

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

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."

3. ROLL CALL:

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

ABSENT: LoBiondo

4.

A1. Sea Bright Planning Board recommendations. The Board recommended that a footnote #3 be added to Ordinance 11-2009 as follows: The maximum permitted height for undersized lots shall not be less than 30 feet. The maximum building height of 35' for 2 ½ stores in the R-1, R-2 and R-3 zones provided that "story" is defined as livable space and does not include a ground floor garage or storage area. The revised definition of "story" should be added to Ordinance 1-2009.

Attorney Oxley called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of May 19, 2009.

A2. Councilman Murphy moved to approve this Ordinance upon Second Reading.

ORDINANCE NO.11-2009
BOROUGH OF SEA BRIGHT
AN ORDINANCE AMENDING "LAND USE" OF THE REVISED
ORDINANCES OF THE BOROUGH OF SEA BRIGHT,
COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.

BE IT ORDAINED by the Mayor and the Borough Council of the Borough of Sea Bright, County of Monmouth, and State of New Jersey, that Chapter 130 of the Sea Bright Code, is amended to include the following:

THE FOLLOWING AMENDS ORDINANCE 1-2009

Article II (130-5) Definitions and Word Usage:

Add the following to the Definitions and Word Usage.

"Story" is defined as livable space and does not include a ground floor garage or storage area.

Article III (130-81) - FEES

Add the following to the Fee Schedule:

<i>TYPE OF APPLICATION</i>	<i>ADMINISTRATIVE</i>	<i>ESCROW</i>
	<i>FEE</i>	<i>FEE</i>
Driveway Review	-0-	\$300.00

THE FOLLOWING AMENDS ORDINANCE 1-2009:

**SCHEDULE OF LOT & BUILDING REQUIREMENTS
Sec. 130-50.c**

Zone	Minimum Lot Area (sq. ft.)	Minimum Lot Width (ft.)	Minimum Lot Depth (ft.)	Minimum Yard Requirements (ft.)				Maximum Building Height (ft) (2) (3)	Maximum Building Coverage (%)	Maximum Lot Coverage (%)	Minimum GFA (Total) (sq. ft.)
				Front	Either Side	Both Sides	Rear				
R-1	7,500	75	80	25	10	25	20	35'2-1/2 story	30	50	1,200
R-2	4,000	50	60	25	7	15	15	35'2-1/2 story	50	70	880
R-3	1,800	25	60	5-12 (1)	3	6	15	35'2-1/2 story	50	70	880
B-1	3,000	50	60	0/West 25/East	0	0	15	42/3 sty.	50	75	880
B-2	25,000	100	25	25	15	30	10	35'3 sty.	30	50	N/A
B-3	50,000	125	25	25	20	40	10	35'3 sty.	20	40	N/A
B-R	4,000	50	60	25	7	15	15	35'3 sty.	50	70	880

Notes:

(1). Front Setback to be consistent with homes on the same side of the street on the same block. Applicant needs to provide setbacks from a surveyor shot from the street to arrive at average. In no case would setback be permitted less than 5 ft.

(2). When a structure is built or raised to a minimum of two (2') feet above the base flood elevation then the height limit of the structure shall be revised to 38 feet from the crown of the road.

(3) The Maximum permitted height for undersized lots shall not be less than 30 feet.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its adoption, passage and publication according to law and moved the Public Hearing to be held. Second by Councilwoman Long and approved by the following vote:

AYES: Bills, Keeler, Kelly, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: LoBiondo

There being no members of the Public who wished to be heard a motion to close the Public Hearing was made by Councilwoman Long. Second by Councilman Murphy and approved by the following voice vote:

AYES: Bills, Keeler, Kelly, Long, Murphy
NAYS: None
ABSTAIN: None
ABSENT: LoBiondo

Councilwoman Long made a motion to approve Ordinance No. 11-2009 on its Third and Final Reading and advertise it according to law. Second by Councilman Kelly and approved upon the following roll call vote:

AYES: Bills, Keeler, Kelly, Long, Murphy
NAYS: None
ABSTAIN: None
ABSENT: LoBiondo

Attorney Oxley called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of June 2, 2009.

B. Councilman Murphy moved to approve this Ordinance upon Second Reading.

ORDINANCE NO. 14-2009
BOROUGH OF SEA BRIGHT
ORDINANCE AUTHORIZING THE EXTENSION
OF A LEASE OF BOROUGH OWNED PROPERTY
TO SEA BRIGHT HOOK AND LADDER COMPANY INC.,
AND OCEAN FIRE COMPANY
FOR FIRE PROTECTION PURPOSES

WHEREAS, the Borough of Sea Bright has entered into a lease of property with Sea Bright Hook and Ladder Company and Ocean Fire Company, non-profit corporations in the State of New Jersey, whose purpose is to provide fire protection services to the residents of Sea Bright, dated October 15, 1952 for a 50 year term which expired on October 14, 2002; and

WHEREAS, the Borough is desirous of extending the term retroactively to the expiration of said lease in accordance with the N.J.S.A. 40A:12-15 for an additional 25 years

WHEREAS, pursuant to N.J.S.A. 40A:12-14 and 15, the Borough must adopt an ordinance to effectuate the extension of the lease of Borough owned property; and

WHEREAS, the Borough does not need the property identified in the lease for a public use; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14(c), the public purpose for which the property is being leased is for the provision of fire protection services; and

WHEREAS, the consideration for this extension of lease shall be the nominal sum of \$1.00 for the term of the lease as extended; and

WHEREAS, the persons who will benefit directly from the public purpose are approximately 1818 residents of the Borough of Sea Bright as of the 2000 decennial U.S. Census;

WHEREAS, the person responsible for enforcing the conditions of the Lease shall be the Municipal Clerk; and

WHEREAS, the Sea Bright Hook and Ladder Company and Ocean Fire Company, shall be required to annually submit a report to the Municipal Clerk, setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and Federal law.

WHEREAS, the term of the lease with Sea Bright Hook and Ladder Company and Ocean Fire Company shall be extended for an additional 25 years retroactive to the expiration of said October 15, 1952 lease.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Sea Bright as follows:

- 1) The Lease between the Borough of Sea Bright and Sea Bright Hook and Ladder Company and Ocean Fire Company for the provision of fire protection services dated October 15, 1952 for a 50 year term is hereby extended for an additional 25 years retroactive to the expiration of said October 15, 1952 lease. The expiration of the lease term as extended is October 14, 2027.
- 2) The Borough Attorney is hereby authorized and directed to draft such modifications to the existing lease as are legally

appropriate to protect the interests of the Borough of Sea Bright.

- 3) All Borough officials including, but not limited to the Mayor and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this Ordinance.

This Ordinance shall take effect immediately upon its adoption and publication.

IT FURTHER ORDAINED, that this Ordinance shall take effect upon its adoption, passage and publication according to law and moved the Public Hearing to be held. Second by Councilwoman Bills and approved by the following vote:

AYES: Bills, Keeler, Kelly, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: LoBiondo

There being no members of the Public who wished to be heard a motion to close the Public Hearing was made by Councilwoman Long. Second by Councilman Murphy and approved by the following voice vote:

AYES: Bills, Keeler, Kelly, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: LoBiondo

Councilman Murphy made a motion to approve Ordinance No. 14-2009 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Bills and approved upon the following vote:

AYES: Bills, Kelly, Long, Murphy

NAYS: Keeler

ABSTAIN: None

ABSENT: LoBiondo

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

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

**RESOLUTION NO.144-2009
PAYMENT OF BILLS 06-16-2009**

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

NOW, THEREFORE, BE IT RESOLVED, that these vouchers totaling \$ 170,415.69 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.

01492	ALAN'S RUMSON FLORIST		
09-03610	03/17/09 A&E-3 WREATHS:MEMORIAL DAY	Open	300.00
01578	AMERICAN MESSAGING		
09-04519	05/29/09 DPW-JUN 2009 PAGER SERVICE	Open	38.64
00003	ASBURY PARK PRESS		
09-00010	01/20/09 MUNI CLERK-BLANKET:NOTICES	Open	578.34
01957	BENEMAX BENEFIT MANAGEMENT CO.		
09-04536	06/05/09 05/09 DENTAL PLAN MANAGEMENT	Open	324.00
09-04537	06/05/09 06/09 DENTAL PLAN MANAGEMENT	Open	<u>312.00</u>
			636.00
01925	BORO OF SEA BRIGHT/EE' HEALTH		
09-04544	06/10/09 REPLENISH HEALTH INS FUND	Open	5,000.00
00063	CHESAPEAKE EXTERMINATING CO.		
09-04520	06/02/09 BLDGS/GRNDS-APR 2009 EXTERM	Open	30.00
00198	COMCAST		
09-04514	05/28/09 FIRE DEPT-INTERNET:JUN 2009	Open	95.23
0.00			
09-04542	06/08/09 A&E-INTERNET:JUN 2009	Open	<u>95.00</u>
			190.23
01988	COMPTON, BARBARA		
09-04524	06/03/09 MUNI CLERK-RETURN ELECTION BKS	Open	30.00
01493	COOPERATIVE INDUSTRIES, L.L.C.		
09-04522	06/02/09 MAR 2009 NATURAL GAS	Open	2,015.23
00468	DEGUILIO, ELIZABETH		
09-04517	05/29/09 LIBRARY-REIMB:MAT,FRAME,GLASS	Open	200.00
01320	DEMAIO, R.N.		
09-04220	04/06/09 BEACH-BLANKET:JANITORIAL SUPP	Open	1,045.81
01593	DEROSA, ISABEL		
09-04532	06/04/09 COURT - 06/04/09 INTERPRETER	Open	110.00
00615	DMR LAWNS & LANDSCAPES, INC.		
09-04306	04/16/09 BLDGS/GRNDS-2009 WEED CONTROL	Open	740.00
01466	EAST COAST FLAG & BANNER, INC.		
09-04402	05/05/09 A&E-(12) 3'x 5' AMERICAN FLAGS	Open	177.60
01260	GASS, ALBAN		
09-04512	05/28/09 LIBRARY-PHOTOSHOP CLASSES	Open	480.00
01657	GOWAN, KERRY		
09-04545	06/10/09 POLICE DEPT-05/28/09 MATRON	Open	64.00
01634	GRAMCO BUSINESS COMMUNICATIONS		
09-04484	05/21/09 MEMORY CARDS:RECORDING SYSTEM	Open	90.00
01297	HATCH, MOTT & MACDONALD, LLC		
09-04534	06/05/09 MISC ENGINEERING	Open	481.20
01363	IRON MOUNTAIN, INC.		
09-01620	02/05/09 A&E-VAULT:SERVER BACKUPS	Open	120.00
01526	JCP & L		
09-04515	05/28/09 APR 2009 ELECTRIC SERVICE	Open	8,705.87
00895	JOHNNY ON THE SPOT, INC.		
09-04526	06/03/09 PORTO-POTS - JUN 2009	Open	434.00
00779	LINE SYSTEMS, INC.		
09-04539	06/05/09 LOCAL/LONG DISTANCE:APR 2009	Open	1,372.57
00161	LOU'S UNIFORMS, INC.		
09-03540	03/17/09 DPW-PANTS & SHIRTS:D.BAHRLE	Open	138.00
00275	M & S WASTE SERVICES, INC.		
09-04357	04/28/09 DUMPSTER+DISP FEE:DRIFTWOOD	Open	425.99
09-04523	06/02/09 05/09 GARBAGE/RECYCLING PICKUP	Open	8,691.67
09-04525	06/03/09 MAY 2009 LANDFILL TIPPING FEES	Open	<u>6,708.40</u>
			15,826.06
01801	MASER CONSULTING, P.A.		
09-04473	05/19/09 ENGINEERING-DOT:STREETSCAPING	Open	887.50
00019	NJ AMERICAN WATER		
09-04521	06/02/09 MAY 2009 HYDRANTS	Open	2,143.96
00401	PAK RAT EQUIPMENT, INC.		
09-01680	02/06/09 OEM-WATER RESCUE EQUIPMENT	Open	1,305.15
00081	PERRY'S TROPHY CO., INC.		
09-04439	05/14/09 LIBRARY-DESIGN/CREATE SIGN	Open	649.00
02132	RKE ATHLETIC, INC.		
09-04200	04/06/09 BEACH-2009 UNIFORMS	Open	5,485.00
01117	ROYAL CHEMICAL, INC.		
09-04423	05/11/09 BLDGS/GRNDS-WEED KILLER	Open	462.88
00456	SEA BRIGHT SENIOR CITIZENS		
09-04533	06/05/09 REC-DONATION:3 BUS TRIPS	Open	2,000.00
01554	SEA BRIGHT SERVICE CENTER		

09-01940	02/12/09	POLICE-BLANKET:VEHICLE MAINT	Open	163.90
0.00	B			
09-04381	05/01/09	POLICE-BLANKET:VEHICLE MAINT	Open	570.50

				734.40
00410	SEYR, STEPHANIE			
09-04518	05/29/09	COURT-05/28/09 COVERAGE	Open	105.00
0.00				
09-04531	06/04/09	COURT-06/04/09 COVERAGE	Open	60.00

				165.00
01027	SHORE BUSINESS SOLUTIONS			
09-04482	05/20/09	A&E-COPIER STAPLE CARTRIDGES	Open	150.04
00125	SPAHR, PATRICIA			
09-04527	06/03/09	TAX COLL-REIMB:A/CITY TRAVEL	Open	180.40
02062	SUPERIOR SIDING/ROOFING, INC.			
09-04477	05/19/09	BLDGS/GRNDS-FASCIA METAL	Open	314.90
01400	THE ARNETTE LAW FIRM, LLC			
09-01570	02/04/09	2009 SPECIAL LITIGATION	Open	1,312.50
01949	TIM MC LOONE BAND			
09-04394	05/04/09	A&E-7/4/09 MUSIC	Open	2,500.00
00178	UNITED STATES POSTAL SERVICE			
09-04535	06/05/09	POSTAGE FOR POSTAGE METER	Open	1,350.00
BAJAJ, VIVEK (ESCROW)				200.00
BORO OF SEA BRIGHT PAYROLL A/C (5/29/09 PAYROLL)				82,647.40
GOWAN, KERRY (ANIMAL CONTROL CALLS 3/09-5/16/09)				250.00
MASER CONSULTING (ESCROW)				500.00
MONMOUTH COUNTY SPCA (MAY 2009 BOARDING)				900.00
NJSHBP (MAY 2009)				22,283.42
PMC ASSOCIATES, INC. (MCIA #2)				<u>5,190.59</u>
GRAND TOTAL				170,415.69

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

AYES: Bills, Keeler, Kelly, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: LoBiondo

B. Councilman Murphy made a motion approving the minutes April 23, 2009 Smart Growth meeting, May 5, 2009 Council Meeting and May 19, 2009 Council Meeting minutes. Second by Councilwoman Bills and approved upon the following roll call vote:

AYES: Bills, Keeler, Kelly, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: LoBiondo

C. Councilman Murphy made a motion approving Closed Executive Meeting Minutes for April 21, 2009, May 5, 2009, and May 19, 2009 first and second sessions. Second by Councilwoman Bills and approved upon the following roll call vote:

AYES: Bills, Keeler, Kelly, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: LoBiondo

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

**RESOLUTION NO. 145-2009
BOROUGH OF SEA BRIGHT**

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright in the County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of **\$2,472.33** which is now available as a revenue from **FY 2009 Alcohol Education Rehab Enforcement Fund**; and

BE IT FURTHER RESOLVED, that a like sum of **\$2,472.33** is hereby appropriated under the caption **FY 2009 Alcohol Education Rehab Enforcement Fund**; and

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

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

AYES: Bills, Keeler, Kelly, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: LoBiondo

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

**RESOLUTION NO. 146-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for additional BEACH PERSONNEL for the 2009 season.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Sea Bright. County of Monmouth, that the following person shall be hired for the Beach and will receive the hourly rate of pay as specified.

LIFEGUARD TRAINEE:
Jack Donleavy

HOURLY RATE:
\$7.15

CERTIFICATION

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

Michael J. Bascom, CFO

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

BaOROUGH OF SEA BRIGHT

**RESOLUTION NO. 149-2009
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, that the Mayor and Council of the Borough of Sea Bright authorize the Recreation Committee to conduct skimboard classes - June 17 through June 18 from 4 p.m. to 7 p.m. to be taught by Brandon Roth for a fee of \$300.00. The cost skim board instruction is \$25 a class for non-residents and free to residents. All monies will be deposited into the Recreation Trust Fund.

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

Ayes: Bills, Keeler, Keller, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 150-2009
BOROUGH OF SEA BRIGHT
AUTHORIZING SEA BRIGHT BUSINESS ALLIANCE
FAMILY MOVIE NIGHT**

WHEREAS, the Sea Bright Business Alliance requests from the Mayor and Council of the Borough of Sea Bright to provide free Family Movie Nights on Tuesdays beginning July 7 through August 25 at 9:00 p.m. to 11:00 p.m. at the Sea Bright Municipal Beach. All movies shall be family-oriented and will not exceed a PG rating (Parental Guidance).

WHEREAS, the Mayor and Council of the Borough of Sea Bright authorizes the waiver of Chapter 144 Noise for the above mentioned event.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council hereby grants permission to the Sea Bright Business Alliance to conduct free Family Movie Nights and the waiver of Chapter 144 Noise.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

J. Councilman Murphy made a motion approving a request to conduct the 35th Annual A. Manning Ocean Swim - July 11th Second by Councilwoman Bills and adopted upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 151-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for a **Seasonal Beach Cleaner** (hourly) within the Borough of Sea Bright.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following persons be appointed and receive the rate of pay as specified below:

Andrew Eastwood	Beach Cleaner
Salary \$12.00 (HOURLY)	Effective 6-15-2009 thru 10-15-09

Chad Dupre Friday	Beach Bathroom Attendant
Salary \$8.50 (HOURLY)	Effective 6-15-2009 thru 10-15-2009

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Beach - Salary and Wages appropriation for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

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

L. Councilwoman Long introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 157-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for additional BEACH PERSONNEL for the 2009 season.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Sea Bright. County of Monmouth, that the following persons shall be hired for the Beach and will receive the hourly rate of pay as specified after each name effective June 13, 2009:

LIFEGUARDS

Tyler Conley	\$8.00
Caleb Doherty	\$8.00
Anne Geltzeiler	\$8.00
Andrew Manning	\$8.00

CERTIFICATION

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

Michael J. Bascom, CFO

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None
Abstain: None
Absent: LoBiondo

6. OLD BUSINESS:

A. DISCUSSION - River dredging project. The discussion was carried to the July 7, 2009.

B. DISCUSSION - Budget Amendment - DIIP pump stations. Councilman Murphy made a motion authorizing Administrative Assistant Branagan to respond to Engineer Mainberger's request for a budget amendment. Second by Councilman Murphy and adopted upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

7. NEW BUSINESS

A. Councilman Murphy made a motion approving a request from Donald Evans of CBA to host a Fun/Run Walk on July 18 at 7:30 a.m. on the municipal beach to benefit Fisher House. Second by Councilwoman Bills and adopted upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

B. Councilwoman Bills introduced and offered for adoption the following resolution:

**RESOLUTION NO. 152-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, the Sea Bright Business Alliance hereby requests for authorization from the Governing Body of the Borough of Sea Bright for the installation of four kiosks on Sea Bright public property for the purpose of containing a map portraying the layout of the town, the location of SBBA members' businesses and a description of their products/services.

WHEREAS, the four proposed sites of the kiosks would be at the following locations:

- Entrance area by the playground/lifeguard building - 40"x27" - erected in the sand.
- Entrance at the Main Municipal Parking Lot - 40"x27" erected in the sand.
- Entrance to Municipal Beach Public Restrooms - 12"x24" erected in the sand.
- Entrance at Public Beach across from Anchorage Apartments - 12"x24" erected in the sand.

WHEREAS, the Sea Bright Business Alliance assumes the responsibility of installing and maintaining all four kiosks without cost or burden to the Borough of Sea Bright.

FURTHERMORE, the kiosks shall not impede pedestrian traffic or interfere with the dunes.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council hereby grant permission to the Sea Bright Business Alliance for the installation of four kiosks.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 153-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright wishes to acquire a 2009 Ford Crown Victoria Police Unit with emergency equipment package for the Police Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

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

WHEREAS, Winner Ford, 250 Berlin Road, Cherry Hill, NJ 08034 has been awarded New Jersey State Contract No.A72468 for the vehicle and for the emergency equipment, paint and lights; and

WHEREAS, the cost for the purchase of a 2009 Ford Crown Victoria Police Unit with emergency equipment package is \$30,525.35; and

WHEREAS, the Chief Financial Officer, has certified the availability of funds for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Sea Bright, the acquisition of a 2009 Ford Crown Victoria Police Unit with emergency equipment package as referenced herein be authorized as described.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright do hereby certify that funds are available in Police OE for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 154-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright is in need of Professional Engineering Services for a Coastal General Permit; and,

WHEREAS, Robert Mainberger, PE of Hatch, Mott, MacDonald has submitted a proposal to prepare and complete the necessary documents for a Coastal General Permit for the amount of \$4,000 which is exclusive of permit fees which would be paid directly by the Borough; and,

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the proposal with Hatch, Mott, MacDonald.

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Engineering O/E for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 155-2009
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright, New Jersey that the following Applications for Liquor Licenses were received, the licenses granted to sell alcoholic beverage, and the Clerk of the Borough is authorized to issue and deliver such licenses:

RETAIL DISTRIBUTION LICENSES: FEE FOR RENEWAL: \$1,670.00

1343-44-015-003 Andy K's Dairy & Deli, Inc.
1160 Ocean Avenue

RETAIL CONSUMPTION LICENSES: FEE FOR RENEWAL: \$2,400.00

1343-36-010-006 Fairbanks Resort & Marina
Inc.
344 Ocean Avenue

1343-33-013-005 Shipmasters, Inc.
t/a The Dockside
1410 Ocean Avenue

1343-33-016-005 MV Entertainment LLC
t/a Elements The Lounge
1072 Ocean Avenue

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

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

10. MONTHLY REPORTS FOR MAY 2009:

A. Library Director

B. Police Chief

11. CORRESPONDENCE AND COMMUNICATIONS:

A. Construction Department - April Monthly report.

B. DOT letter dated May 29, 2009 requesting traffic control improvements along Route 36.

C. Central Jersey Council of Governments letter dated regarding a SHARE solid waste study.

12. COMMITTEE REPORTS:

A. **Beach/Education/Environment:** Councilwoman Long reported that a new canopy will be installed on the boardwalk this week. Beach revenue is down with sales at 68% from last year. The piping plovers and least terns are doing very well in Sea Bright.

B. **Public Works/Building Department/Public Relations:**

Councilman LoBiondo was not present. Councilman Murphy said that the pump's control box is too low and he was concern that the controls would be flooded and inoperable. Engineer Hoder told the Council that he would follow up with Engineer Mainberger concerning the control box.

C. **Police/Emergency Management/Insurance/Court:**

Councilman Keeler reported that Robin Young has been hired as Violations Clerk and Stephanie Seyhr as Deputy Court Administrator. He discussed with our Risk Control Dominick Cinelli about implementing an employees wellness program.

Two Police Officers have completed the noise meter seminar and have been able to handle several noise complaints.

Councilman Keeler said that the DOT has agreed to flood warning lights to warn residents. They did not approve lights that are in the pavement at crosswalks. The DOT made reference to the crosswalk at the corner of Sea Bright Methodist Church that the walkway going across Ocean Avenue from west to east ends at a curb and that brings a pedestrian out into the street. This has to be addressed because it is a safety violation. Engineer Hoder will research this and report his findings to the Police Committee.

D. **Finance/Grants/Fire:**

Councilman Murphy reported that July 1, 2009 will have a Finance Committee to address the Smart Growth budget, Federal Stimulus Funding and Sewer billing. The Fire Department lease will be amended by removing the paragraph referring to plowing etc., and paying of the utilities etc is the responsible of the Borough. Attorney Oxley said that he would amend those paragraphs and the capital improvements would be on a case to case basis.

E. **Personnel/Administration/Cultural Arts/Recreation:**

Councilwoman Bills reported that the Library hosted the Von Ziegasar wing celebration on May 31st. Internet classes are

available at the Library and the summer reading program has begun.

Recreation Chairwoman Felecia Stratton organized skim board classes for Sea Bright's children on June 17 and 18 between 4-7 pm. The drum circle begins June 22nd, Beach camps starts July 13 through 15. Free Movies on the Beach every Tuesday evening at dusk beginning July 7 and continues to the end of the summer.

F. Smart Growth/Flood Mitigation/Beautification: Councilman Kelly reported that the Smart Growth Committee will meet again with Architect Tomaino of Design Ideas Group for revised beach front plans and the Smart Growth meeting is June 25th at 7:30 p.m.

Beautification Committee will be hiring a landscaping company and the flowers will arrive tomorrow for planting.

13. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. Mayor Fernandes said that Sea Bright's fireworks display is July 4th with a July 5th rain date and Tim McLoones band is the entertainment. She attended a SBBA meeting and the business owners are getting hurt financially by the Highland bridge project. She contacted the DOT regarding their concerns.

14. REMARKS FROM THE AUDIENCE:

15. Councilman Kelly introduced and offered for adoption the following resolution at 8:48 p.m.:

**RESOLUTION NO. 156-2009
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 a court action and,

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.

Councilman Keeler introduced a motion to resume regular order of business at 8:58 p.m. Second by Councilwoman Bills and approved upon by unanimous vote.

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

Councilman Keeler made a motion authorizing the Mayor to sign a release of \$7, 500 from JIF. Second by Councilwoman Bills and approved upon by unanimous vote.

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

16. ADJOURNMENT:

There being no further business before the Governing Body Councilman Murphy made a motion to adjourn the meeting at 8:59 P.M. Second by Councilwoman Long and approved upon unanimous voice vote.

Respectfully Submitted,

Suzanne Branagan
Administrative Assistant