

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

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:** Bills, Keeler, Murphy, Chief Financial Officer Bascom, Police Chief Sorrentino, Attorney Oxley, Administrator/Clerk Smeltzer

**ABSENT:** Kelly, Long

**4. REVISED 2010 COMMITTEE APPOINTMENTS:**

The following Committee Appointments as revised was carried to February 16, 2010.

**A. BEACH, EDUCATION, ENVIRONMENT:**

1. DINA LONG, CHAIR
2. JAMES LOBIONDO, III
3. PEGGY BILLS

**B. PUBLIC WORKS, BUILDING DEPARTMENT, PUBLIC RELATIONS:**

1. JAMES LOBIONDO, III CHAIR
2. BRIAN KELLY
3. C. READ MURPHY

**C. POLICE, EMERGENCY MANAGEMENT, FIRE, INSURANCE, COURT**

1. WILLIAM J. KEELER, CHAIR
2. DINA LONG
3. JAMES LOBIONDO, III

**D. FINANCE, GRANT:**

1. C. READ MURPHY, CHAIR
2. PEGGY BILLS
3. BRIAN KELLY

**E. PERSONNEL, ADMINISTRATION, CULTURAL ARTS, RECREATION:**

1. PEGGY BILLS, CHAIR
2. C. READ MURPHY
3. WILLIAM J. KEELER

**F. SMART GROWTH, FLOOD MITIGATION, BEAUTIFICATION:**

1. BRIAN KELLY, CHAIR
2. WILLIAM J. KEELER
3. DINA LONG

**5. REMARKS FROM THE AUDIENCE (limited to 3 minutes)** No one wished to be heard.

6. The following ordinance was introduced on January 19, 2010:

**ORDINANCE NO. 1-2010  
AMENDING LAND USE CHAPTER 130-8A OF  
THE CODE OF SEA BRIGHT**

Second Reading/Public Hearing will be held on March 2, 2010.

Item A was removed from the Consent Agenda.

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

**B.** Councilman Keeler made a motion adopting the January 19, 2010 Council Meeting Minutes. Second by Councilman LoBiondo and approved upon the following roll call vote:

Ayes: Bills, Keeler, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Kelly, Long

**C.** Councilman Keeler made a motion adopting the January 19, 2010 Closed Session Minutes. Second by Councilman LoBiondo and approved upon the following roll call vote:

Ayes: Bills, Keeler, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Kelly, Long

**D.** Councilman Keeler made a motion adopting the Request from SBFD to conduct their 3<sup>rd</sup> annual Firemen's Fair from May 15<sup>th</sup> through May 23<sup>rd</sup>. Second by Councilman LoBiondo and approved upon the following roll call vote:

Ayes: Bills, Keeler, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Kelly, Long

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

**BOROUGH OF SEA BRIGHT  
RESOLUTION NO. 43-2010**

**WHEREAS**, the Finance Manager has indicated that the unused Planning Board escrow in the amount of \$301.07 may now be refunded to:

**Grand Point Condo Association Inc.  
700 Ocean Avenue  
Sea Bright, NJ 07760**

**WHEREAS**, the Finance Manager has indicated that the unused Planning Board escrow in the amount of \$340.13 may now be refunded to:

**David Descenza  
498 Ocean Avenue  
Sea Bright, NJ 07760**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright hereby authorize the unused Planning Board escrows in the amounts referenced above be refunded.

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

Ayes: Bills, Keeler, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Kelly, Long

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

**RESOLUTION NO. 44-2010  
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 adjustment on the following sewer account.

<u>Account #</u>	<u>Name</u>	<u>Original Bill</u>	<u>Adjusted Bill</u>
718-2	Corbisiero Bros.	\$1,642.41	\$1,094.94

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following sewer adjustment in the amount of \$1,094.94.

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

Ayes: Bills, Keeler, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Kelly, Long

**A.** Councilman Keeler introduced and approved for adoption the following:

**RESOLUTION NO.41-2010  
PAYMENT OF BILLS 02-02-2010**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$1,315,082.78 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.

00387	ACTIVE SIGNS, INC.		
09-01920	02/12/09 LIBRARY-"BOOK DROP" SIGNS	Open	40.00
00003	ASBURY PARK PRESS		
10-00109	01/22/10 P/L BOARD-2010 MEETING DATES	Open	78.74
00384	AT & T MOBILITY		
10-00125	01/26/10 DPW-JAN 2010 CELL BILL	Open	162.51
01042	ATLANTIC TOMORROWS OFFICE		
10-00078	01/20/10 A&E-4/Q/09 COPY/CLICK CHARGES	Open	366.33
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
02009	B J'S WHOLESALE CLUB, INC.		
10-00122	01/26/10 A&E-2010 MEMBERSHIP	Open	85.00

01504	BAGEL COVE			
09-04895	08/21/09 A&E-SANDWICHES:1/2/10 REORG	Open		150.00
01957	BENEMAX BENEFIT MANAGEMENT CO.			
10-00027	01/14/10 01/10 DENTAL PLAN MANAGEMENT	Open		288.00
01347	BINDER MACHINERY CO., LLC			
09-05312	12/09/09 BEACH-BULLDOZER RENTAL	Open		7,000.00
00843	BIRDSALL ENGINEERING, INC.			
09-04889	08/21/09 A&E-GRANT CONSULTANT	Open		130.00
01925	BORO OF SEA BRIGHT/EE' HEALTH			
10-00123	01/26/10 REPLENISH HEALTH INS FUND	Open		10,000.00
01565	BOROUGH OF SEA BRIGHT			
10-00045	01/15/10 T/F ADMIN FEE:01/15/10 PAYROLL	Open		168.00
01974	BOROUGH OF SEA BRIGHT COURT			
10-00031	01/14/10 COURT-12/09 CREDIT CARD REIMB	Open		268.45
01249	BRANAGAN, SUZANNE			
10-00116	01/25/10 MUNI CLERK-1/22/10 TRAVEL	Open		24.20
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
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				209.87
01358	CAMPBELL SUPPLY CO., L.L.C.			
09-05149	10/29/09 FIRE DEPT-ANNUAL MAINT #4386	Open		600.00
09-05150	10/29/09 FIRE DEPT-4386 EXHAUST/RADIATR	Open		3,667.91
09-05269	11/20/09 FIRE DEPT-4386 RADIATOR PARTS	Open		676.12
				-----
				4,944.03
01614	CENTRAL JERSEY REGISTRARS ASSN			
10-00062	01/19/10 MUNI CLERK-2010 DUES	Open		30.00
00063	CHESAPEAKE EXTERMINATING CO.			
10-00076	01/20/10 BLDGS/GRNDS-NOV/DEC'09 EXTERM	Open		60.00
00982	CITY OF LONG BRANCH			
09-01810	02/10/09 DPW-BLANKET:ROCK SALT	Open		1,447.71
00249	CLARK, DOUGLAS			
10-00059	01/19/10 DPW-REIMB:PANTS	Open		77.25
00198	COMCAST			
10-00079	01/20/10 POLICE DEPT-INTERNET:JAN 2010	Open		95.18
10-00105	01/21/10 LIBRARY-INTERNET:JAN 2010	Open		108.11
				-----
				203.29
01745	CONTE'S CAR WASH			
10-00056	01/15/10 SELF-SERV:LARGE VEHICLE WASH	Open		200.00
10-00057	01/15/10 2010 UNLIMITED CAR WASHES	Open		555.00
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				755.00
00135	COOPER ELECTRIC SUPPLY COMPANY			
10-00033	01/14/10 BLDGS/GRNDS-SERVICE GENERATOR	Open		1,109.44
01593	DEROSA, ISABEL			
10-00037	01/15/10 COURT - 01/14/10 INTERPRETER	Open		140.00
00091	DIGIROLAMO, LOUIS			
10-00102	01/21/10 2010 PYMT 02/12 HEALTH REIMB	Open		1,890.29
01387	DMH LAWN CARE, LLC			
09-04305	04/16/09 BLDGS/GRNDS-2009 MOWING SERV	Open		600.00
09-04476	05/19/09 BLDGS/GRNDS-2009 BRUSH CONTROL	Open		150.00
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				750.00
01266	EAST COAST SOUND/COMMUNICATION			
09-05324	12/11/09 POLICE-PRISONER CELL MONITOR	Open		910.00
02116	EBSCO SUBSCRIPTION SERVICES			
09-05283	11/23/09 LIBRARY-MAGAZINE SUBSCRIPTIONS	Open		486.96
01754	EDMUNDS & ASSOCIATES, INC.			
10-00038	01/15/10 2010 SOFTWARE MAINTENANCE	Open		7,579.00
10-00039	01/15/10 A&E-2010 PERVASIVE MAINT	Open		180.00
				-----
				7,759.00
02118	ELECTRONIC MEASUREMENT LAB INC			
10-00047	01/15/10 SEWER-CALIBRATE GAS DETECTOR	Open		129.41
02181	GATEWAY PRESS			
10-00050	01/15/10 MERCANTILES & ENVELOPES	Open		313.00
01657	GOWAN, KERRY			
10-00115	01/25/10 POLICE DEPT-1/19,1/20 MATRON	Open		44.00
00314	GPANJ, INC.			

10-00063	01/19/10	MUNI CLERK-2010 DUES	Open	90.00
01297		HATCH, MOTT & MACDONALD, LLC		
10-00030	01/14/10	MISC ENGINEERING-11/20/09	Open	220.50
01887		HEIM ELECTRONICS, INC.		
10-00081	01/20/10	LIBRARY-2/1-4/30/10 ALARM	Open	62.85
10-00082	01/20/10	BORO HALL-2/1-4/30/10 ALARM	Open	62.85
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				125.70
01286		INDUSTRIAL MARINE		
10-00086	01/20/10	REIMB:DEC'09 WATER & ELECTRIC	Open	459.16
01419		J. SWANTON FUEL OIL CO., INC.		
10-00032	01/14/10	DIESEL FOR BEACH BULLDOZER	Open	980.16
01526		JCP & L		
10-00130	01/27/10	DEC 2009 ELECTRIC SERVICE	Open	11,435.80
00297		JESSE A. HOWLAND & SONS, INC.		
10-00092	01/21/10	GARAGE RENT - FEB 2010	Open	1,737.00
10-00093	01/21/10	DPW-ADDT'L GARAGE RENT-FEB'10	Open	875.00
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				2,612.00
00895		JOHNNY ON THE SPOT, INC.		
10-00040	01/15/10	PORTO-POTS - JAN 2010	Open	409.20
00270		JOHNSON, KENNETH		
10-00100	01/21/10	2010 PYMT 02/12 HEALTH REIMB	Open	992.69
01209		LANGUAGE SERVICES ASSOCIATES		
10-00034	01/14/10	COURT-DEC 2009 INTERPRETATION	Open	10.50
00779		LINE SYSTEMS, INC.		
10-00085	01/20/10	LOCAL/LONG DISTANCE:DEC 2009	Open	1,651.45
01985		MOBILE MINI, INC.		
10-00110	01/22/10	COURT-TRAILER 2010 PYMT 02/13	Open	268.00
00110		MONM CNTY REGIONAL HEALTH		
10-00098	01/21/10	1/Q/2010 PUBLIC SERVICE HEALTH	Open	10,912.25
01322		MONMOUTH AND OCEAN COUNTY		
10-00067	01/19/10	POLICE DEPT-2010 ANNUAL DUES	Open	50.00
00688		MONMOUTH COUNTY POLICE ACADEMY		
10-00051	01/15/10	POLICE DEPT-TRAINING	Open	25.00
00188		MONMOUTH/OCEAN TCTA		
10-00107	01/22/10	TAX COLL-2010 MEMBERSHIP DUES	Open	75.00
00140		MOORE, WILLIAM		
10-00101	01/21/10	2010 PYMT 02/12 HEALTH REIMB	Open	1,890.29
00137		MUNICIPAL CAPITAL CORPORATION		
10-00011	01/14/10	A&E-2010 COPIER LEASE	Open	225.20
00190		MUNICIPAL CLERKS' ASSOC OF NJ		
10-00117	01/25/10	MUNI CLERK-2010 DUES	Open	175.00
00339		NAPA AUTO PARTS		
10-00072	01/19/10	DPW-BLANKET:VEHICLE MAINT	Open	18.98
00019		NJ AMERICAN WATER		
09-05179	11/04/09	DEC 2009 WATER UTILITY	Open	328.67
00131		NJ CONFERENCE OF MAYORS		
10-00066	01/19/10	A&E-2010 MEMBERSHIP DUES	Open	295.00
01206		NJ ECONOMIC DEVELOPMENT AUTHOR		
10-00097	01/21/10	NJEDA LOAN - INTEREST PAYMENT	Open	67.50
00502		NJ STATE LEAGUE/MUNICIPALITIES		
10-00065	01/19/10	A&E-2010 MEMBERSHIP DUES	Open	274.00
00885		OCEAN TWP FIRE DISTRICT NO. 2		
10-00094	01/21/10	INSPEC/FIRE-VEHICLE-1/Q/2010	Open	225.00
01309		OCEANPORT BOARD OF EDUCATION		
10-00095	01/21/10	GRADE SCHOOL TAX - FEB 2010	Open	74,912.67
01701		ONE CALL SYSTEMS, INC.		
10-00035	01/14/10	A&E - 4/Q/2009 BILLS	Open	71.40
00081		PERRY'S TROPHY CO., INC.		
09-05353	12/21/09	P/L BOARD-(2) NAMEPLATES	Open	24.00
10-00058	01/19/10	P/L BOARD-NAMEPLATE:D.DESIO	Open	12.00
				-----
				36.00
00158		PITNEY BOWES CREDIT CORP.		
10-00036	01/14/10	POLICE DEPT-2010 METER RENTAL	Open	48.00
00164		RAIN, WILLIAM		
10-00104	01/21/10	2010 PYMT 02/12 HEALTH REIMB	Open	762.20
00987		REGISTRARS' ASSOCIATION OF NJ		
10-00064	01/19/10	MUNICIPAL CLERK-2010 DUES	Open	75.00
00788		SCARINCI & HOLLENBECK, LLC		
10-00029	01/14/10	LEGAL SERVICES:DEC 2009	Open	4,511.76

01554	SEA BRIGHT SERVICE CENTER		
09-05379	12/31/09 OEM-NEW TRUCK BATTERY	Open	129.95
00027	SEABOARD WELDING SUPPLY, INC.		
09-00910	01/21/09 DPW - 2009 CYLINDER RENTAL	Open	12.70
00053	SHORE REGIONAL HIGH SCHOOL		
10-00096	01/21/10 HIGH SCHOOL TAX - FEB 2010	Open	151,680.00
00975	SMACK, EDWARD		
10-00103	01/21/10 2010 PYMT 02/12 HEALTH REIMB	Open	762.20
00192	TAX COLL & TREAS ASSOC OF NJ		
10-00106	01/22/10 TAX COLL-2010 DUES	Open	75.00
01429	THE BANK OF NEW YORK		
10-00080	01/20/10	Open	400.00
01285	THE HOME DEPOT		
10-00074	01/20/10 BLDGS/GRNDS-BLANKET:MISC SUPP	Open	81.94
00223	TREASURER, COUNTY OF MONMOUTH		
10-00089	01/21/10 1/Q/2010 COUNTY TAXES	Open	496,708.27
00439	TREASURER, COUNTY OF MONMOUTH		
10-00090	01/21/10 1/Q/2010 LIBRARY TAXES	Open	29,327.98
00523	TREASURER, COUNTY OF MONMOUTH		
10-00091	01/21/10 1/Q/2010 OPEN SPACE TAXES	Open	32,623.25
01960	VERIZON		
10-00084	01/20/10 BEACH-DEC 2009	Open	63.83
01020	VERIZON ONLINE		
10-00083	01/20/10 DPW-DSL INTERNET:DEC 2009	Open	42.99
02061	VERIZON WIRELESS		
10-00124	01/26/10 POLICE-JAN 2010 CELL & MDT	Open	770.50
01150	W.W. GRAINGER, INC.		
10-00046	01/15/10 DPW-LIGHTBAR STROB	Open	441.00
02177	WALSH, JOAN		
10-00043	01/15/10 LIBRARY-REIMB:DVDS & PRETZELS	Open	59.96
10-00099	01/21/10 LIBRARY-REIMB:1/21 OFFICE SUPP	Open	65.03
			-----
			124.99
01164	WATCHUNG SPRING WATER CO, INC.		
10-00129	01/26/10 JAN 2010 SPRING WATER	Open	202.88
AOL			18.99
Asbury Park Press (Escrow)			52.82
Boro Of Sea Bright Payroll A/C (1/15/10 Payroll)			97,699.93
Boro Of Sea Bright Payroll A/C (1/29/10 Payroll)			85,612.23
Clauer, Ralph (Escrow)			446.64
Depository Trust Co (Bond Interest Pymts)			47,265.00
Depository Trust Co (Principal Interest Pymts)			195,000.00
Gowan, Kerry (Administrative Fee)			100.00
NJSHBP (Dec 2009)			<u>20,923.02</u>
			1,315,082.78

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

Ayes: Bills, Keeler, LoBiondo

Nays: None

Abstain: Murphy

Absent: Kelly, Long

## 8. OLD BUSINESS:

**A. DISCUSSION:** Smart Growth Phase One - Councilman Keeler said that his committee met with Zoning Officer Tangolics to design a draft site plan and they discussed improvements to the parking area and parking lot. A meeting with M&S Waste Management about where to move the recycling center will be scheduled. They need to discuss some of the improvements with JCPL as to moving some light poles in order to widen the entrance at River Street.

They will be seeking requests for proposals to redesign and restripe the Municipal and Peninsula parking lots.

**B. DISCUSSION:** Resident Permit Parking - Councilman Keeler said the Ordinance will be ready to be introduced on February 16, 2010 this would bring parking relief to the downtown residents starting from Center Street to Peninsula Avenue. The parking decal would cost \$10.00. Residents could utilize the permit

seven days a week. Visitor passes would not be issued and violators would be fined \$100.00 There will be special consideration given for health care providers.

**9. NEW BUSINESS:**

**A. DISCUSSION: Sea Breeze** - Mayor Fernandes recommended that as a savings, the Council consider posting the Sea Breeze on our website and 100 copies would be available at Borough Hall. Councilwoman Bills made a motion approving the Sea Breeze to be posted on the website and only 100 copies be printed. Second by Councilman Murphy and approved upon the following roll call vote:  
Ayes: Bills, Keeler, LoBiondo, Murphy  
Nays: None  
Abstain: None  
Absent: Kelly, Long

**B.** Draft 2010 Municipal Directory for review before publication would be re-listed on the February 16, 2010 Agenda.

**C.** Councilman LoBiondo made a motion authorizing the appointment of Walter w. Olenahus, II and Justin R. Hughes as probationary fire drivers. Second by Councilwoman Bills and approved upon the following roll call vote:  
Ayes: Bills, Keeler, LoBiondo  
Nays: None  
Abstain: Murphy  
Absent: Kelly, Long

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

**RESOLUTION NO. 42-2010**  
**BOROUGH OF SEA BRIGHT**  
**OPPOSING THE INSTALLATION OF CANTILEVER**  
**ROAD SIGNS ON THE NEW ROUTE 36 BRIDGE**

**WHEREAS**, the Governing Body of the Borough of Highlands has consistently supported, protected and preserved the historic sites and environmental distinctiveness of its community; and

**WHEREAS**, the New Jersey Department of Transportation has established plans that call for the installation of six large green overhead cantilever signs at three separate locations of new Route 36 Highlands Bridge scheduled for completion in May 2011.

**WHEREAS**, the Borough of Sea Bright supports the Borough of Highland's position that such signs are unnecessary and would hinder view sheds causing permanent harm to the preservation of Highlands as a historical oceanfront town with strong environmental distinctiveness and setting.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Sea Bright joins the Borough of Highlands and hereby petition the New Jersey State Department of Transportation to stop all construction work relating to the installation of such signs on the new bridge until a viable alternative is presented and agreed upon by the Borough of Highlands.

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

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

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

**RESOLUTION NO. 46-2010  
BOROUGH OF SEA BRIGHT**

WHEREAS, there is an additional vehicle owned by the Borough of Sea Bright which is no longer of use to the Borough and the Borough Council have recommended that it be sold; and

WHEREAS, Local Public Contracts Law N.J.S.A. 40A:11-36 requires authorization of municipal surplus via the adoption of a Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Sea Bright that the Borough Clerk be authorized to dispose of the following item of municipality owned property not needed for public use through the process of an on-line public auction to begin February 8, 2010 at 9:00 a.m. and will end on February 15, 2010 at 7:00 p.m.

Items belonging to the Borough of Sea Bright for public auction are as follows:

1986 Kawasaki Motorcycle  
VIN: JKAKZ CP23G B5034 08  
Condition: Fair

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

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

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

**RESOLUTION NO. 47-2010  
BOROUGH OF SEA BRIGHT  
APPROVAL TO SUBMIT A GRANT APPLICATION  
AND EXECUTE A GRANT CONTRACT  
WITH THE NJDOT FOR THE BEACHWAY/NORMANDIE PLACE  
IMPROVEMENT PROJECT.**

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

**BE IT FURTHER RESOLVED**, that the Mayor and Council and Clerk are hereby authorized to submit an electronic grant application identified as MA 2010 Sea Bright Borough - 00502 to the NJDOT on behalf of Borough of Sea Bright.

**BE, IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Sea Bright and that their signatures constitute acceptance the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

Ayes: Bills, Keeler, LoBiondo, Murphy  
Nays: None



Abstain: None

Absent: Kelly, Long

**10. CORRESPONDENCE AND COMMUNICATIONS:**

- A. Monmouth County Regional Health Commission No. 1 November 18, 2009 minutes.
- B. Oceanport Borough Clerk's letter, dated January 26, 2010 regarding shared court services.
- C. FEMA letter dated January 21, 2010 concerning data acquisition for Region II Flood Study.
- D. 12-8-2009 Planning Board Minutes
- E. 1-12-2010 Planning Board Reorganization Minutes

**11. MAYOR FERNANDES - REPORT AND COMMUNICATIONS.**

OEM Coordinator Pat Mason held his first OEM meeting with the deputies on January 26. It was well attended and extremely informative.

Some legislative bills were recently signed into law that may be applicable to Sea Bright:

- A2178/S986 - Permits surcharge of up to 22% to offset private collection fees for certain delinquent debts owed to courts, counties, and municipalities.
- A557/S2336 - Repeals bidding requirement for local public contracts to allow bidders to avoid unresponsive bid if they inadvertently omit business registration from bid proposal provided that bidder was registered before bid submission deadline.
- A3396/S2304 - Provides authorized emergency vehicles protection under lemon law.

We should be moving our court operations to Oceanport by March 1, 2010.

**12. REMARKS FROM THE AUDIENCE (limited to 3 minutes)** No one wished to be heard.

**13.** Councilman LoBiondo introduced and offered for adoption the following resolution at 8:25 p.m.:

**RESOLUTION NO. 45-2010  
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 matters to be discussed involve potential litigation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey, that they meet in closed session to discuss the issues as herein set forth and when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

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

Second by Councilwoman Bills and adopted upon unanimous voice vote.

Ayes: Bills, Keeler, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Kelly, Long

**14. ADJOURNMENT:**

There being no further business before the Governing Body. Councilwoman Bills made a motion to adjourn the meeting at 8:56 P.M. Second by Councilman LoBiondo and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer, RMC  
Municipal Borough Clerk