

Chairman Cunningham called the meeting to order and requested those present to join him in the salute to the Flag.

Chairman Cunningham read the following statement:

The Borough of Sea Bright, in compliance with the "Open Public Meetings Act" has advertised the date; time and location of this meeting in the *Courier* on January 16, 2009 filed it with the Clerk, and posted a notice on the bulletin board in the Borough Office.

**3. OATHS OF OFFICE:**

Attorney Higgins swore in Jonathan Beer and Benedict J. Torcivia, Jr. Boardmembers Leckstein and Smith were sworn in at the January 2, 2010 Sea Bright Reorganization meeting.

**4. ROLL CALL:**

PRESENT: Beer, Cashmore, Cunningham, DeSio, Fernandes, McBride, Murphy, Nott, Torcivia, Smith (Alt. #1), Leckstein (Alt. #2)

**5. APPOINTMENTS:**

**A. CHAIRPERSON**

Boardmember DeSio introduced a motion appointing C. Lance Cunningham as Chairperson of the Planning/Zoning Board. Second by Boardmember Nott and adopted upon the following roll call vote:

Ayes: Beer, Cashmore, Cunningham, DeSio, Fernandes, Leckstein, McBride, Murphy, Nott, Torcivia, Smith

Nays: None

Absent: None

Abstain: None

**B. VICE-CHAIRPERSON**

Boardmember Cunningham introduced a motion appointing David DeSio as Vice-Chairperson of the Planning/Zoning Board. Second by Boardmember McBride and adopted upon the following roll call vote:

Ayes: Beer, Cashmore, Cunningham, DeSio, Fernandes, Leckstein, McBride, Murphy, Nott, Torcivia, Smith

Nays: None

Absent: None

Abstain: None

**C. BOARD SECRETARY :**

Boardmember DeSio introduced a motion appointing Suzanne

Branagan as Secretary of the Planning/Zoning Board. Second by Boardmember Murphy and adopted upon the following roll call vote:

Ayes: Beer, Cashmore, Cunningham, DeSio, Fernandes, Leckstein, McBride, Murphy, Nott, Torcivia, Smith

Nays: None

Absent: None

Abstain: None

**D. RESOLUTION NO. PZB1-2010 - ATTORNEY:**

Chairman Cunningham introduced and offered the following Resolution for adoption:

**RESOLUTION NO. PBZ1-2010  
AUTHORIZING THE AWARD OF A  
NON-FAIR AND OPEN CONTRACT  
FOR PLANNING/ZONING BOARD ATTORNEY**

**WHEREAS**, the Borough of Sea Bright has a need to acquire professional services of a Planning/Zoning Board Attorney as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5 as appropriate*; and,

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the acquisition is expected to exceed \$17,500; and,

**WHEREAS**, the term of this contract is for one year commencing January 1, 2010 through December 31, 2010; and

**WHEREAS, KERRY HIGGINS, Esquire** has submitted a proposal dated: January 1, 2010 which is on file in the Borough Clerk's Office.

**WHEREAS, KERRY HIGGINS, Esquire** has completed and submitted a Business Entity Disclosure Certification which certifies that **KERRY HIGGINS, Esquire** has not made any reportable contributions that would bar award of this contract pursuant to N.J.S.A. 19:44A-1 and PL 2004, c.19 to a political or candidate committee in the Borough of Sea Bright in the previous one year, and that the contract will prohibit the **KERRY HIGGINS, Esquire** from making any reportable contributions through the term of the contract; and

**WHEREAS**, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available in other Professional Services/Planning Board and other expense appropriation for the purpose stated herein.

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of

the Borough of Sea Bright authorizes the Mayor to enter into a contract with **KERRY HIGGINS, Esquire** as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

**BE IT FURTHER RESOLVED** that a notice of this action shall be printed one time in the "Asbury Park Press" newspaper.

Second by Boardmember DeSio and approved upon the following roll call vote:

Ayes: Beer, Cashmore, Cunningham, DeSio, Fernandes, Leckstein, McBride, Murphy, Nott, Torcivia, Smith

Nays: None

Absent: None

Abstain: None

**6. RESOLUTION NO. PZB2 -2010: PLANNING/ZONING 2010 MEETING DATES**

Boardmember Murphy introduced a motion approving **Resolution PZB2- 2010 Meeting Dates**. Meetings are held monthly on the second and fourth Tuesday. Workshops (if necessary) start at 7:30 p.m. Public meetings start at 8 p.m. and end at 10:30 p.m.

**January 12 Reorganization, 26**

**February 9, 23**

**March 9, 23**

**April 13, 27**

**May 11, 25**

**June 22**

**July 13**

**August 10**

**September 14, 28**

**October 12, 26**

**November 9**

**December 14**

**January 11, 2011**

**Reorganization**

Second by Boardmember DeSio and adopted upon the following roll

Ayes: Beer, Cashmore, Cunningham, DeSio, Fernandes, Leckstein, McBride, Murphy, Nott, Torcivia, Smith

Nays: None

Absent: None

Abstain: None

**6. ADJOURNMENT:** There being no further business before the Planning Board. Boardmember Nott made a motion to adjourn the meeting at 8:10 P.M. Second by Boardmember DeSio and approved upon unanimous voice vote.

Respectfully Submitted,

Suzanne Branagan  
Unified Planning Board Secretary