

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

Moment of Silence - James J. Baglino (62) January 1.

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, Kelly, Long, Murphy , Chief Financial Officer Bascom, Borough Engineer Flor, Police Chief Sorrentino, Attorney M Deputy Borough Clerk Branagan.

ABSENT: Keeler, LoBiondo, Attorney, Oxley, Administrator Smeltzer.

4. CERTIFICATE OF SPECIAL RECOGNITION. Mayor Fernandes. Mr. Pete Lang, III was not present at the meeting to receive his Certificate of Recognition for his 18 years of service in the Office of Emergency Management as Deputy and Coordinator. Also, for his eleven years of service as the Sea Bright representative to the Monmouth County Regional Health Commission No. 1

5. APPOINTMENTS:

Motion to appoint the following individuals was made by Councilman Murphy:

- a) **Board of Health Representative - DANIEL DROGIN**
- b) **Board of Health Alternate Representative - SUSAN DULCZAK**
- c) **Office of Emergency Management - Deputy Coordinator STACEY MURPHY - 1 Year Term (1/1/2010 to 12/31/2010) was removed from the agenda.**
- d) **Fire Department Probationary Driver - DANIEL DROGIN**
- e) **Fire Department 3rd Lieutenant - STEVEN J. LANG**

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

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

6. ADMINISTER - OATHS OF OFFICE. Daniel Drogin was sworn in as Board of Health Representative and Susan Dulczak was sworn in as Board of Health Alternate Representative by Mayor Fernandes.

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

8.

A. Attorney McNamara read by title only Ordinance 1-2010 and Councilman Murphy introduced an Ordinance entitled:

ORDINANCE 1-2010
**AMENDING LAND USE CHAPTER 130-8 A OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF SEA BRIGHT,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on March 2, 2010. Second by Councilwoman Bills and approved upon the following roll call vote:

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

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

A. MINUTES:

1. Councilwoman Bills made a motion approving the December 15, 2009 Council Meeting Minutes. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

2. Councilwoman Bills made a motion approving the December 15, 2009 Council Closed Session Minutes. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

3. Councilwoman Bills made a motion approving the December 17, 2009 Council Smart Growth Meeting Minutes. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

4. Councilwoman Bills made a motion approving the January 2, 2010 Reorganization Meeting Minutes. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

B. Councilwoman Bills made a motion approving the request from Clean Ocean Action to conduct their 25th Beach Sweeps on Saturday, April 24 and Saturday, October 23, 2010 from 9:00 a.m. to 12:30 p.m. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Kelly, Long, Murphy

Nays: None
Abstain: None
Absent: Keeler, LoBiondo

C. Councilwoman Bills introduced and offered the following Resolution for adoption:

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 35-2010**

WHEREAS, the Borough Administrator/Clerk has indicated that there was an overpayment of Construction fees on Permit #2009-177 in the amount of \$72.00 and a refund is due to:

Janey Forman
1266 Ocean Avenue Unit 17
Sea Bright, NJ 07760

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize the refund as mentioned above.

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

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

D. Councilwoman Bills introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 34-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for an Emergency Management Coordinator; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following person who was appointed on January 2, 2010 receive the annual rate of pay as specified below effective January 1, 2010:

EMERGENCY MANAGEMENT COORDINATOR	ANNUAL RATE OF PAY:
Patrick S. Mason, Jr. 1198 Ocean Avenue Unit #2 Sea Bright, NJ 07760	\$3,500.00

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available in Emergency Management S & W for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

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

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

**RESOLUTION NO. 36-2010
BOROUGH OF SEA BRIGHT
AUTHORIZE AN AGREEMENT WITH
STEPHAN J. MIRANTI ON-LINE
AUCTION LIQUIDATION SERVICES**

WHEREAS, the Borough of Sea Bright wishes to acquire professional services of an auctioneer for the year 2010; and

WHEREAS, the Governing Body wishes to participate in on-line auctions to dispose of surplus vehicles and equipment; and,

NOW, THEREFORE, BE IT RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT THAT:

1. The Mayor and the Municipal Clerk be and are hereby authorized to execute an agreement with Auction Liquidation Services for on-line auctions of surplus vehicles and equipment no longer needed for public use by the Borough of Sea Bright in accordance with the terms of the contract for online auction.

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

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

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

**RESOLUTION NO. 37-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, there are certain vehicles and equipment owned by the Borough of Sea Bright which are no longer of use to the Borough and the Borough Council have recommended that they 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 items of municipality owned property not needed for public use through the process of an on-line public auction to begin February 3, 2010 at 9:00 a.m. and will end on February 7, 2010 at 7:00 p.m.

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

1969 Kaiser M35 Truck
VIN #1-03251-7415
Condition: Poor

1997 Kawasaki Mule
VIN #JK1AFCA16VB514940
Condition: Fair

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

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, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 Kathleen Sheedy, Esq. as described herein; and,

BE IT FURTHER RESOLVED that a notice of this action shall be printed one time in the "Asbury Park Press" newspaper. Second by Councilwoman Bills and approved upon the following roll call vote:

Ayes: Bills, Kelly, Long

Nays: Murphy

Abstain: None

Absent: Keeler, LoBiondo

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

RESOLUTION NO.10 -2010
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT FOR
ALTERNATE BOROUGH PROSECUTOR

WHEREAS, request for proposals for professional services for a Alternate Borough Prosecutor in a fair and open contract were advertised and received on December 16, 2009; 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, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 John Lane, ESQ. as described herein; and,

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

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

Ayes: Bills, Kelly, Long

Nays: Murphy

Abstain: None

Absent: Keeler, LoBiondo

C. Councilwoman Bills introduced and offered the following Resolution for adoption:

RESOLUTION NO.14-2010
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT FOR
BOROUGH AUDITOR

WHEREAS, request for proposals for professional services for a Borough Auditor in a fair and open contract were advertised and received on December 16, 2009; 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, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 Robert W. Allison, RMA as described herein; and,

BE IT FURTHER RESOLVED that a notice of this action shall be printed one time in the "Asbury Park Press" newspaper. Second by Councilman Kelly and approved upon the following roll call vote:

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

D. DISCUSSION: Residential Permit Parking - Councilman Keeler was absent so there was no discussion on this matter.

11. NEW BUSINESS:

Item No.01301 was removed from Resolution No. 31-2010.

A. Councilwoman Long introduced and approved for adoption the following:

RESOLUTION NO.31A-2010
PAYMENT OF BILLS 01-19-2010

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$579,647.69 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.

02182	A.M./P.M. SERVICES	09-05335	12/15/09	MUNI CLERK-01/22/10	
SEMINAR	Open				99.00
00350	ABSOLUTE FIRE PROTECTION, INC.	09-05261	11/19/09	FIRE DEPT-4375	
ACCIDENT DAMAGE	Open				748.00
09-05262	11/19/09	FIRE DEPT-TEST & REPAIR #4375	Open		678.00
09-05295	12/02/09	FIRE DEPT-4375 ABS & FOAM SYS	Open		681.75
					<u>2,107.75</u>
01578	AMERICAN MESSAGING	10-00009	01/14/10	DPW-JAN 2010	
PAGER SERVICE	Open				39.68
00003	ASBURY PARK PRESS				

09-05325	12/11/09	POLICE-CLASSIFIED:JOB POSTING	Open	546.77
09-05330	12/14/09	LIBRARY-1 YEAR SUBSCRIPTION	Open	211.98
0.00				758.75
00210		ATLANTIC PLUMBING SUPPLY CORP.		
09-05213	11/09/09	FIRE DEPT-PIPE WRENCH/KEY	Open	90.54
01042		ATLANTIC TOMORROWS OFFICE		
09-05327	12/11/09	A&E-COPIER STAPLE CARTRIDGES	Open	173.00
01676		BAGNOLE, DONNA		
09-05040	10/02/09	REC-SANTA:12/4 XMAS PARADE	Open	600.00
02036		BAHRLE, DAVID		
09-05356	12/21/09	DPW-TRAVEL REIMB:12/19/09	Open	52.50
01241		BAIN'S HARDWARE, INC.		
09-05305	12/07/09	NOV 2009 PURCHASES	Open	494.62
00843		BIRDSALL ENGINEERING, INC.		
09-04889	08/21/09	A&E-GRANT CONSULTANT	Open	130.00
01565		BOROUGH OF SEA BRIGHT		
09-05336	12/15/09	T/F ADMIN FEE:12/15/09 PAYROLL	Open	48.00
0.00				
09-05337	12/15/09	T/F ADMIN FEE:12/15/09 PAYROLL	Open	1,806.00

				1,854.00
01974		BOROUGH OF SEA BRIGHT COURT		
09-05323	12/10/09	COURT-11/09 CREDIT CARD REIMB	Open	138.14
01546		C.I.T. TECHNOLOGY FIN SERV, INC		
10-00012	01/14/10	POLICE DEPT-2010 FAX LEASE	Open	62.15
0.00		B		
10-00013	01/14/10	POLICE DEPT-2010 COPIER LEASE	Open	147.72

				209.87
01358		CAMPBELL SUPPLY CO., L.L.C.		
09-05151	10/29/09	FIRE DEPT-4374 BOOSTER REEL	Open	680.23
00230		CERTIFIED SPEEDOMETER		
09-05301	12/04/09	POLICE DEPT-CALIBRATE VEHICLES	Open	108.00
00198		COMCAST		
10-00007	01/14/10	A&E-INTERNET:JAN 2010	Open	95.18
01493		COOPERATIVE INDUSTRIES, L.L.C.		
09-05207	11/05/09	OCT 2009 NATURAL GAS	Open	1,267.55
00089		DE LISA DEMOLITION, INC.		
09-02930	03/04/09	DPW-2009 BRANCH/LEAF PICKUP	Open	1,000.00
01593		DEROSA, ISABEL		
09-05320	12/10/09	COURT - 12/10/09 INTERPRETER	Open	120.00
01387		DMH LAWN CARE, LLC		
09-04476	05/19/09	BLDGS/GRNDS-2009 BRUSH CONTROL	Open	250.00
00615		DMR LAWNS & LANDSCAPES, INC.		
09-05294	12/01/09	BLDGS/GRNDS-3 YARDS MULCH	Open	105.00
00346		DVORAK & ASSOCIATES, LLC		
09-05372	12/29/09	LEGAL-PER RES. NO. 263-2009	Open	150.00
02008		E.J. SCHUSTER'S OFFICE SUPPLY		
09-05318	12/10/09	BLDG DEPT-OFFICE SUPPLIES	Open	35.71
01068		EDWARD J. ALBERT & SON, INC.		
09-05152	10/29/09	SEWER-PUMP CONTROL FLOAT SYSTM	Open	625.00
00563		ESKRIDGE, JOSEPH		
09-05361	12/22/09	DPW-SNOW REMOVAL:12/19,12/20	Open	186.00
00333		GARAVENTA, DEBORAH		
09-05338	12/15/09	A&E-10/18-12/6/09 IT SERVICES	Open	120.00
01549		GENERAL CODE PUBLISHERS CORP.		
09-05378	12/31/09	A&E-SUPPLEMENT #55	Open	420.53
00543		ICHABOD'S		
09-05355	12/21/09	DPW-FOOD:12/19/09 SNOW STORM	Open	144.20
01286		INDUSTRIAL MARINE		
09-05363	12/23/09	REIMB:11/09-12/10 GARAGE WATER	Open	14.58
09-05364	12/23/09	REIMB:11/10-12/10 GARAGE ELECT	Open	238.82

				253.40
01363		IRON MOUNTAIN, INC.		
09-01620	02/05/09	A&E-VAULT:SERVER BACKUPS	Open	143.28
01526		JCP & L		
10-00006	01/14/10	NOV 2009 ELECTRIC SERVICE	Open	10,113.32
01352		JEFF HACKETT & ASSOCIATES, LLC		
09-05373	12/30/09	DPW-12/23/09 SNOW REMOVAL	Open	950.00
01798		JERSEY SHORE EXCAVATING, INC.		

09-05367	12/29/09	DPW-12/20/09	SNOW REMOVAL	Open	1,000.00
00572			KALDOR LIGHTING		
09-05332	12/14/09	POLICE DEPT-	EMERGENCY LIGHTS	Open	2,000.00
0.00					
00443			KLINE, GEORGE t/a		
09-04989	09/10/09	FIRE DEPT-(2)	TURNOUT GEAR	Open	3,002.68
09-04990	09/10/09	FIRE DEPT-	HELMET & PATCH	Open	237.25

					3,239.93
01209			LANGUAGE SERVICES ASSOCIATES		
09-05328	12/14/09	COURT-NOV 2009	INTERPRETATION	Open	25.20
01004			LAWYERS DIARY & MANUAL		
09-04635	07/02/09	(3) 2010 NJ	LAWYERS DIARY	Open	252.75
00779			LINE SYSTEMS, INC.		
09-05360	12/22/09	LOCAL/LONG	DISTANCE:NOV 2009	Open	1,702.10
00161			LOU'S UNIFORMS, INC.		
09-05232	11/13/09	DPW-BOOTS:	R.LORAY	Open	110.00
09-05300	12/03/09	POLICE DEPT-	EXPLORER UNIFORMS	Open	723.80

					833.80
00275			M & S WASTE SERVICES, INC.		
09-05296	12/02/09	DUMPSTER+DISP	FEE:STREET SWEEP	Open	811.12
09-05376	12/31/09	12/09	GARBAGE/RECYCLING PICKUP	Open	8,691.63
09-05377	12/31/09	12/09	LANDFILL TIPPING FEES	Open	6,061.46

					15,564.21
01801			MASER CONSULTING, P.A.		
09-04867	08/18/09	PRJ#115 ADA	RAMP OVER SEA WALL	Open	2,087.50
09-05316	12/10/09	TAX ASSESSOR-	TAX MAP REVISIONS	Open	807.50
09-05340	12/16/09	ENGINEERING-	CELL TOWER/SEWER	Open	2,000.00

01900			MCKENNA, DUPONT, HIGGINS &		
09-05347	12/17/09	P/L BOARD-	LOBI LITIGATION	Open	80.00
09-05350	12/18/09	P/L BOARD-	4/24 RESEARCH:KARA	Open	40.00

					120.00
00106			MGL FORMS-SYSTEMS, LLC		
09-04672	07/13/09	TAX ASSESSOR-	2010 BINDERS	Open	237.80
09-04694	07/15/09	MUNI CLERK-	DOG/CAT/MARRIAGE	Open	948.00

					1,185.80
01985			MOBILE MINI, INC.		
10-00008	01/14/10	POLICE-	TRAILER 2010 PYMT 01/13	Open	278.00
00441			MONMOUTH COUNTY SHERIFF'S		
09-02000	02/13/09	POLICE-	2009 COMPUTER SERVICES	Open	4,679.88
00378			MONMOUTH TRUCK EQUIPMENT		
09-05288	11/30/09	DPW-BLANKET:	SNOW PLOW R&M	Open	377.00
09-05352	12/21/09	DPW-REPLACE	SNOW PLOW A-FRAME	Open	1,205.00
09-05354	12/21/09	DPW-SNOW	PLOW SHOES & FLAGS	Open	84.00

					1,666.00
02179			MONMOUTH UNIVERSITY		
09-05346	12/17/09	BLDG DEPT-	12/16 SEMINAR	Open	50.00
00137			MUNICIPAL CAPITAL CORPORATION		
10-00011	01/14/10	A&E-2010	COPIER LEASE	Open	225.20
00080			MURPHY FIRE & SAFETY, INC.		
09-05240	11/16/09	FIRE DEPT-	FIRE HOSE	Open	725.00
00339			NAPA AUTO PARTS		
09-05087	10/14/09	DPW-BLANKET:	VEHICLE MAINT	Open	18.65
01632			NETSOFT SOLUTIONS, INC.		
09-05365	12/23/09	POLICE DEPT-	2009 DOMAIN NAME	Open	26.00
00019			NJ AMERICAN WATER		
09-05178	11/04/09	DEC 2009	HYDRANTS	Open	2,143.96
00671			NJ DEPT OF COMMUNITY AFFAIRS		
09-05380	12/31/09	4/Q/2009	STATE PERMIT FEES	Open	543.00
01079			NJMVC CAIR PROGRAM		
10-00017	01/14/10	A&E-2010	MVC ONLINE ACCESS FEE	Open	150.00
01629			NJRHS COMMERCIAL SERVICES		
09-05271	11/23/09	BLDGS/GRNDS-	NO HEAT:LIBRARY	Open	148.75
01309			OCEANPORT BOARD OF EDUCATION		
10-00015	01/14/10	GRADE	SCHOOL TAX - JAN 2010	Open	74,912.67
00743			OFFICE MAX, INC.		

09-05302	12/04/09	DPW-2010 DAY PLANNER	Open	24.12
00401		PAK RAT EQUIPMENT, INC.		
09-05054	10/05/09	FIRE DEPT-BLADES & BOOTS	Open	466.00
00635		PARTY CORNER		
09-04894	08/21/09	A&E-RE-ORG MEETING SUPPLIES	Open	164.68
00081		PERRY'S TROPHY CO., INC.		
09-05319	12/10/09	BEAUTIFICATION-BENCH PLAQUE	Open	22.40
01648		PETRA OVERHEAD DOOR CO., INC.		
09-05307	12/08/09	NEW FIREHOUSE OVERHEAD DOOR	Open	2,259.00
00158		PITNEY BOWES CREDIT CORP.		
09-04919	08/31/09	A&E-4/Q/09 METER RENTAL+MAINT	Open	384.00
01554		SEA BRIGHT SERVICE CENTER		
09-00780	01/21/09	DPW-BLANKET:VEHICLE MAINT	Open	90.00
09-05304	12/04/09	POLICE-BLANKET:VEHICLE MAINT	Open	931.19

				1,021.19
00027		SEABOARD WELDING SUPPLY, INC.		
09-00910	01/21/09	DPW - 2009 CYLINDER RENTAL	Open	12.70
00213		SEELY EQUIPMENT & SUPPLY		
09-05303	12/04/09	DPW-"DO NOT ENTER" SIGNS	Open	173.20
00410		SEYR, STEPHANIE		
09-05349	12/18/09	COURT-REIMB:12/11/09 SEMINAR	Open	30.00
00053		SHORE REGIONAL HIGH SCHOOL		
10-00014	01/14/10	HIGH SCHOOL TAX - JAN 2010	Open	151,680.00
01622		STACEY'S TREASURES		
09-05144	10/28/09	REC-GIFTS:12/4 SANTA VISIT	Open	214.48
01328		STAPLE BUSINESS ADVANTAGE		
09-05351	12/18/09	10 CARTONS:COPIER PAPER	Open	284.50
00285		STAPLE'S, INC.		
09-05326	12/11/09	POLICE DEPT-OFFICE SUPPLIES	Open	56.31
00475		STREET DECOR, INC.		
09-05222	11/09/09	BEAUTIFICATION-MENORAH	Open	795.04
01400		THE ARNETTE LAW FIRM, LLC		
09-01570	02/04/09	2009 SPECIAL LITIGATION	Open	1,100.00
01403		TREASURER, STATE OF NEW JERSEY		
09-05375	12/31/09	4/Q/2009 MARRIAGE LICENSE FEES	Open	50.00
00178		UNITED STATES POSTAL SERVICE		
10-00005	01/14/10	POSTAGE FOR POSTAGE METER	Open	850.00
10-00010	01/14/10	A&E-2010 PERMIT#332 FEE	Open	185.00

				1,035.00
02177		WALSH, JOAN		
09-05329	12/14/09	LIBRARY-REIMB:12/10 MISC	Open	109.35
09-05362	12/23/09	LIBRARY-REIMB:12/18 BOOK,DVD	Open	32.98

				142.33
01164		WATCHUNG SPRING WATER CO, INC.		
09-05371	12/29/09	DEC 2009 SPRING WATER	Open	125.95
AOL				18.99
ASBURY PARK PRESS (ESCROW)				58.76
AT & T MOBILITY (DPW CELL BILL)				163.34
BORO OF SEA BRIGHT PAYROLL A/C (12/15/09 PAYROLL)				88,224.18
BORO OF SEA BRIGHT PAYROLL A/C (12/30/09 PAYROLL)				80,067.11
COMCAST (POLICE DEPT)				95.18
COMCAST (LIBRARY)				200.33
COMCAST (FIRE DEPT)				95.18
DIGIROLAMO, LOUIS (JAN HEALTH REIMB)				1,890.29
FIDELITY NAT'L PROP & CASUALTY (FLOOD INSUR)				1,148.00
FLEET SERVICES (DEC 2009 VEHICLE FUEL)				3,066.19
FLEET SERVICES (JAN 2010 VEHICLE FUEL)				2,686.21
JESSE A. HOWLAND & SONS, INC. (GARAGE RENT)				875.00
JESSE A. HOWLAND & SONS, INC. (GARAGE RENT)				1,737.00
JOHNSON, KENNETH (JAN HEALTH REIMB)				992.69
KENNEDY CONSULTING ENGINEERS (ESCROW)				375.00
MASER CONSULTING (ESCROW)				2,062.50
MCKENNA,DUPONT,HIGGINS, STONE (ESCROW)				460.00
MOBILE MINI, INC. (COURT-TRAILER RENTAL)				268.00
MONMOUTH MUNICIPAL JIF (LIABILITY INSUR)				90,061.56
MOORE, WILLIAM (JAN HEALTH REIMB)				1,890.29
NJ AMERICAN WATER (NOV 2009 WATER)				334.47
RAIN, WILLIAM (JAN HEALTH REIMB)				762.20
SMACK, EDWARD (JAN HEALTH REIMB)				762.20

U.S. POSTAL SERVICE (4/Q/2009 SEWER BILLING)	196.84
VERIZON ONLINE (DPW DSL NOV 2009)	42.99
VERIZON (NOV 2009)	57.68
VERIZON WIRELESS (POLICE CELL & MDT-DEC 2009)	775.11
VERIZON WIRELESS (FIRE/COURT/BLDG INSPEC-CELL)	<u>76.35</u>
TOTAL	579,647.69

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

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

B. Councilwoman Long introduced and approved for adoption the following:

**RESOLUTION NO. 31B-2010
PAYMENT OF BILLS 01-19-2010**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$24.03 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.

01301	Bills, Peggy		
	09-05343	12/17/09	Rec-Reimb: 12/7 Donuts/Coffee \$24.03

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

Ayes: Kelly, Long, Murphy

Nays: None

Abstain: Bills

Absent: Keeler, LoBiondo

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

RESOLUTION NO. 38-2010
A RESOLUTION TO AFFIRM THE BOROUGH OF SEA BRIGHT'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEE, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMEBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Borough of Sea Bright to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of Sea Bright has determined that certain procedures need to be established to accomplish this policy.

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

Section 1: No official, employee, appointee or volunteer of the Borough of Sea Bright by whatever title known, or any entity that is in any way a part of the Borough of Sea Bright shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitution rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Sea Bright's business or using the facilities or property of the Borough of Sea Bright.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Sea Bright to provide services that otherwise could be performed by the Borough of Sea Bright.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Borough Administrator/Clerk shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Borough Administrator/Clerk shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Sea Bright as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Borough Administrator/Clerk shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Borough Administrator/Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Sea Bright. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Sea Bright's web site: www.seabrightnj.org

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the Asbury Park Press and the Sea Breeze Newsletter in order for the public to be made aware of this policy and the Borough

of Sea Bright's commitment to the implementation and enforcement of this policy. This resolution shall also be incorporated into the Borough's Personnel Handbook.

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

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

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

**RESOLUTION NO. 40-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Monmouth Municipal Joint Insurance Fund has certain obligations for those involved in the insurance fund; and

WHEREAS, the plan is a fully assessable policy which means to meet loss obligations, each member can be assessed to make up the deficiency. Any assessment will be levied on and payable by all members of the Fund for the year the deficit occurs, whether or not you are still a Fund member at the time the assessment is levied.

NOW THEREFORE BE IT RESOLVED, that the Mayor be authorized to sign the Acknowledgment of Assessable document as attached on behalf of the Borough of Sea Bright.

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

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

12. CORRESPONDENCE AND COMMUNICATIONS:

A. Municipal Court November 2009 Report.

B. DECEMBER MONTHLY REPORTS:

Library Director

Chief of Police

Tax Collector

Construction Department

C. Monmouth County Regional Health Commission Minutes of October 21, 2009.

D. Letter regarding survey of historic properties that might be visually impacted by future placement of wind turbines.

E. Sea Bright First Aid - 2009 end of year report.

13. COMMITTEE REPORTS:

A. **Beach/Education/Environment:** Councilwoman Long said that the State v. Sea Bright, which is the beach access lawsuit, has been settled. They are working on beach improvements and residential permit parking. The CAT Committee developed a mission statement, set goals and objectives and will hold meetings twice a month until Memorial Day.

B. Public Works/Building Department/Public Relations:

Councilman LoBiondo was absent and Councilman Kelly reported that DPW did snow removal and salting during the

December 19th snowstorm. To keep in line with the storm water management plan by bringing all vehicles to Conte's Car Wash in Long Branch.

C. Police/Emergency Management/Insurance/Court:

Councilman Keeler was absent.

D. Finance/Grants/Fire:

Councilman Murphy reported that the 2010 budget process has begun. It is high likely that there will be a need to defer school taxes to maintain a balance tax rate and to meet the appropriations cap. The budget deadline has been extended to March 16, 2010 by the DLGS.

E. Personnel/Administration/Cultural Arts/Recreation:

Councilwoman Bills reported that Friday Family Fun night begins in February from 7-9 pm for family activities. The personnel manual is being updated.

F. Smart Growth/Flood Mitigation/Beautification:

Councilman Kelly reported that they would be meeting with the Borough's Planner Mary Tangolics on plans for Phase I.

14. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. •NJ Boat Commission met in Sea Bright on January 13. The Commission voted unanimously to authorize the NJ Marine Police to initiate a slow speed/no wake temporary test period for the entire 2010 boating season. The test area includes shore to shore on the Shrewsbury River from the Highlands Bridge south to Sedge/Gunning Islands (Buoy #28). Data collected by the NJ State Marine Police will be used to determine if the regulation will become permanent. Although this is a test period, boaters violating the slow speed/no wake regulation can be issued a summons. Additional buoys, if available, will be placed on the river at the discretion of the State Police. We will be responsible for contacting NJDOT and the County to request permission to have signs placed on their respective bridges advising boaters that this is a slow speed/no wake area. We will work with the NJ Marine Police for proper wording. The NJ Boat Commission enjoyed meeting in Sea Bright and may consider having future meetings here.

The NJ State Library has created a web site that assists NJ residents and businesses to help them through tough economic times. The site has a wide range of useful links that may be of assistance to local officials that are trying to assist their residents address their concerns. The site <http://gethelp.njlibraries.org> has links and references in the following areas: NJ Work Tools, NJ Financial Tools, NJ Housing Tools, NJ Health Tools, NJ Parental Tools, and Tools for Seniors.

The NJLM has advised that the White House has established a centralized website www.whitehouse.gov/HaitiEarthquake, which will provide informational tools and resources for individuals and communities seeking to support relief efforts. You can contribute to the Red Cross online, or donate \$10 to be charged to your cell phone bill by texting "HAITI" to "90999."

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

The Monmouth County Board of Freeholders will be holding one of their "out of town" meetings in Sea Bright on Thursday, March 25, 7 PM. I would like to thank Borough Administrator Maryann Smeltzer for arranging this for us.

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

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

RESOLUTION NO. 32-2010
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 personnel.

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 Councilman Kelly and adopted upon the following roll call vote:

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

A motion to go back into regular order of business was made at 8:34 p.m. by Councilwoman Long. Second by Councilman Kelly and adopted upon unanimous voice vote.

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

RESOLUTION NO. 33-2010
OF THE GOVERNING BODY OF THE BOROUGH OF SEA BRIGHT
RELATIVE TO AUDIT CONTROLS REQUIRED FOR THE
ISSUANCE OF STATUTORY BONDS BY THE
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (MEL) issues statutory bonds conditional upon members adopting effective control to minimize losses;

WHEREAS, the governing body has reviewed a report from its auditor that concludes that the controls in place concerning the handling of finances and financial transactions are satisfactory.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Sea Bright that a copy of this resolution, together with a copy of the report shall be forwarded to the MEL.

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

Ayes: Bills, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Keeler, LoBiondo

18. ADJOURNMENT:

There being no further business before the Governing Body. Councilman Murphy made a motion to adjourn the meeting at 8:35 P.M. Second by Councilwoman Long and approved upon unanimous voice vote.

Respectfully Submitted,

Suzanne Branagan, RMC
Deputy Borough Clerk