

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

Mayor Fernandes requested for those present to remain standing for a Moment of Silence for the passing of Linda Lucille Bray and Gonzalo Romero-Tiamintzi:

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 8, 2010 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: Keeler, Kelly, LoBiondo, Long, Murphy, Mayor Fernandes, Attorney Oxley, Chief Financial Officer Bascom, Engineer Flor, Police Chief Sorrentino, Administrator Smeltzer

ABSENT: Bills

4. PLAQUE PRESENTATION - ROBERT LORAY. Mayor Fernandes presented a plaque from the Mayor and Council to Robert Loray upon his retirement from Sea Bright's Public Works Department after 23 years of employment.

5a. Councilwoman Long introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 169-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Governing Body has recommended that Brett M. Friedman is to be appointed to the position of Lieutenant for 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 Brett M. Friedman receive the title of Lieutenant effective August 1, 2010 at a salary of \$95, 633.97:

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 Salaries & Wages for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

Ayes: Keeler, Kelly, LoBiondo, Long

Nays: None

Abstain: Murphy

Absent: Bills

5b. OATH OF OFFICE - Lieutenant Brett Friedman was sworn in by Mayor Fernandes while his wife Tracy and son Jack held the Bible.

6. REMARKS FROM THE AUDIENCE (limited to 3 minutes)

Councilman Murphy introduced a motion to close the public portion of the meeting. Second by Councilwoman Long and approved upon the following vote:

AYES: Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Bills

7.

A.

ORDINANCE NO. 13-2010
AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT
PERMITTING THE MANAGED CARE OF FERAL CATS

Introduced and approved on May 4, 2010.

Public Hearing held previously on May 18, 2010.

Councilwoman Long introduced a motion carrying Ordinance No. 13-2010 to September 7, 2010. Second by Councilman Murphy and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

B1. Sea Bright Unified Planning Board letter indicating no objection to Ordinance 18-2010.

B2. Attorney Oxley called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of July 6, 2010. Councilman Murphy moved to approve this Ordinance upon Second Reading.

ORDINANCE NO. 18-2010
AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT
AMENDING CHAPTER 130 LAND USE
REQUIRING RETROFITTING OF EXISTING STORM DRAIN INLETS
ON PRIVATE PROPERTY

BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright as follows:

WHEREAS, The Mayor and Council of the Borough of Sea Bright are aware of the New Jersey Department of Environmental Protection requirement to retrofit existing storm drain inlets; and

WHEREAS, the Borough wishes to implement these requirements in accordance with the regulations of the New Jersey Department of Environmental Protection; and

WHEREAS, the Mayor and Borough Council deem it in the public interest to introduce this ordinance in order to meet these stated goals.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the following be added to the Code of Sea Bright:

SECTION I. Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Sea Bright as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (a) Municipal separate storm sewer system (MS4)- a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Sea Bright or other public body, and is designed and used for collecting and conveying stormwater.
- (b) Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- (c) Storm drain inlet - an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- (d) Waters of the State - means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- 1. Already meets the design standard in Section IV below to control passage of solid and floatable materials;
or
- 2. Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.

SECTION IV. Design Standard:

Storm drain inlets identified in Section III above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - (a) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - (b) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:
 - (a) Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - (b) Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or

- ii. A bar screen having a bar spacing of 0.5 inches.
- (c) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
- (d) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

SECTION V. Enforcement:

This ordinance shall be enforced by the Police Department of the Borough of Sea Bright.

SECTION VI. Penalties:

Penalties for violations of this ordinance shall be as provided in Chapter 1, General Provisions, Article I, unless otherwise specified in this chapter.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

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

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

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

Councilman Murphy made a motion to approve Ordinance No. 18-2010 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Long and approved upon the following vote:

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

C. Attorney Oxley called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of July 6, 2010. Councilman Keeler moved to approve this Ordinance upon Second Reading.

ORDINANCE NO. 19-2010
AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT
AMENDING CHAPTER 178 SOLID WASTE
REGULATING REFUSE CONTAINERS AND DUMPSTERS

BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright as follows:

WHEREAS, The Mayor and Council of the Borough of Sea Bright are aware of the New Jersey Department of Environmental Protection regulations pertaining to Refuse Containers and Dumpsters; and

WHEREAS, the Borough wishes to implement these regulations in accordance with the regulations of the New Jersey Department of Environmental Protection; and

WHEREAS, the Mayor and Borough Council deem it in the public interest to introduce this ordinance in order to meet these stated goals.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the following be added to the Code of Sea Bright:

SECTION I. Purpose:

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Sea Bright and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (a) Municipal separate storm sewer system (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Sea Bright or other public body, and is designed and used for collecting and conveying stormwater. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

- (b) Refuse container - any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- (c) Stormwater - means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- (d) Waters of the State - means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Sea Bright.

SECTION IV. Exceptions to Prohibition:

- (a) Permitted temporary demolition containers
- (b) Litter receptacles (other than dumpsters or other bulk containers)
- (c) Individual homeowner trash and recycling containers
- (d) Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- (e) Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

SECTION V. Enforcement:

This ordinance shall be enforced by the Sea Bright Borough Police Department.

SECTION VI. Penalties:

Penalties for violations of this ordinance shall be as provided in Chapter 1, General Provisions, Article I, unless otherwise specified in this chapter.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

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 Councilman Kelly and approved by the following vote:

AYES: Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Bills

Janet Henschel of E. Church Street said along the side of Ichabods the garbage dumpster leaks foul fluid on the street.

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

AYES: Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Bills

Councilman Keeler made a motion to approve Ordinance No. 19-2010 on its Third and Final Reading and advertise it according to law. Second by Councilman Murphy and approved upon the following vote:

AYES: Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Bills

D. Attorney Oxley called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of July 6, 2010. Councilman Keeler moved to approve this Ordinance upon Second Reading

ORDINANCE NO.20-2010

BOROUGH OF SEA BRIGHT

AN ORDINANCE FIXING AND DETERMINING THE SALARY OF CERTAIN OFFICERS/EMPLOYEES OF THE BOROUGH OF SEA BRIGHT POLICE DEPARTMENT, MONMOUTH COUNTY, STATE OF NEW JERSEY, AND REPEALING ANY AND ALL OTHER ORDINANCES HERETOFORE ADOPTED WHICH ARE INCONSISTENT HEREWITH

Be it ordained by the Mayor and Council of the Borough of Sea Bright, in the County of Monmouth, State of New Jersey as follows:

SECTION 1. Effective as of January 1, 2010, the salary schedules for all officers recognized as being represented by the PBA shall be as set forth below:

SCHEDULE A

For Employees hired before January 1, 2000

POSITION/TITLE	ANNUAL PAY
	<u>01/01/10 TO 06/30/10</u>
Captain of Police/Grade 1	\$98,359.58
Lieutenant of Police/Grade 1	\$94,220.66
Sergeant of Police/Grade 1	\$90,650.43

Corporal of Police/Grade 1	\$88,964.28
Patrolman/Grade 1	\$87,278.54

07/01/10 TO 12/31/10

Captain of Police/Grade 1	\$99,834.97
Lieutenant of Police/Grade 1	\$95,633.97
Sergeant of Police/Grade 1	\$92,010.19
Corporal of Police/Grade 1	\$90,298.75
Patrolman/Grade 1	\$88,587.72

For Employees hired after January 1, 2000

01/01/10 TO 06/30/10

Captain of Police/Grade 2	\$91,500.00
Lieutenant of Police/Grade 2	\$87,500.00
Sergeant of Police/Grade 2	\$83,500.00
Corporal of Police/Grade 2	\$80,000.00
Patrolman/Grade 2	\$78,347.12
Patrolman (10 th year)	\$77,189.28
Patrolman (9 th year)	\$75,138.85
Patrolman (8 th year)	\$70,172.07
Patrolman (7 th year)	\$63,154.86
Patrolman (6 th year)	\$57,541.09
Patrolman (5 th year)	\$53,330.78
Patrolman (4 th year)	\$47,717.01
Patrolman (3 rd year)	\$40,699.80
Patrolman (2 nd year)	\$36,489.47
Patrolman (1 st year)	\$32,279.15

07/01/10 TO 12/31/10

Captain of Police/Grade 2	\$92,872.50
Lieutenant of Police/Grade 2	\$88,812.50
Sergeant of Police/Grade 2	\$84,752.50
Corporal of Police/Grade 2	\$81,200.00
Patrolman/Grade 2	\$79,522.32
Patrolman (10 th year)	\$77,189.28
Patrolman (9 th year)	\$76,265.93
Patrolman (8 th year)	\$71,224.65
Patrolman (7 th year)	\$64,102.19
Patrolman (6 th year)	\$58,404.21
Patrolman (5 th year)	\$54,130.74
Patrolman (4 th year)	\$48,432.76
Patrolman (3 rd year)	\$41,310.30
Patrolman (2 nd year)	\$37,036.82
Patrolman (1 st year)	\$32,763.34

SCHEDULE B

01/01/11 TO 12/31/11

For Employees hired before January 1, 2000

Captain of Police/Grade 1	\$102,830.02
Lieutenant of Police/Grade 1	\$98,502.99
Sergeant of Police/Grade 1	\$94,770.49
Corporal of Police/Grade 1	\$93,007.71
Patrolman/Grade 1	\$91,245.35

For Employees hired after January 1, 2000

Captain of Police/Grade 2	\$95,890.86
Lieutenant of Police/Grade 2	\$91,698.91
Sergeant of Police/Grade 2	\$87,506.96
Corporal of Police/Grade 2	\$83,839.00

Patrolman/Grade 2	\$82,106.80
Patrolman (10 th year)	\$79,697.93
Patrolman (9 th year)	\$78,744.57
Patrolman (8 th year)	\$73,539.45
Patrolman (7 th year)	\$66,185.51
Patrolman (6 th year)	\$60,302.34
Patrolman (5 th year)	\$55,889.99
Patrolman (4 th year)	\$50,006.83
Patrolman (3 rd year)	\$42,652.89
Patrolman (2 nd year)	\$38,240.51
Patrolman (1 st year)	\$33,828.15

SCHEDULE C
01/01/12 to 12/31/12

For Employees hired before January 1, 2000

Captain of Police/Grade 1	\$105,914.92
Lieutenant of Police/Grade 1	\$101,458.08
Sergeant of Police/Grade 1	\$97,613.61
Corporal of Police/Grade 1	\$95,797.94
Patrolman/Grade 1	\$93,982.71

For Employees hired after January 1, 2000

Captain of Police/Grade 2	\$99,007.31
Lieutenant of Police/Grade 2	\$94,679.12
Sergeant of Police/Grade 2	\$90,350.93
Corporal of Police/Grade 2	\$86,563.77
Patrolman/Grade 2	\$84,775.27
Patrolman (10 th year)	\$82,288.11
Patrolman (9 th year)	\$81,303.77
Patrolman (8 th year)	\$75,929.48
Patrolman (7 th year)	\$68,336.54
Patrolman (6 th year)	\$62,262.17
Patrolman (5 th year)	\$57,706.42
Patrolman (4 th year)	\$51,632.05
Patrolman (3 rd year)	\$44,039.11
Patrolman (2 nd year)	\$39,483.33
Patrolman (1 st year)	\$34,927.56

SCHEDULE D

01/01/13 to 12/31/13

For Employees hired before January 1, 2000

Captain of Police/Grade 1	\$109,092.37
Lieutenant of Police/Grade 1	\$104,501.83
Sergeant of Police/Grade 1	\$100,542.02
Corporal of Police/Grade 1	\$98,671.88
Patrolman/Grade 1	\$96,802.19

For Employees hired after January 1, 2000

Captain of Police/Grade 2	\$102,225.05
Lieutenant of Police/Grade 2	\$97,756.19
Sergeant of Police/Grade 2	\$93,287.34
Corporal of Police/Grade 2	\$89,377.09
Patrolman/Grade 2	\$87,530.47
Patrolman (10 th year)	\$84,962.48
Patrolman (9 th year)	\$83,946.14
Patrolman (8 th year)	\$78,397.19
Patrolman (7 th year)	\$70,557.47

Patrolman (6 th year)	\$64,285.69
Patrolman (5 th year)	\$59,581.87
Patrolman (4 th year)	\$53,310.09
Patrolman (3 rd year)	\$45,470.38
Patrolman (2 nd year)	\$40,766.54
Patrolman (1 st year)	\$36,062.71

A. In addition to annual wages, on the anniversary date of employment, a longevity increment based upon years of continuous employment in the Police Department, in accordance with the following schedules:

SCHEDULE A

EMPLOYEES HIRED ON OR BEFORE 01/01/00

<u>YEARS OF SERVICE</u>	<u>INCREMENT OF BASE PAY</u>
After 5 years of service	4.0% of base pay
After 10 years of service	5.0% of base pay
After 15 years of service	6.0% of base pay
After 20 years of service	7.0% of base pay
After 25 years of service	8.0% of base pay

SCHEDULE B

EMPLOYEES HIRED AFTER 01/01/00

<u>YEARS OF SERVICE</u>	<u>INCREMENT OF BASE PAY</u>
After 5 years of service	1.0% of base pay
After 10 years of service	2.0% of base pay
After 15 years of service	3.0% of base pay
After 20 years of service	4.0% of base pay
After 25 years of service	5.0% of base pay

SECTION 2: Should any section, part or provisions of this Ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof, then the section, part or provisions so held unconstitutional or invalid.

SECTION 3: Any and all other Ordinances or parts of Ordinances heretofore adopted fixing salaries or compensations different than hereinabove set forth and fixed, and being inconsistent herewith are hereby repealed.

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: Keeler, Kelly, LoBiondo, Long

NAYS: None

ABSTAIN: Murphy

ABSENT: Bills

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 Keeler and approved by the following vote:

AYES: Keeler, Kelly, LoBiondo, Long,

NAYS: None

ABSTAIN: Murphy

ABSENT: Bills

Councilman Keeler made a motion to approve Ordinance No. 20-2010 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Long and approved upon the following vote:

AYES: Keeler, Kelly, LoBiondo, Long

NAYS: None

ABSTAIN: Murphy
ABSENT: Bills

E.

**ORDINANCE NO. 21-2010
AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT
AMENDING CHAPTER 201 VEHICLES AND TRAFFIC
OF THE CODE OF SEA BRIGHT**

Councilman Keeler introduced a motion carrying Ordinance No. 21-2010 to September 7, 2010. Second by Councilwoman Long and approved upon the following roll call vote:
Ayes: Keeler, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Bills

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 Keeler introduced and approved for adoption the following:

**RESOLUTION NO. 154-2010
PAYMENT OF BILLS 08/03/2010**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$944,201.58 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.

01295	1488 OCEAN, INC.		
10-00900	07/21/10 TAX APPEAL REFUND B2/L63	Open	1,201.50
01062	ALL HANDS FIRE EQUIPMENT, LLC		
10-00780	06/24/10 FIRE DEPT-VARIOUS ITEMS	Open	2,971.90
01578	AMERICAN MESSAGING		
10-00821	07/06/10 DPW-JUL 2010 PAGER SERVICE	Open	46.17
00033	APACHE FOREST PRODUCTS, LLC		
10-00614	05/14/10 BEACH-(8) TREATED TIMBERS	Open	3,640.00
00003	ASBURY PARK PRESS		
10-00016	01/14/10 MUNI CLERK-BLANKET:NOTICES	Open	56.56
00384	AT & T MOBILITY		
10-00919	07/27/10 DPW-JUL 2010 CELL BILL	Open	215.33
00361	ATLANTIC HIGHLANDS FIRE DEPT		
10-00803	06/30/10 FIRE DEPT-RESCUE BOAT/TRAILER	Open	5,000.00
01042	ATLANTIC TOMORROWS OFFICE		
10-00865	07/12/10 A&E-2/Q/10 COPY/CLICK CHARGES	Open	429.71
00006	AVAYA, INC.		
10-00041	01/15/10 POLICE DEPT-2010 BOX/MOD MAINT	Open	50.31
01984	AVAYA, INC.		
10-00042	01/15/10 A&E-2010 PHONE MAINTENANCE	Open	211.80
02036	BAHRLE, DAVID		
10-00885	07/20/10 DPW-TRAVEL REIMB:7/19/10	Open	48.70
10-00913	07/22/10 DPW-TRAVEL REIMB:7/22/10	Open	46.70

			95.40
01241	BAIN'S HARDWARE, INC.		
10-00866	07/13/10 JUN 2010 PURCHASES	Open	1,451.63
01957	BENEMAX BENEFIT MANAGEMENT CO.		
10-00835	07/08/10 07/10 DENTAL PLAN MANAGEMENT	Open	312.00
00293	BERNARD, ET AL, BETSY		
10-00902	07/21/10 TAX APPEAL REFUND B4/L7.17	Open	3,264.88
01631	BOROUGH OF OCEANPORT		

10-00811	07/02/10	COURT SHARED SERVICES:AUG 2010	Open	6,503.34
01565		BOROUGH OF SEA BRIGHT		
10-00878	07/19/10	T/F ADMIN FEE:07/15/10 PAYROLL	Open	21.00
10-00895	07/20/10	T/F ADMIN FEE:07/15/10 PAYROLL	Open	96.00
10-00896	07/20/10	T/F ADMIN FEE:07/15/10 PAYROLL	Open	882.00

				999.00
01974		BOROUGH OF SEA BRIGHT COURT		
10-00872	07/14/10	COURT-06/10 CREDIT CARD REIMB	Open	283.09
01451		BRY, JR., EDWIN		
10-00604	05/13/10	OEM-UTILITY TRAILER	Open	1,029.00
01546		C.I.T. TECHNOLOGY FIN SERV, INC		
10-00012	01/14/10	POLICE DEPT-2010 FAX LEASE	Open	62.15
10-00013	01/14/10	POLICE DEPT-2010 COPIER LEASE	Open	147.72

				209.87
01358		CAMPBELL SUPPLY CO., L.L.C.		
10-00622	05/17/10	FIRE DEPT-4376 FLOOD DAMAGE	Open	1,115.00
00063		CHESAPEAKE EXTERMINATING CO.		
10-00858	07/12/10	BLDGS/GRNDS-MAY/JUN'10 EXTERM	Open	60.00
00065		CHRISTOPHER, KEITH		
10-00581	05/12/10	BLDGS/GRNDS-REPAIR LEAK:GARAGE	Open	875.00
00249		CLARK, DOUGLAS		
10-00912	07/22/10	DPW-TRAVEL REIMB:7/21/10	Open	26.00
00198		COMCAST		
10-00859	07/12/10	A&E-INTERNET:JUL 2010	Open	95.18
10-00887	07/20/10	POLICE DEPT-INTERNET:JUL 2010	Open	95.18
10-00905	07/21/10	LIBRARY-INTERNET:JUL 2010	Open	100.14
10-00925	07/27/10	FIRE DEPT-INTERNET:AUG 2010	Open	95.18

				385.68
01320		DEMAIO, R.N.		
10-00441	04/12/10	BEACH-BLANKET:JANITORIAL SUPP	Open	645.19
01465		DEPTCOR, BUREAU OF STATE USE		
10-00807	07/01/10	POLICE-CELL MATTRESSES	Open	216.00
00091		DIGIROLAMO, LOUIS		
10-00844	07/08/10	2010 PYMT 08/12 HEALTH REIMB	Open	1,890.29
01621		EMERGENCY COMMUN NETWORK, INC.		
10-00832	07/08/10	POLICE-CodeRED WARNING SYSTEM	Open	2,500.00
00377		FIDELITY NAT'L PROP & CASUALTY		
10-00867	07/13/10	2010 FLOOD INSURANCE RENEWAL	Open	9,191.00
00362		FIRE HOOKS UNLIMITED		
10-00696	06/02/10	BEACH-REPLACEMENT POLES	Open	180.00
10-00852	07/12/10	BEACH-(4) AMERICAN FLAGS	Open	40.00

				220.00
00333		GARAVENTA, DEBORAH		
10-00834	07/08/10	A&E-6/26-6/29/10 IT SERVICES	Open	285.00
01549		GENERAL CODE PUBLISHERS CORP.		
10-00838	07/08/10	A&E-SUPPLEMENT #56	Open	1,490.16
01194		GLENCO SUPPLY, INC.		
10-00778	06/23/10	DPW-"NO PARKING" SIGNS	Open	66.74
01657		GOWAN, KERRY		
10-00860	07/12/10	POLICE DEPT-6/19/10 MATRON	Open	16.00
10-00923	07/27/10	POLICE DEPT-7/1-7/15/10 MATRON	Open	100.00

				116.00
01297		HATCH, MOTT & MACDONALD, LLC		
10-00873	07/14/10	MISC ENGINEERING-5/14-5/28/10	Open	1,199.50
00197		HEWLETT-PACKARD COMPANY		
10-00558	05/07/10	OEM-NOTEBOOK COMPUTER	Open	780.00
01286		INDUSTRIAL MARINE		
10-00794	06/30/10	REIMB:MAY'10 WATER & ELECTRIC	Open	170.20
01363		IRON MOUNTAIN, INC.		
10-00170	02/08/10	A&E-VAULT:2010 SERVER BACKUPS	Open	137.76
00013		ISLAND STYLE, INC.		
10-00850	07/08/10	BEACH-PADDLE BOARDS	Open	1,497.00
01526		JCP & L		
10-00920	07/27/10	JUN 2010 ELECTRIC SERVICE	Open	9,231.42
00297		JESSE A. HOWLAND & SONS, INC.		
10-00817	07/02/10	GARAGE RENT - AUG 2010	Open	1,737.00
10-00818	07/02/10	DPW-ADDT'L GARAGE RENT-AUG'10	Open	875.00

				2,612.00
00895		JOHNNY ON THE SPOT, INC.		

10-00414	04/07/10	12 PORTO-POTS 7/1-7/6/10	Open	1,140.00
10-00822	07/06/10	PORTO-POTS - JUL 2010	Open	409.20

				1,549.20
00270		JOHNSON, KENNETH		
10-00841	07/08/10	2010 PYMT 08/12 HEALTH REIMB	Open	992.69
00589		JUNIOR'S VENTURE, INC.		
10-00790	06/29/10	LIBRARY-6/30 STORYTIME	Open	285.00
00015		LANIGAN ASSOCIATES, INC.		
10-00745	06/15/10	POLICE DEPT-BODY ARMOR	Open	812.50
10-00747	06/15/10	POLICE DEPT-ID HOLDERS	Open	153.45

				965.95
00275		M & S WASTE SERVICES, INC.		
10-00153	02/02/10	2010 TRASH/RECYCLING PICKUP	Open	9,200.00
10-00762	06/21/10	DUMPSTER+DISP FEE:BEACH DEBRIS	Open	506.18
10-00809	07/02/10	JUNE 2010 EXTRA RECYCLING P-UP	Open	315.00
10-00810	07/02/10	06/10 LANDFILL TIPPING FEES	Open	8,146.27

				18,167.45
00799		MAGLOCLEN		
10-00720	06/10/10	POLICE DEPT-ANNUAL USER FEE	Open	400.00
01801		MASER CONSULTING, P.A.		
10-00451	04/12/10	PRJ#129 PARKING LOTS	Open	125.00
00106		MGL FORMS-SYSTEMS, LLC		
10-00735	06/14/10	FINANCE-1000 PURCHASE ORDERS	Open	467.00
01985		MOBILE MINI, INC.		
10-00888	07/20/10	POLICE-TRAILER 2010 PYMT 08/13	Open	278.00
00110		MONM CNTY REGIONAL HEALTH		
10-00815	07/02/10	3/Q/2010 PUBLIC SERVICE HEALTH	Open	10,912.25
00688		MONMOUTH COUNTY POLICE ACADEMY		
10-00836	07/08/10	POLICE DEPT-TRAINING	Open	60.00
00378		MONMOUTH TRUCK EQUIPMENT		
10-00225	02/22/10	DPW-BLANKET:SNOW PLOW R&M	Open	78.00
00140		MOORE, WILLIAM		
10-00840	07/08/10	2010 PYMT 08/12 HEALTH REIMB	Open	1,890.29
00315		MORGANO, PAUL		
10-00474	04/19/10	BLDGS/GRNDS-2010 MOWING SERV	Open	900.00
10-00475	04/19/10	BLDGS/GRNDS-2010 WEED CONTROL	Open	700.00
10-00618	05/17/10	BLDGS/GRNDS-2010 BRUSH CONTROL	Open	200.00

				1,800.00
00137		MUNICIPAL CAPITAL CORPORATION		
10-00011	01/14/10	A&E-2010 COPIER LEASE	Open	225.20
00019		NJ AMERICAN WATER		
10-00845	07/08/10	JUN 2010 HYDRANTS	Open	2,102.73
10-00906	07/21/10	JUN 2010 WATER UTILITY	Open	1,921.08

				4,023.81
00671		NJ DEPT OF COMMUNITY AFFAIRS		
10-00909	07/22/10	2/Q/2010 STATE PERMIT FEES	Open	2,740.00
01206		NJ ECONOMIC DEVELOPMENT AUTHOR		
10-00819	07/02/10	NJEDA LOAN - P & I PAYMENT	Open	2,317.50
00885		OCEAN TWP FIRE DISTRICT NO. 2		
10-00816	07/02/10	INSPEC/FIRE-VEHICLE-3/Q/2010	Open	225.00
01309		OCEANPORT BOARD OF EDUCATION		
10-00848	07/08/10	GRADE SCHOOL TAX - AUG 2010	Open	77,253.65
00046		ONE CALL CONCEPTS, INC.		
10-00833	07/08/10	A&E - 2/Q/2010 BILLS	Open	58.85
00081		PERRY'S TROPHY CO., INC.		
10-00564	05/07/10	P/L BOARD-NAMEPLATE:D.JANY	Open	13.00
10-00854	07/12/10	A&E-PLAQUE:R.LORAY	Open	100.10

				113.10
00431		PMC ASSOCIATES, INC.		
10-00536	04/27/10	ANALYZE COMMUNICATION EQUIP	Open	950.00
02054		POWERHOUSE SIGN WORKS		
10-00804	06/30/10	FIRE DEPT-BOAT LETTERING	Open	325.00
00164		RAIN, WILLIAM		
10-00842	07/08/10	2010 PYMT 08/12 HEALTH REIMB	Open	762.20
02030		RIVERFRONT CAFE		
10-00910	07/22/10	REFUND-BOARD OF HEALTH PERMIT	Open	250.00
00788		SCARINCI & HOLLENBECK, LLC		
10-00242	02/23/10	LEGAL-2010 RETAINER	Open	1,666.67
10-00880	07/20/10	LEGAL SERVICES:JUN 2010	Open	19,244.24

			20,910.91
00307	SCUDIERY, VICTOR		
10-00901	07/21/10 TAX APPEAL REFUND B34/L4	Open	3,204.00
00456	SEA BRIGHT SENIOR CITIZENS		
10-00849	07/08/10 REC-DONATION:2 BUS TRIPS	Open	1,675.00
01554	SEA BRIGHT SERVICE CENTER		
10-00054	01/15/10 POLICE-BLANKET:VEHICLE MAINT	Open	30.00
10-00855	07/12/10 POLICE-BLANKET:VEHICLE MAINT	Open	733.28

			763.28
00027	SEABOARD WELDING SUPPLY, INC.		
10-00075	01/20/10 DPW - 2010 CYLINDER RENTAL	Open	12.70
01724	SEASIDE MATERIALS, INC.		
10-00250	02/24/10 BEAUTIF-(2) BENCH SECTIONS	Open	173.28
10-00502	04/22/10 BEAUTIF-(2) BENCH SECTIONS	Open	173.28

			346.56
01011	SEMCOR EQUIPMENT CORPORATION		
10-00767	06/22/10 DPW-RENTAL:CORE DRILL MACHINE	Open	209.00
00053	SHORE REGIONAL HIGH SCHOOL		
10-00820	07/02/10 HIGH SCHOOL TAX - AUG 2010	Open	154,510.00
00246	SICKLES MARKET, LLC		
10-00875	07/16/10 BEAUTIFICATION-PLANTS/SOIL	Open	314.34
00975	SMACK, EDWARD		
10-00843	07/08/10 2010 PYMT 08/12 HEALTH REIMB	Open	762.20
00031	SORRENTINO, JOHN		
10-00861	07/12/10 POLICE-REIMB:(2) OIL FILTERS	Open	32.08
00124	SPAHR, STEVEN		
10-00839	07/08/10 2010 PYMT 02/06 HEALTH REIMB	Open	1,890.29
00214	STAVOLA COMPANIES		
10-00757	06/21/10 DPW-BLANKET:ASPHALT MATERIALS	Open	218.72
00083	T & M ASSOCIATES		
10-00808	07/01/10 SEWER LINE TELEVISIONING:OCEAN AV	Open	562.50
01392	TETRA TECH EM, INC.		
09-05166	11/03/09 GRANT APPLIC-FEMA:ELEVATIONS	Open	6,000.00
10-00709	06/07/10 COST ANALYSIS-HAZ MIT GRANT	Open	5,601.13

			11,601.13
01285	THE HOME DEPOT		
10-00608	05/14/10 BLDGS/GRNDS-BLANKET:MISC SUPP	Open	106.60
00352	THE WALL STREET JOURNAL		
10-00904	07/21/10 LIBRARY-1 YR SUBSCRIPTION RNWL	Open	181.48
00262	TRATTORIA G		
10-00416	04/07/10 A&E-FOOD:MEMORIAL DAY	Open	300.00
00223	TREASURER, COUNTY OF MONMOUTH		
10-00812	07/02/10 3/Q/2010 COUNTY TAXES	Open	453,207.59
00439	TREASURER, COUNTY OF MONMOUTH		
10-00813	07/02/10 3/Q/2010 LIBRARY TAXES	Open	25,104.23
00523	TREASURER, COUNTY OF MONMOUTH		
10-00814	07/02/10 3/Q/2010 OPEN SPACE TAXES	Open	26,695.82
01403	TREASURER, STATE OF NEW JERSEY		
10-00806	07/01/10 2/Q/2010 MARRIAGE LICENSE FEES	Open	325.00
01243	TREASURER, STATE OF NEW JERSEY		
10-00879	07/20/10 CAFRA PERMIT FEE:NORMANDIE/BEA	Open	3,964.04
00178	UNITED STATES POSTAL SERVICE		
10-00916	07/22/10 POSTAGE FOR POSTAGE METER	Open	950.00
01960	VERIZON		
10-00918	07/23/10 LOCAL/LONG DISTANCE:JUN 2010	Open	1,812.27
01020	VERIZON COMMUNICATIONS		
10-00884	07/20/10 DPW-DSL INTERNET:JUN 2010	Open	42.99
02061	VERIZON WIRELESS		
10-00856	07/12/10 BLDG/FIRE/COURT:JUL 2010 BILL	Open	80.15
10-00915	07/22/10 POLICE-JUL 2010 CELL & MDT	Open	771.65

			851.80
01901	VNB MORTGAGE SERVICES, INC.		
10-00903	07/21/10 TAX OVERPAYMENT B3.14/L16	Open	690.86
01202	WARK, JAMES		
10-00928	07/29/10 TAX OVERPAYMENT B3.10/L7	Open	7,362.09
01164	WATCHUNG SPRING WATER CO, INC.		
10-00857	07/12/10 JUL 2010 SPRING WATER	Open	423.86
01708	WINTERS, ESQ., WILLIAM		
10-00898	07/21/10 TAX APPEAL REFUND-B1.09/L31	Open	740.12
10-00899	07/21/10 TAX APPEAL REFUND B1.05/L3	Open	1,220.72

			1,960.84
01557	ZIMMERER, MARK A.		
10-00759	06/21/10 BLDGS/GRNDS-BORO HALL REPAIR	Open	133.00
10-00761	06/21/10 UPGRADE ELECTRIC:BORO HALL	Open	1,989.00
10-00837	07/08/10 BLDGS/GRNDS-REPAIR GYM LIGHT	Open	235.00

			2,357.00
	ASBURY PARK PRESS (ESCROW)		56.06
	ASBURY PARK PRESS (ESCROW)		55.52
	FLEET SERVICES (JULY 2010 VEHICLE FUEL)		5,011.09
	GOWAN , KERRY (3/Q/2010 ADMIN FEE)		100.00
	NJSHBP (JUNE 2010)		25,626.46
	RED BANK VET HOSPITAL (POWDERED KITTEN MILK)		26.70
	RED BANK VET HOSPITAL (CREMATE DUCK/EXAM BIRD)		<u>80.00</u>
	TOTAL		944,201.58

B. Councilman Keeler introduced a motion adopting the July 6, 2010 Council Meeting Minutes. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

**RESOLUTION NO. 155-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Tax Collector has informed the Mayor and Council that the Monmouth County Board of Taxation was delayed in forwarding necessary information for the preparation and mailing of final tax bills to the real estate taxpayers of the Borough of Sea Bright for the year 2010; and

WHEREAS, the present statute requires the imposition of a late charge if 3rd quarter 2010 taxes are not paid by the 10th of August; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector of the Borough of Sea Bright is hereby ordered and directed, according to Public Law 1994, Chapter 72, signed July 14, 1994, that if tax bills are not delivered or mailed at least 25 (twenty-five) calendar days prior to the standard due date, then the delinquency date for 3rd quarter 2010 taxes shall be established as the twenty-fifth (25) calendar day after the date the tax bill was delivered or mailed. The tax bills will contain the date on which interest shall start accruing.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent; Bills

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

**RESOLUTION 156-2010
BOROUGH OF SEA BRIGHT**

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

BLOCKLOT	NAME	AMOUNT
3.14	16 VNB MORTGAGE	690.86
3.10	7 James Wark	
*2008 - \$6,875.79	*2009 - \$486.30	\$7,362.09

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the refunds for the above-mentioned tax overpayments.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Absent: None

Abstain: Bills

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

**RESOLUTION 157-2010
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, by the Mayor and Council of Sea Bright, that the proper officers, be and are hereby authorized to refund 2009 tax appeals

BLOCK	LOT	NAME	AMOUNT
2	3	1488 Ocean Avenue	\$1,201.50
1.05	3	William Winters Esq.	\$1,220.72
1.09	31	William Winters, Esq.	\$ 740.12
34	4	Victor Scuidery	\$3,204.00
4	7.17	Betsy Bernard et al	\$3,264.88
TOTAL			\$9,631.22

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following refund of \$9,631.22.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

**RESOLUTION NO. 158-2010
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, by the Mayor and Council of Sea Bright that the proper officers, be and are hereby authorized to refund overpayment for a Board of Health Permit.

Name	AMOUNT
Riverfront Café	\$250.00

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following refund of \$250.00.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

**RESOLUTION 159-2010
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 accounts.

BLOCK	LOT	AMOUNT
1.18	23	130.80

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 \$130.80.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

**RESOLUTION NO. 160-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for additional beach personnel for the 2010 season.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Sea Bright. County of Monmouth, that the following person will receive the hourly rate of pay as specified after each name effective 7/30/2010.

NAME	HOURLY WAGE	
Abigail Eastwood	\$7.25	P/T Gate Attendant

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 LoBiondo and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

I. Councilman Keeler introduced and offered for adoption the following:

RESOLUTION NO. 161-2010
BOROUGH OF SEA BRIGHT

**AUTHORIZING RELEASE OF THE PERFORMANCE GUARANTEE,
ACCEPTANCE OF THE SITE IMPROVEMENTS AND ACCEPTANCE OF THE
MAINTENANCE GUARANTEE FOR NAVESINK MARINA, LLC SHREWSBURY RIVER,
BLOCK 3, LOT 9**

WHEREAS, the Navesink Marina, LLC posted a Performance Guarantee with the Borough of Sea Bright in the amount of

\$30,574.00 for the on-site improvements associated with the development of this project on Block 3, Lot 9; and

WHEREAS, upon review of the construction status and associated paperwork, the Borough Engineer has found that all on-site improvements for the project have been completed in accordance with the approved plans and has recommended the release of the performance guarantee and acceptance of the improvements in his correspondence to the Borough of Sea Bright dated July 9, 2010; and

WHEREAS, the Borough Engineer has recommended the acceptance of the two-year Maintenance Bond in the amount of \$3,821.25.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth and State of New Jersey that 1) all of the on-site improvements covered by the aforementioned performance guarantee are hereby accepted; 2) therefore, said Performance Guarantee posted by Navesink Marina, LLC in the amount \$30,574.00 is hereby released and 3) that these acceptances are subject to all professional escrow fees being paid (with \$300.00 being held in the escrow account for final inspection in 2011), and

BE IT FURTHER RESOLVED, in accordance with the recommendation of the Borough Engineer stated above, that the Borough Council accepts the two-year Maintenance Guarantee in the amount of \$3,821.25 in a form, substance and execution acceptable to the Borough Attorney.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to transmit certified copies of this resolution to the following individuals and entities: Navesink Marina, LLC, Borough Engineer and Borough Attorney.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

**RESOLUTION NO. 163-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for additional Police personnel pursuant to a letter received from Chief John Sorrentino.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following person be appointed and receive the hourly rate of pay as specified below effective August 1, 2010:

<u>SPECIAL OFFICER CLASS II</u>	<u>HOURLY RATE</u>
William Fabian	\$10.00
Ryan Chippendale	\$10.00

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available in Dispatcher/Police Salaries & Wages for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

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

9. OLD BUSINESS:

A. Councilman Keeler introduced and offered for adoption the following resolution:

**RESOLUTION NO. 122-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Governing Body of the Borough of Sea Bright wish to adopt a Rules and Regulations Police Manual which is attached and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Sea Bright, Monmouth County, New Jersey, that the Rules and Regulations Police Manual is hereby adopted and all previously issued Rules and Regulation are hereby revoked.

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

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

B. Discussion: Affordable Housing Planning Services. Engineer Flor per letter of July 29, 2010. Councilman Murphy introduced a motion authorizing an additional \$1901.25 paid to T&M Associates for engineering services. Second by Councilman Keeler and adopted upon the following roll call vote:

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

10. NEW BUSINESS:

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

**RESOLUTION NO. 162-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, The Mayor and Council of the Borough of Sea Bright authorize approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the repaving of Sandpiper Lane and Village Road.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Sea Bright formally approve the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Administrator is hereby authorized to submit and electronic grant application identified as MA-2011-Sea Bright Borough-00333 to the New Jersey Department of Transportation on behalf of the Borough of Sea Bright.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign the grant agreement on behalf of the Borough of Sea

Bright and the signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: Long

Abstain: None

Absent: Bills

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

**RESOLUTION NO. 164-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright has the need from time to time for the routine repair and maintenance of its vehicles, equipment and trucks (excluding fire trucks); and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., allows a local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in this agreement is empowered to provide or received within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, the Borough of Rumson has the facility and personnel to perform routine repair and maintenance of such vehicles and maintenance of Sea Bright's vehicles, equipment and trucks (excluding fire trucks) and Rumson wishes to do such repairs; and

WHEREAS, it has been agreed upon the rate for such routine repairs and maintenance would be \$45.00 per hour plus the cost of any parts needed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright to enter into an Interlocal Service Agreement with the Borough of Rumson for routine repair and maintenance of vehicles, equipment and trucks (excluding fire trucks) at the aforementioned rates; and

BE IT FURTHER RESOLVED that the Mayor of the Borough of Sea Bright is hereby authorized to enter into said agreement. Second by Councilman LoBiondo and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent; Bills

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

**RESOLUTION NO. 165-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, Assembly members David Rible and Mary Pat Angelini have introduced legislation to honor the memory of our fallen veterans; and

WHEREAS, this would be accomplished by issuing a Gold Star Family license plate; and

WHEREAS, the Gold Star is recognized through out the nation as a sign that a member of the military service has paid the ultimate sacrifice for our freedom; and

WHEREAS, it is fitting and proper to show our respect to the fallen service member and their family by issuing special Gold Star Family license plates, and

THEREFORE BE IT RESOLVED, that the governing body of Borough of Sea Bright supports A-2709 and applauds the recognition that this legislation will give our fallen veterans and their families.

A certified copy of this resolution shall be sent to Governor Chris Christie, Senate President Stephen Sweeney, Senate Minority Leader Thomas Kean, Jr., General Assembly Speaker Shelia Oliver, Assembly Minority Leader Alex DeCroce, Assemblyman David Rible and Assemblywoman Mary Pat Angelini.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

**RESOLUTION NO. 166-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of Professional Engineering Services associated with the preparation of NJDOT application for FY 2011 municipal aid for repaving of Village Road and Sandpiper Lane in accordance with the engineering proposal prepared by Jaclyn J. Flor, P.E. of T&M Associates dated July 28, 2010; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T&M Associates to provide the services as outlined in the proposal/letter dated July 28, 2010 in an amount not to exceed \$1,200.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Jaclyn J. Flor, P.E. of T&M Associates is hereby authorized to perform the above services as stated herein.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the proposal with T&M Associates.

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: Keeler, Kelly, LoBiondo, Murphy

Nays: Long

Abstain: None

Absent: Bills

E. Councilman Murphy introduced a motion approving the request from Jennifer Britting for a beach wedding on July 11, 2011 at 5:00 p.m. Second by Councilman LoBiondo and adopted upon the following roll call vote:

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

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

**RESOLUTION NO. 167-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Governing Body of the Borough of Sea Bright hereby authorize Mayor Maria D. Fernandes to execute the 2010-2014 PBA contract; and

BE IT RESOLVED by the Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, authorize Mayor Maria D. Fernandes to execute said contract stated herein.

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

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

G. Councilman LoBiondo introduced and offered the following Resolution for adoption:

**RESOLUTION NO. 168-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, request for quotes were received for the Church Street speed hump project on July 13, 2010 with the specifications prepared by the appropriate Borough officials and subject to the approval of the Governing Body of the Borough of Sea Bright, New Jersey.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby award the contract in an amount not to exceed \$6,100.00 to:

**Angelo's Paving, Inc.
39 Poplar Avenue
West Long Branch, NJ 07764**

CERTIFICATION OF FUNDS

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available in Bond Ordinance 7-2004 for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

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

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

**RESOLUTION NO. 170-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of Professional Engineering Services for associated with the preparation of permit services for the extension of the municipal building accordance with the engineering proposal prepared by Jaclyn J. Flor, P.E. of T&M Associates dated July 29, 2010; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T&M Associates to provide the services as outlined in the proposal/letter dated July 28, 2010 in an amount not to exceed \$3,750.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Jaclyn J. Flor, P.E. of T&M Associates is hereby authorized to perform the above services as stated herein.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the proposal with T&M Associates.

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Bond Ordinance 8-2010 - Section 20 for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

Second by Councilman LoBiondo and adopted upon the following roll call vote:
Ayes: Keeler, LoBiondo, Murphy, Mayor Fernandes
Nays: Long
Abstain: Kelly
Absent: Bills

I. Councilman LoBiondo introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 171-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of Professional Engineering Services for associated with the preparation of Tideland license for the reconstruction of Normandie Place and Beach Way in accordance with the engineering proposal prepared by Jaclyn J. Flor, P.E. of T&M Associates dated July 29, 2010; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T&M Associates to provide the services as outlined in the proposal/letter dated July 29, 2010 in an amount not to exceed \$4,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Jaclyn J. Flor, P.E. of T&M Associates is hereby authorized to perform the above services as stated herein.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the proposal with T&M Associates.

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Bond Ordinance 5-2010 - Section 20 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: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

**RESOLUTION NO.173-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Governing Body is wishes to enter into an Agreement with the Borough Administrator/Clerk.

NOW, THEREFORE, BE IT RESOLVED that the Mayor is authorized to sign the Agreement effective August 1, 2010.

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

AYES: Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

Abstain: None

Absent: Bills

11. CORRESPONDENCE AND COMMUNICATIONS:

- A. Sea Bright First Aid Inc. 2010 2nd quarter report.
- B. Two Rivers Water Reclamation Authority letter concerning water restrictions.
- C. Chief Financial Officer monthly report
- D. Chief of Police monthly report.
- E. Library Director monthly report
- F. Recreation Director monthly report
- G. Monmouth County Regional Health Monthly Report
- H. Two Rivers Water Reclamation June 2010 Monthly flow chart.
- I. Engineering Status Report: March - July 2010

12. COMMITTEE REPORTS:

- A. **Beach/Education/Environment:** Councilwoman Long reported that beach revenues are up 40% from last year. Pre-season beach badges will be on sale at half price after Labor Day. The daily beach fee might increase.

Thus far we have not come to a solution to the cat issue even though we continue to work with state and federal authorities. It is their belief that roaming cats are a threat to piping plovers. Dune grass planting will begin in October.

B. Public Works/Building Department/Public Relations:

Councilman LoBiondo reported that the Anchorage bulkhead was repaired and special timbers were shipped in from Virginia to repair the collapse. The jail cells will be repaired and up to code.

C. Public Safety/Insurance:

Councilman Keeler reported that there were 324 motor vehicle stops, 283 moving violations summonses issued and parking violation summonses issued, 1023 house checks, 716 calls

for police assistance. The newly acquired fire boat was used for 5 actual calls. The first aid had 81 calls and half required going to the hospital.

The bridge work is going along fine and around Thanksgiving the northbound lane should be open. The start up for repaving Ocean Avenue is being pushed back and no start date at this time. We have been working with the DEP to repair some parts of the sea wall.

D. Finance/Grants/Court:

Councilman Murphy said that there will be no non-essential spending.

The purchasing manual will be amended to reflect the bid threshold changes of \$26,000 and \$3,500 for three quotes.

Nearly six months into an agreement to have Oceanport provide municipal court services for the borough, there's a divide on the council whether it's really working. Councilman Read Murphy says no. Mayor Maria Fernandes says yes.

Murphy said that the municipal court shared service agreement with Oceanport is showing that nobody's happy over there and that people think it's a joke. You call over there and they'll say everything is hunky-dory but in reality, it's anything but. He said that service has been slow; Sea Bright has taken longer than usual to move its caseload to Oceanport, and as a result there's a delay in adjudicating matters. Having officers spend off-duty time in court is running up the overtime budget. Now that it's the busy time of the year, the overtime budget will likely get sapped. We're almost out of overtime money. The mayor wants us there. We went over there to save us money, but it's a nightmare."

Mayor Fernandes said that there is enough money set aside in the budget to cover police overtime. The busy time of the year is almost over. The reports from employees come back positive. She has called over there and everybody seems happy and she does not understand where this is coming from.

Councilman Murphy said that he would like to see the court return to Sea Bright in January, when the contract with Oceanport expires.

Councilman Murphy introduced a motion to cancel the \$50,000 balance of Monmouth County Improvement Authority Bond and apply it to the debt. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

CFO Bascom said that he would handle the MCIA matter.

Administrator Smeltzer would contact Auditor Allison and instruct him to contact Oceanport BOE.

E. Personnel/Administration/Cultural Arts/Recreation:

Councilwoman Bills was absent. Progress

F. Smart Growth/Flood Mitigation/Beautification: Councilman

Kelly said that the Smart Growth committee met with Robert Adler who is working out the plans and he has experience with incorporating a cell tower into these plans.

The Beautification Committee has been taking care of the flowers all around town.

13. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. Mayor Fernandes said that the PT Cruisers, Library Book Sale and Fireladies Flea Market is Saturday, September 18th. Our next council meeting will be September 7th, when we resume our regular council meetings schedule.

14. REMARKS FROM THE AUDIENCE (limited to 3 minutes)

Susana Markson of 1187 Ocean Avenue asked about the future plans of the municipal facilities.

Janet Henschel of East Church Street asked that the Council to remove the fence near her property.

Serena Smith 1382 Ocean Avenue said that between the Fountains and Yacht Harbor there is a decrepit barge which poses a danger.

Harr Henschel of East Church Street said that there is a sink hole at the corner of Ichabods.

Chris Sinnot of 20 Center Street commented about the shared services plan Sea Bright is looking into with Rumson for the Public Works Department.

15. ADJOURNMENT:

There being no further business before the Governing Body. Councilwoman Long made a motion to adjourn the meeting at 9:23 P.M. Second by Councilman Murphy and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer, RMC
Municipal Clerk