGE	Open	323.42
2341	ANTON, TOMMY		
18-01337	10/16/18 RECREATION	Open	1,040.00
00519	ANTONIDES AND SIMONE CPA's		
18-01367	10/29/18 FISCAL OFFICER	Open	3,312.50
02227	APOLLO SEWER & PLUMBING, INC.		
18-01324	10/15/18 BEACH	Open	375.00
18-01330	10/16/18 SEWER	Open	250.00
18-01338	10/16/18 BEACH	Open	550.00

			1,175.00
01042	ATLANTIC TOMORROWS OFFICE		
18-01334	10/16/18 A&E	Open	474.88
01984	AVAYA FINANCIAL SERVICES		
18-01396	10/31/18 POLICE	Open	145.29
01241	BAIN'S HARDWARE, INC.		
18-01440	11/05/18 HARDWARE	Open	421.38
2521	BELSON OUTDOORS		
18-01002	07/30/18 BEACH	Open	1,414.94
01957	BENEMAX BENEFIT MANAGEMENT CO.		
18-01435	11/05/18 HEALTH INSURANCE	Open	336.00
01443	BENNETT, ERICH		
18-01322	10/15/18 POLICE	Open	905.71
2472	BLAZE EMERGENCY EQUIPMENT CO.		
18-01361	10/23/18 fire dept	Open	2,818.52
18-01363	10/23/18 FIRE	Open	200.50

			3,019.02
01631	BOROUGH OF OCEANPORT		
18-01368	10/29/18 COURT	Open	6,372.45
02115	C & L SWEEPER SERVICE		
18-01358	10/23/18 DPW	Open	2,640.00
18-01376	10/29/18 DPW	Open	1,760.00

			4,400.00
2370	C. ROONEY PRODUCE CO.		
18-01406	10/31/18 RECREATION	Open	281.00
01546	C.I.T. TECHNOLOGY FIN SERV, INC		
18-01372	10/29/18 COPIER LEASE	Open	157.00
01594	CHERNAVSKY, DANIEL		
18-01353	10/22/18 POLICE	Open	235.96
00256	CLEARY, GIACOBBE, ALFIERI &		
18-01333	10/16/18 LEGAL	Open	180.00
00198	COMCAST		
18-01380	10/29/18 LIBRARY	Open	234.71
01493	COOPERATIVE INDUSTRIES, L.L.C.		
18-01423	11/01/18 NATURAL GAS	Open	159.92
00088	CROWN TIRE MART		
18-01323	10/15/18 DPW	Open	420.00
2286	DIFRANCESCO, BATEMAN, KUNZMAN		
18-01355	10/22/18 LEGAL	Open	1,080.00
2540	DOG WASTE DEPOT		
18-01278	10/04/18 BEAUTIFICATION	Open	4,343.64
2465	EDWARDS TIRE CO, INC.		
18-01390	10/30/18 FIRE DEPT	Open	1,532.96
00288	FIRST UNITED METHODIST CHURCH		
18-01370	10/29/18 LIBRARY	Open	1,000.00

REGULAR MEETING MINUTES

NOVEMBER 7, 2018

00575	GALLS, INC.		
18-01270	10/02/18 POLICE	Open	120.24
18-01345	10/19/18 POLICE	Open	46.25

			166.49
02101	GANNETT NJ		
18-01348	10/19/18 LEGAL ADS	Open	38.50
18-01356	10/22/18 LEGAL ADS	Open	48.40
18-01377	10/29/18 CLERK	Open	58.30

			145.20
2374	GARDEN STATE ROOFING & SIDING		
18-01403	10/31/18 BUILDINGS & GROUNDS	Open	400.00
01887	HEIM ELECTRONICS, INC.		
18-01386	10/30/18 ALARM	Open	314.25
2381	HENDRICKS, ANDREW		
18-01359	10/23/18 POLICE	Open	214.01
2517	INTERGLOBE COMMUNICATIONS		
18-01381	10/30/18 PHONE	Open	558.93
00229	INTERSTATE MOBILE CARE, INC.		
18-01327	10/16/18 DPW	Open	127.00
2470	JAX LLC NW SHIRT SHOP		
18-01388	10/30/18 BEACH	Open	2,795.00
01526	JCP & L		
18-01399	10/31/18 ELECTRIC	Open	5,475.08
00297	JESSE A. HOWLAND & SONS, INC.		
18-00763	06/14/18 FIRE DEPT	Open	3,845.00
18-01369	10/29/18 STORAGE LEASE	Open	500.00

			4,345.00
01762	JOHN GUIRE COMPANY		
18-01340	10/18/18 FIRE DEPT	Open	166.03
01784	JUNGLE LASERS, LLC		
18-01371	10/29/18	Open	200.00
18-01395	10/31/18 BUILDING DEPT	Open	420.00

			620.00
00167	KEEP IT SAFE		
18-01434	11/05/18 LIVE VAULT	Open	254.77
2539	KIRK FLORIST, LLC		
18-01266	10/02/18 A&E	Open	150.00
02110	KLEIN, DON		
18-01404	10/31/18 RECREATION	Open	217.09
01900	MCKENNA, DUPONT, HIGGINS &		
18-01400	10/31/18 PLANNING BOARD	Open	1,580.00
00176	MODULAR SPACE CORPORATION		
18-01393	10/31/18 TRAILERS	Open	6,067.23
18-01422	11/01/18 TRAILER	Open	435.25

			6,502.48
01854	MONMOUTH COUNTY BOARD/TAXATION		
18-01352	10/22/18 TAX ASSESSOR	Open	500.00
02229	MONMOUTH COUNTY PUBLIC WORKS		
18-01366	10/23/18 FIRE	Open	375.89
18-01392	10/31/18 FIRE DEPT	Open	631.42

			1,007.31
02256	MONMOUTH TELECOM		
18-01429	11/01/18 PHONE	Open	1,230.65
00137	MUNICIPAL CAPITAL CORPORATION		
18-01373	10/29/18 COPIER LEASE	Open	224.73
01694	NAVESINK MARINA		
18-01280	10/05/18 FIRE DEPT	Open	994.36
01399	NEW JERSEY AMERICAN WATER		
18-01336	10/16/18 HYDRANTS	Open	2,574.72
18-01382	10/30/18 HYDRANTS	Open	2,574.72

			5,149.44
00019	NJ AMERICAN WATER		
18-01350	10/19/18 WATER	Open	782.21
00672	NJ DEPT OF COMMUNITY AFFAIRS		
18-01374	10/29/18 BUILDING DEPT	Open	1,187.00
00113	NJ NATURAL GAS COMPANY		
18-01397	10/31/18 BEACH	Open	30.74
00894	NOLZE GARAGE DOOR, LLC		
18-01271	10/02/18 BLDG. & GRDS	Open	241.00
2533	NOVAK, JAIME		
18-01161	09/10/18 LIBRARY	Open	175.00
01309	OCEANPORT BOARD OF EDUCATION		
18-00756	06/13/18 GRADE SCHOOL TAX	Open	43,033.75

REGULAR MEETING MINUTES

NOVEMBER 7, 2018

00046	ONE CALL CONCEPTS, INC. 18-01430 11/01/18 CALL BEFORE YOU DIG	Open	42.50
2525	POOR JOHNS PORTABLE TOILETS 18-01398 10/31/18 BEACH	Open	240.00
2290	PORZIO, BROMBERG & NEWMAN 18-01375 10/29/18 LEGAL SERVICES	Open	2,785.50
02026	PUBLIC STORAGE 18-01357 10/23/18 POLICE	Open	360.00
00295	RED THE UNIFORM TAILOR 18-01097 08/23/18 POLICE	Open	666.01
00533	RUTGERS, THE STATE UNIVERSITY 18-01339 10/18/18 DPW	Open	95.00
00053	SHORE REGIONAL HIGH SCHOOL 18-00754 06/13/18 HIGH SCHOOL TAX	Open	253,691.00
00222	SIGNS & LETTERS UNLIMITED 18-01263 10/02/18 OEM	Open	1,005.00
	18-01276 10/04/18 POLICE	Open	605.00

			1,610.00
01933	SKYLANDS AREA FIRE EQUIPMENT 18-01362 10/23/18 FIRE	Open	66.00
02225	STAPLES ADVANTAGE 18-01326 10/15/18 A&E	Open	407.58
00083	T & M ASSOCIATES 18-01378 10/29/18 ENGINEER	Open	1,210.70
	18-01379 10/29/18 ENGINEER	Open	1,160.00
	18-01383 10/30/18 ENGINEER	Open	3,516.85
	18-01424 11/01/18 ENGINEER	Open	7,445.48
	18-01425 11/01/18 ENGINEER	Open	5,168.48
	18-01426 11/01/18 ENGINEER	Open	4,800.60
	18-01427 11/01/18 ENGINEER	Open	6,072.35
	18-01428 11/01/18 ENGINEER	Open	3,744.61

			33,119.07
01285	THE HOME DEPOT 18-01329 10/16/18 BLDGS & GRDS.	Open	89.91
00223	TREASURER, COUNTY OF MONMOUTH 18-01342 10/19/18 COUNTY TAXES	Open	463,657.69
00439	TREASURER, COUNTY OF MONMOUTH 18-01343 10/19/18 LIBRARY TAX	Open	33,214.71
00523	TREASURER, COUNTY OF MONMOUTH 18-01344 10/19/18 OPEN SPACE TAX	Open	74,230.13
2487	UNIMAK, LLC 18-01431 11/05/18 NEW MUNICIPAL COMPLEX	Open	254,410.36
2291	VERIZON 18-01411 10/31/18 FIOS	Open	127.98
01960	VERIZON 18-01436 11/05/18 PHONE	Open	198.46
2291	VERIZON 18-01437 11/05/18 POLICE	Open	99.99
01960	VERIZON 18-01438 11/05/18 PHONE	Open	185.48
02061	VERIZON WIRELESS 18-01391 10/30/18 FIRE DEPT	Open	200.93
	18-01408 10/31/18 POLICE	Open	654.56
	18-01409 10/31/18 CELL PHONES	Open	165.39
	18-01410 10/31/18 POLICE	Open	38.36

			1,059.24
00418	VON ZIEGESAR, ELIZABETH 18-01413 11/01/18 LIBRARY	Open	149.50
01164	WATCHUNG SPRING WATER CO, INC. 18-01384 10/30/18 SPRING WATER	Open	344.91
02109	ZUMU SOFTWARE 18-01394 10/31/18 WEBSITE	Open	1,600.00

Amount: 1,234,913.28

Manual Checks

10/16/2018	Caesar's Atlantic City	\$471.00
18-01331	NJLM Conference Reservations	
10/31/2018	David Hoder Associates	\$130.00
18-01407	Engineer:Review/Escrow Acct.	
11/5/2018	David Hoder Associates	\$2,140.00
18-01439	Engineer:Review/Escrow Acct.	

11/5/2018 18-01432	Farmer, Jane Library: Change Fund	\$25.00
10/23/2018 18-01360	FP Mailing Systemes Postage Meter	\$378.00
10/19/2018 18-01349	Gannett NJ Legal Ad: Escrow Account	\$22.00
10/31/2018 18-01401	McKenna, Dupont, Higgins & Stone Planning Board: Review/Escrow Accts.	\$820.00
10/18/2018 18-01275	NJ Assoc. Floodplain Management Conference/Mary Tangolics	\$325.00
10/16/2018 18-01335	NJ Dept. of Health Sept. Dog License Fees	\$1.20
11/5/2018 18-01433	Sea Bright Tax Collector Property Tax: Blk. 18/LOT 1	\$356.00
10/19/2018 18-01346	Soyka Smith Design Studios Beach Pavilion Project	\$63,889.39
		\$68,557.59

COUNCIL COMMITTEE REPORTS:

BEACH / GRANTS:

Committee Chair Schwartz reported that the beach badge fees will remain the same this year and the locker prices were increased by \$25 each.

FINANCE / INSURANCE / COURT / VOLUNTEERS:

Committee Chair Keeler reported the transfer numbers for the budget were prepared by CFO Bascom and approved on tonight's consent agenda. Councilman Keeler reported there is a JIF meeting tomorrow at 11:00am covering safety, claims, followed by a general meeting. The court is pleased with the new prosecutor and the next court session is November 15th if anyone is interested in attending. Reported progress on all other matters.

PERSONNEL / PUBLIC RELATIONS / RECREATION:

Committee Chair Leckstein reported progress.

PUBLIC SAFETY / EDUCATION / LIBRARY:

Committee Chair Rooney reported progress.

PUBLIC WORKS / BUILDING DEPARTMENT / CODE ENFORCEMENT:

Committee Chair Birdsall praised the Department of Public Works for doing a great job during the recent flood event and reported progress on all other matters.

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

Committee Chair Kelly reported progress on the beach pavilion – it is slow but we are close to finishing. Mayor Long questioned how we should respond to the public when we are asked "when is the pavilion going to be open?" Councilman Kelly explained that we are hoping for a Temporary Certificate of Occupancy to be issued. Administrator Verruni reported once the concrete pad stairway is poured in the front of the building and we complete the two final inspections, we can move in. Councilman Kelly reported that the steel and concrete are completed in the new municipal complex and the exterior framing is being installed. Concerning the cell tower, Councilman Kelly said we are pushing T-Mobile to switch their temporary tower to our permanent tower so the lot can be repaved.

MAYOR DINA LONG – Reports and Communications

Mayor Long thanked and recognized the Police Department for dealing with some really challenging situations during the last storm along with the Fire Department, our first responders and appreciates all of our public safety personnel keeping us safe. Mayor Long announced that we are accepting RFP's for professional services for 2019 which are due on November 30th and congratulated the candidates who ran for office and won their elections and looks forward to January for their swearing in.

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. 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:	Birdsall,	Keeler,	Kelly,	Leckstein,	Rooney,	Schwartz
	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 Leckstein and seconded by Councilman Keeler with unanimous voice vote approval.

ADJOURNMENT

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

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

Respectfully submitted,

Christine Pfeiffer
Borough Clerk