

Mayor Fernandes called the meeting to order and requested those present to join her in the Flag Salute.

Mayor Fernandes asked those present to stand for a Moment of Silence for the following who have died:

- Edward Shea
- Dick Martin
- Louise Ellenberger
- Vincent Santoro

Mayor Fernandes read the following statement:

"GOOD EVENING LADIES AND GENTLEMEN. THIS MEETING IS NOW CALLED TO ORDER. IN LINE WITH THE BOROUGH OF SEA BRIGHT'S LONGSTANDING POLICY OF OPEN GOVERNMENT, AND IN COMPLIANCE WITH THE "OPEN PUBLIC MEETINGS ACT", I WISH TO ADVISE YOU THAT ADEQUATE NOTICE OF THIS REGULARLY SCHEDULED MEETING HAS BEEN ADVERTISED IN THE ASBURY PARK PRESS ON JANUARY 9, 2009 AND POSTED ON THE BULLETIN BOARD IN THE BOROUGH OFFICE. IN EACH INSTANCE, THE DATE, TIME AND LOCATION OF THIS MEETING WERE PROVIDED IN THE NOTICE. THIS MEETING IS OPEN TO THE PUBLIC."

4. ROLL CALL:

PRESENT: Bills, Keeler, Kelly, LoBiondo, Long, Murphy, Mayor Fernandes, Attorney Oxley, Chief Financial Officer Bascom, Borough Engineer Hoder, Police Chief Moore, Administrative Assistant Branagan

ABSENT: None

5. RIVER DREDGING – Joseph L. DiLorenzo, Ph.D, Senior Scientist for Najarian Associates said that the river dredging project would be funded by boater registration fees. The benefits to the river would be navigation (seaward route), recreational (fishing, swimming and sailing), ecological, commercial (shell fishing, boating and marinas), ecotourism. Periodic dredging is needed to maintain benefits for navigation routes, enhance boat safety and tidal exchange and tidal flushing. Previously, the Army Corp of Engineers periodically conducted maintenance dredging in mainstream channels. In 1990, The U.S. Army Corp of Engineers dredged 375,000 yards from federal channels in the Shrewsbury River. In the late 1980's and early 1990's, the State managed dredging of 240,000 plus yards from 11 creeks and various private site. Recently, the Army Corp is planning a new round of dredging. There is about 139K in Army Corps' 2008 budget allocated for planning maintenance dredging of Navesink/Shrewsbury Rivers. It would be prudent for local municipalities to begin planning for local maintenance dredging projects. The goal of this dredging project is to develop a regional plan for maintenance dredging of the Navesink/Shrewsbury Rivers. The plan will support efficient and environmentally sound maintenance dredging of side channels/waterfront sites. The cost for Sea Bright to participate in the project would be \$2,000. The project would benefit Sea Bright because it offers beach replenishment opportunity, the project is 90% state funded, there is a potential to piggy back with the US Army Corp to dredging and

placement operations, economy of sale because of consolidation with other towns and regional planning approach

Councilman LoBiondo would be the Chairperson to research the dredging project on behalf of Sea Bright.

6. MAYOR'S PROCLAMATION NO.5-2009 NATIONAL DONATE LIFE MONTH

Every human life has matchless value, and during National Donate Life Month, we reaffirm our commitment to raising awareness about organ donation and the importance of making the decision to donate. We also express our appreciation to those who have donated organs, tissue, and marrow. Over 100,000 of Americans, over 4,500 in New Jersey, are currently on the waiting list for an organ transplant and thousands more need life enhancing tissue transplants. I urge all New Jersey residents to register with the state's donor registry; say yes to organ and tissue donation on their driver's license; and share their decision with family and friends. By taking these steps, New Jerseyans can help save lives. My Administration is committed to strengthening organ and tissue donation programs and to increase the number of organs available for transplantation in order to save lives. The kindness and generosity of donors reflect the compassionate spirit of our state.

During National Donate Life Month, we celebrate the life-saving work of medical professionals and researchers and the many others whose actions reflect our commitment to a brighter tomorrow. Individuals can visit www.DonateLifeNJ.org to learn more about organ and tissue donation and how they can give the gift of life.

Now, therefore, I, Maria D. Fernandes, Mayor of the Borough of Sea Bright, by virtue of the authority vested in me by the citizens of sea Bright, do hereby proclaim April 2009 as Donate Life Month. I call upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to help raise awareness of the urgent need for organ and tissue donors throughout our state. In Witness Whereof, I have hereunto set my hand this first day of April, in the year of our Lord Two Thousand Nine. Given, Under My Hand And The Seal Of The Borough Of Sea Bright, This 21st Day Of April, 2009

7... 2009 BUDGET:

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

**RESOLUTION NO. 90-2009
SELF-EXAMINATION OF 2009 BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Sea Bright has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2009 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Sea Bright that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

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

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION NO. 91-2009
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED that the following Statements of Revenue and Appropriations shall constitute the Municipal Budget for the Year 2009.

BE IT FURTHER RESOLVED that said Budget would be published in the Asbury Park Press in the issue of May 9, 2009.

General Appropriations for Municipal Purposes within CAPS	\$ 3,794,809.49
General Appropriations for Municipal Purposes excluded from CAPS	\$ 832,325.00
Reserve for Uncollected Taxes based on 95.8% Percent of Tax Collection	\$ 370,000.00
Total General Appropriation	\$ 4,997,134.49
Less: Anticipated Revenues other than current property tax	\$ 1,438,661.43
Difference: Local Tax for Municipal Purpose including Reserve for Uncollected Taxes	\$ 3,558,473.06

A Public Hearing on the Budget and Tax Resolution will be held at the Cecile F. Norton Council Meeting Room on May 19, 2009 at 7:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2009 may be presented by the taxpayers or other interested parties.

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

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

Nays: None

Abstain: None

Absent: None

8. CONSENT AGENDA: A Certification of Funds supports any items requiring expenditure; any items requiring discussion will be removed from the Consent Agenda:

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

**RESOLUTION NO. 94-2009
 PAYMENT OF BILLS 04-21-2009**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$88,918.75 are to be paid; and

BE IT FURTHER RESOLVED, that proper Officers are hereby authorized to execute and issue warrants for payments of said vouchers, but only if and when conditions of the Borough Treasury shall permit, and the said vouchers be approved by the proper Committees.

00261	A.C. MOORE, INC.		
09-03900	03/25/09 REC-SUPP:F/FAIR GIFT BASKETS	Open	185.50
01578	AMERICAN MESSAGING		
09-04180	04/03/09 DPW-APR 2009 PAGER SERVICE	Open	37.14
00003	ASBURY PARK PRESS		
09-00010	01/20/09 MUNI CLERK-BLANKET:NOTICES	Open	35.64
01984	AVAYA, INC.		
09-04279	04/13/09 A&E-2/Q/2009 PHONE MAINT	Open	211.80
00006	AVAYA, INC.		
09-04294	04/14/09 POLICE-2/Q/2009 BOX/MOD MAINT	Open	50.31
01241	BAIN'S HARDWARE, INC.		
09-04110	04/02/09 MAR 2009 PURCHASES	Open	445.76
09-04230	04/06/09 RECREATION-PRIZES:EASTER	Open	318.61

			764.37
01957	BENEMAX BENEFIT MANAGEMENT CO.		
09-04270	04/06/09 04/09 DENTAL PLAN MANAGEMENT	Open	312.00
01974	BOROUGH OF SEA BRIGHT COURT		
09-04277	04/13/09 COURT-03/09 CREDIT CARD REIMB	Open	143.94
01546	C.I.T. c/o SHORE BUSINESS		
09-01950	02/12/09 POLICE DEPT-2009 FAX LEASE	Open	62.15
00063	CHESAPEAKE EXTERMINATING CO.		
09-03980	04/01/09 BLDGS/GRNDS-FEB 2009 EXTERM	Open	30.00
01220	CHIEFFO, KATHLEEN		
09-04150	04/03/09 COURT-04/02/09 COVERAGE	Open	80.00
00982	CITY OF LONG BRANCH		
09-01810	02/10/09 DPW-BLANKET:ROCK SALT	Open	133.49
00249	CLARK, DOUGLAS		
09-04284	04/13/09 DPW-TRAVEL REIMB:04/06/09	Open	28.60
00198	COMCAST		
09-04291	04/13/09 A&E-INTERNET:APR 2009	Open	95.00
01493	COOPERATIVE INDUSTRIES, L.L.C.		
09-04170	04/03/09 JAN 2009 NATURAL GAS	Open	4,502.66
00089	DE LISA DEMOLITION, INC.		
09-02930	03/04/09 DPW-2009 BRANCH/LEAF PICKUP	Open	500.00
01320	DEMAIO, R.N.		
09-03560	03/17/09 BLDGS/GRNDS-SUPPL:POLICE DEPT	Open	91.00
01593	DEROSA, ISABEL		
09-04140	04/03/09 COURT - 04/02/09 INTERPRETER	Open	120.00
00419	DRAEGER SAFETY DIAGNOSTICS, INC		
09-02980	03/05/09 POLICE DEPT-ANNUAL CALIBRATION	Open	102.00
01634	GRAMCO BUSINESS COMMUNICATIONS		
09-01120	01/22/09 MUNI CLERK-2009 MAINT CONTRACT	Open	425.00
01297	HATCH, MOTT & MACDONALD, LLC		
07-12080	08/29/07 DIIP#2-ENGINEERING	Open	6,119.40
09-04080	04/02/09 MISC ENGINEERING	Open	125.00

			6,244.40
01286	INDUSTRIAL MARINE		
08-15250	12/10/08 REIMB:11/06-12/05 GARAGE ELECT	Open	289.00
01363	IRON MOUNTAIN, INC.		

09-01620	02/05/09	A&E-VAULT:SERVER BACKUPS	Open	120.00
00895		JOHNNY ON THE SPOT, INC.		
09-04250	04/06/09	PORTO-POTS - APR 2009	Open	504.00
00275		M & S WASTE SERVICES, INC.		
09-03520	03/17/09	03/09 GARBAGE/RECYCLING PICKUP	Open	8,691.67
09-04160	04/03/09	MAR 2009 LANDFILL TIPPING FEES	Open	5,896.25

				14,587.92
01562		MACK, WILLIAM		
09-04210	04/06/09	2009 BEACH SEASON CHANGE FUND	Open	4,000.00
01801		MASER CONSULTING, P.A.		
08-13660	10/23/08	PRJ#116 DEP AIR QUALITY PERMIT	Open	188.67
09-04281	04/13/09	ENGINEERING-STIMULUS PROJECT	Open	1,000.00

				1,188.67
01900		MCKENNA, DUPONT, HIGGINS &		
09-04240	04/06/09	P/L BOARD-3/10-3/24/09	Open	840.00
00110		MONM CNTY REGIONAL HEALTH		
09-04130	04/03/09	2/Q/2009 PUBLIC SERVICE HEALTH	Open	10,901.25
00688		MONMOUTH COUNTY POLICE ACADEMY		
08-12850	10/01/08	POLICE DEPT-TRAINING	Open	10.00
00019		NJ AMERICAN WATER		
09-04260	04/06/09	MAR 2009 HYDRANTS	Open	2,143.96
00671		NJ DEPT OF COMMUNITY AFFAIRS		
09-04275	04/13/09	1/Q/2009 STATE PERMIT FEES	Open	314.00
01452		NJ DIVISION CRIMINAL JUSTICE		
09-03960	03/30/09	POLICE DEPT-TRAINING:J.ARIAS	Open	150.00
01629		NJRHS COMMERCIAL SERVICES		
09-00140	01/20/09	BLDGS/GRNDS-1/5/09 R&M:POLICE	Open	295.00
09-00930	01/21/09	POLICE & FIRE BOILER REPAIRS	Open	1,084.00

				1,379.00
01701		ONE CALL SYSTEMS, INC.		
09-04280	04/13/09	A&E - 1/Q/2009 BILLS	Open	81.10
00467		PALMISANO, ELSALYN		
09-04290	04/13/09	A&E-BLANKET:RECORDS MANAGEMENT	Open	518.10
00635		PARTY CORNER		
09-03880	03/25/09	REC-RENT:EASTER BUNNY COSTUME	Open	49.50
01269		RED VALVE COMPANY, INC.		
09-01760	02/09/09	DRAINAGE CHECK VALVE:IMBRIE PL	Open	5,383.00
00788		SCARINCI & HOLLENBECK, LLC		
09-04293	04/13/09	LEGAL SERVICES-FEB 2009	Open	2,634.18
01026		SEA BRIGHT PARTNERSHIP		
09-03330	03/11/09	RECREATION-RAFFLE APPLIC FEES	Open	40.00
09-04282	04/13/09	RECREATION-ADDT'L RAFFLE FEE	Open	300.00

				340.00
01554		SEA BRIGHT SERVICE CENTER		
09-03470	03/13/09	POLICE-BLANKET:VEHICLE MAINT	Open	887.45
00985		SEABOARD FIRE/SAFETY EQUIP CO.		
09-03250	03/10/09	BLDGS/GRNDS-INSPEC:FIRE EXT	Open	643.00
02189		SHARP ELECTRONICS CORPORATION		
09-00430	01/20/09	POLICE-2009 COPY MACHINE LEASE	Open	148.19
00285		STAPLE'S, INC.		
09-03650	03/19/09	POLICE DEPT-OFFICE SUPPLIES	Open	493.47
09-03950	03/30/09	POLICE DEPT-UPS BATTERY BACKUP	Open	198.54

				692.01
01400		THE ARNETTE LAW FIRM, LLC		
09-01570	02/04/09	2009 SPECIAL LITIGATION	Open	1,225.00
01285		THE HOME DEPOT		
09-02650	02/27/09	BLDGS/GRNDS-BLANKET:MISC SUPP	Open	23.88
01281		UNIQUE PHOTO, INC.		
09-03530	03/17/09	POLICE-POLAROID/MUG SHOT FILM	Open	203.00
01960		VERIZON		
09-04295	04/14/09	BEACH-FEB & MAR 2009	Open	109.50
09-04303	04/16/09	DPW-DSL INTERNET-FEB+MAR 2009	Open	85.98

				195.48
02061		VERIZON WIRELESS		
09-04276	04/13/09	BLDG/FIRE/COURT:APR 2009 CELL	Open	80.34

MASER CONSULTING (ESCROW)	187.50
MCKENNA, DUPONT, HIGGINS & STONE (ESCROW)	40.00
NJSHBP (MARCH 2009)	<u>25,004.22</u>
GRAND TOTAL	88,918.75

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

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

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION NO. 95-2009
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, by the Mayor and Council of Sea Bright, County of Monmouth, State of New Jersey that the proper officers, be and are hereby authorized to refund tax overpayments.

BLOCK	LOT	NAME	AMOUNT
1.12	50	William Hodgetts	\$1,525.30
7.01	11	Donna Urmev	\$ 523.74
32	15	Anthony & Robin Lucisano	\$ 888.13

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following refund of \$2,937.17.

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

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

Nays: None

Abstain: None

Absent: None

D. Councilman Kelly introduced and offered for adoption the following resolution:

**RESOLUTION NO. 99-2009
BOROUGH OF SEA BRIGHT**

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

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

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

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

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

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

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

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

Nays: None

Abstain: Non

Absent: None

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

**RESOLUTION NO. 101-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, authorization is hereby given to the Recreation Committee to schedule the following program and charge the fees as noted:

Beach Yoga - Session One: Six Classes at \$95.00 per person
Dates: Saturday, May 30; June 6, 13, 20, 27 and
July 4
Time: 8 to 9 a.m.

Session Two: Six Classes at \$95.00 per person
Dates: Saturday, July 11, 18, 25, August 1, 8, 15
Time: 8 to 9 a.m.

Fee for signing up for both sessions \$140.00 (a \$50.00 savings)

NOW, THEREFORE, BE IT RESOLVED that the above mentioned program and fees are hereby authorized.

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

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

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION NO.102-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, the Sea Bright Governing Body wish to support the fundraising events in town by donating two 2009 beach badge certificates for the gift auction for the Sea Bright Firemen's Fair, and

WHEREAS, the borough auditor has been informed and advised that a resolution should be passed to donate the two badges.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council authorize the donation of two 2009 beach badge certificates for the gift auction for the firemen's fair.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Beach Director for his notification and files. Second by Councilwoman Bills and adopted upon the following roll call vote:

AYES: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

Abstain: None

Absent: None

G. Councilman Kelly made a motion approving the March 17, 2009 Council Meeting Minutes. Second by Councilwoman Bills and adopted upon the following roll call vote:

AYES: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

Abstain: None

Absent: None

C. Councilman Murphy introduced and offered for adoption the following resolution:

**RESOLUTION NO. 96-2009
BOROUGH OF SEA BRIGHT**

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

BLOCK	LOT	ADJUSTED BILL
3.10	1	\$ 86.90
11	9	\$ 139.04
13	33	\$ 156.42
24	16	\$ 3,041.50

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following sewer adjustments in the amount of \$3,423.86.

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Murphy

Nays: None

Absent: None

Abstain: Long

9. OLD BUSINESS:

A. DISCUSSION - Court Facility Update - Mayor Fernandes. No discussion at this time.

B. DISCUSSION - Federal Stimulus Funding and Local Projects - Councilman LoBiondo read the list of the projects that Sea Bright would like to include in the stimulus package:

- Island View Street End Mill and Overlay \$16,200.00
- Village Road/ Sandpiper Lane Reconstruction \$349,000.00
- Osborne Street Stormwater Pump Station Pump Station \$400,000.00
- Town Hall Renovations \$1,000,000.00
- Imbrie Place Bulkhead Timber \$141,850.00
- Center Avenue Bulkhead (Shovel Ready) \$62,520.00
- Beach Street Bulkhead (Shovel Ready) \$56,520.00
- South Street Bulkhead \$44,520.00
- River Street Bulkhead \$62,520.00
- Peninsula Avenue Bulkhead \$74,520.00
- Downtown Parking Deck \$3,750,000.00

C. DISCUSSION - Update on Noise Ordinance. Councilman Keeler said that liquor licenses holders would be notified by Administrator Smeltzer that resident quality of life is very important and that after 10 pm all outdoor music is prohibited.

D. DISCUSSION - Update on Coast Guard request for comment. Councilman Keeler said that the Coast Guard is still evaluating the Sea Bright/Rumson seasonal bridge openings.

10. NEW BUSINESS:

A. Councilwoman Long made a motion approving the application by Sea Bright Fire Department for Special Permit for Social Affair on May 14, 15, 16, and 17, 2009 from Noon to Midnight.

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

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

Nays: None

Abstain: None

Absent: None

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

RESOLUTION NO. 97-2009

AUTHORIZE THE SUBMISSION OF A US DEPARTMENT OF JUSTICE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES 2009 RECOVERY ACT COPS HIRING RECOVERY PROGRAM GRANT APPLICATION

WHEREAS, the U.S. Department of Justice, Office of Community Oriented Policing Services has posted the availability of grant funds for the Cops Hiring Recovery Program (CHRP), as provided through the American Recovery and Reinvestment Act of 2009 to create and preserve jobs to increase community policing and crime prevention efforts through 100 per cent (100 %) funding for thirty-six (36) months for newly-hired full-time sworn officers at entry level salaries and benefits; and,

WHEREAS, all CHRP grant funded positions will be retained for 12 months with local funds following the end of the grant period; and,

WHEREAS, the Police Department desires to apply for this grant to maintain or to advance the safety of the public and to maintain or to improve the efficiency of the Police Department,

THEREFORE, BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Sea Bright that the Mayor, or his designated authority the Chief Financial Officer; and the Chief of Police be and are hereby authorized to submit an application for a 2009 United States Department of Justice Office of Community Oriented Policing Services Cops Hiring Recovery Program CHRP grant and to administer this grant, and,

BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Business Administrator and Chief of Police.

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Murphy

Nays: None

Abstain: Long

Absent: None

C. Councilwoman Long introduced and offered for adoption the following resolution:

**RESOLUTION NO.98-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright wishes to substitute the below listed equipment for purchase under the MCIA 2005 Capital Equipment Lease Program. This purchase will facilitate the expenditure of unused balances, and

WHEREAS, the substitute equipment will be acquired in accordance with the laws of the State of New Jersey governing the acquisition of equipment by municipalities, and

WHEREAS, the value of the remaining useful life of the new equipment is equal to or greater than the value of the remaining life of the original equipment.

NOW, THEREFORE, BE IT RESOLVED that the below listed equipment for purchase under the MCIA 2005 Capital Equipment

Lease Program is hereby authorized by the Mayor and Council of the Borough of Sea Bright; and

<u>ORIGINAL EQUIPMENT</u>		
<u>Item #</u>	<u>Equipment</u>	<u>Total</u>
3	Police Video Camera System	\$18,680.00
5	Portable Shelter	\$20,000.00

<u>NEW EQUIPMENT</u>		
<u>Item #</u>	<u>Equipment</u>	<u>Total</u>
8	Police Mobile Data Terminals	\$38,680.00

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Monmouth County Improvement Authority.

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

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

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION NO. 100-2009
BOROUGH OF SEA BRIGHT
AWARD OF CONTRACT**

WHEREAS, sealed proposals for the **Various Fire Hand Tools, Fire Hoses/Hose Appliances, Lighting, Generators, and Miscellaneous Fire Equipment** received and found in accordance with the specifications prepared by the appropriate Borough Officials and approved by the Governing Body of the Borough of Sea Bright, New Jersey.

WHEREAS, bids were received with **Absolute Fire Protection Co., Inc.** contracting being the lowest qualified responsive bidder, and;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright to award the contract to:

**ABSOLUTE FIRE PROTECTION CO., INC.
2800 Hamilton Boulevard
South Plainfield, NJ 07080**

For the following total contract amount: \$19,691.93 which was the lowest qualified responsive bid.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Bond Ordinances No. 12-2007 (MCIA#2) for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

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

Nays: None

Abstain: None

Absent: None

E. Discussion: NJDOT Municipal Aid grant application. Engineer Hoder said that there would be more money available under this grant program because it is tied in with Federal Stimulus package.

F. Discussion: NJDOT Transportation Enhancement Program. Councilman Murphy made a motion authorizing Engineer Hoder to prepare the application for the NJDOT Transportation Enhancement Program and not to exceed \$900. Second by Councilwoman Bills and adopted upon the following roll call vote:

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

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION NO.104-2009
BOROUGH OF SEA BRIGHT**

WHEREAS this resolution is a response to Governor Corzine's proposed 2010 budget that includes decreases of 25% in statutorily guaranteed funding for beach replenishment and tourism. We believe that this is a very shortsighted solution that will jeopardize the safety and health of our beaches and threaten the \$38 billion tourism industry at a time when we should be promoting our unique 127 mile coastline and the many other tourist attractions in our state; and

WHEREAS, the Jersey Shore is integral to the quality of life of New Jersey residents. Twenty-five million (one out of every 11) people in New Jersey and adjoining states live within 50 miles of the Jersey Shore. Thirty-five million live within 100 miles of the shore. These are not just homeowners along the beach. This diverse population represents an enormous economic and political voice in our state.

WHEREAS, BEACHES ARE A MAJOR BUSINESS IN NEW JERSEY. Beach communities along our unique 127 mile coastline provide \$19 billion to the state's economy- one half of tourism's \$38 billion contribution. Our beaches promote investment in residential and commercial development, create jobs, and attract visitors from throughout the region and from Canada. A thriving shore economy helps the building and marine trades, boardwalk concessions, restaurants, amusement and entertainment centers, in addition to the positive ripple affect on the outlying economies of the retail markets and the banking industry.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Sea Bright call upon Governor Corzine to

withdraw his proposal for the 2010 budget and reinstate the 25% statutorily guaranteed funding for beach replenishment and tourism.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Jersey Shore Partnership to be presented at the Conference of Mayors at the end of April.

Second by Councilwoman Long and adopted upon the following roll call vote:

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

Nays: None

Abstain: None

Absent: None

11. MONTHLY REPORTS FOR MARCH 2009:

A. Police Chief

B. Recreation Director

C. Library Director

D. Acting Municipal Court Administrator

Mayor Fernandes commended Acting Court Administrator Aurilio for lowering the amount of outstanding court fees.

E. Tax/Sewer Collector

12. CORRESPONDENCE AND COMMUNICATIONS:

A. Sea Bright First Aid First Quarter 2009 Report. Attorney Oxley will prepare an ordinance authorizing leasing land to First Aid.

B. Monmouth County Mosquito Commission notification of spraying program.

C. Monmouth County Health Commission minutes of February 18, 2009.

D. Letter from Brian George of Northshore regarding fund raising event and donation to the Beautification Fund. Councilwoman Bills said that she would contact Mr. George for more details about this event.

13. COMMITTEE REPORTS:

A. **Beach/Education/Environment:** Councilwoman Long said that Clean Ocean Action will be having the beach clean up on April 25th from 9 till noon. The Beach office will open May 16 to pick up beach badges. Wednesdays will be half price beach badge day.

Councilwoman Long reported that Sea Bright's share of the Shore Regional budget was lowered and there are 21 students attending the school. The cost for each student is \$94,448. A feasibility study should be completed soon allowing Sea Bright to merge with the Rumson/Fair Haven school district.

B. Public Works/Building Department/Public Relations:

Councilman LoBiondo reported that the submersible pump project resumed on April 2, 2009. Public Works is getting the beach facilities ready for the summer. We have hired a part time Public Works employee.

The Public Relations committee is promoting the Firemen's Fair.

C. Police/Emergency Management/Insurance/Court:

Councilman Keeler reported that on May 1, the new traffic patterns would go into effect for the Highlands Bridge construction project, which will cause many traffic delays during the summer. Mayor Fernandes said that as an alternate route to Sea Bright, directions would be posted on our website. Motorists would go to the GSP exit 109 then to Route 520 east and come over the Rumson Bridge. We could put up a sign at the bridge directing people to our public beach.

Councilman Keeler said that cost estimates for the OEM truck should be available soon.

He said that he has been in contact with beach club owners and business owners for storm and emergency preparation plans.

D. Finance/Grants/Fire:

Councilman Murphy made a motion lifting the moratorium on the sewer deduct meter effective till December 31, 2009. Second by Councilman LoBiondo and adopted upon the following roll call vote:

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

Nays: None

Abstain: None

Absent: None

E. Personnel/Administration/Cultural Arts/Recreation:

Councilwoman Bills reported that Borough Clerk Smeltzer and Chief Moore have had many meetings to update Police Chapter 39 of the Code of Sea Bright. Residents can visit our website for budget and beach information.

The Library Committee would dedicate a new wing of the Library to Franz Albrecht Von Ziegar, on Sunday, May 31st. Friday night adult movies will continue throughout the summer at the Library while childrens' movies on the beach would be hosted by the Sea Bright Business Alliance.

The Recreation Committee had the Easter Egg hunt and although it rained about two hundred attended the fun in the gym. Gracie and The Dudes donated ice cream, The Bagel Cove donated hot chocolate and bagels and Boy Scout Troop 201 volunteered.

Councilwoman Bills said that the annual Firemen's Fair would be May 13th - 17th. She asked that anyone who wished to volunteer to contact Recreation Director Kathy Morris.

The playground will be getting replacement swings. The Recreation Committee will be purchasing a picnic table, bench and possibly white fence to replace dune fencing around the playground. Yoga on the Beach begins June 6 - July 4th.

F. Smart Growth/Flood Mitigation/Beautification: Councilman Kelly reported that April 23rd will be the next Smart Growth meeting. The Army Corp of Engineers will be presenting options concerning flood issues facing Sea Bright along the Shrewsbury.

Beautification Committee began its annual fundraiser. A professional landscaping company would be hired in order to handle the projects usually done by volunteers and the Public Works Department.

14. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. No report.

15. REMARKS FROM THE AUDIENCE: Chuck McQuillan owner of Navesink Marina said that there would be an adverse affect on property owners land value should Sea Bright adopt a flat sewer rate.

Betsy Bernard resident of 23 Tradewinds said that she had to deal with a lot of noise emanating from Merri-Makers.

Dan Ranger resident of 308 Ocean Avenue said that he hoped that the Council would arrive at a final solution for the sewer problem.

16. Councilman Murphy introduced and offered for adoption the following resolution at 10:02 p.m.:

**RESOLUTION NO. 103-2009
EXECUTIVE SESSION
BOROUGH OF SEA BRIGHT**

WHEREAS, N.J.S.A. 20:40.12 et seq. provides for closed session of the Council as appropriate; and,

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

WHEREAS, the matter to be discussed involves contract negotiations.

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 issue as herein set forth and when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

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

Second by Councilwoman Long and adopted upon the following roll call vote:

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

Nays: None

Abstain: None

Absent: None

The Governing Body returned to their regular order of business at 10:35 p.m.

17. ADJOURNMENT: There being no further business before the Governing Body. Councilman Kelly made a motion to adjourn the meeting at 10:38 P.M. Second by Councilwoman Long and approved upon unanimous voice vote.

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Respectfully Submitted,

Suzanne Branagan
Administrative Assistant