

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, Kelly, LoBiondo, Long, Murphy, Mayor Fernandes, Attorney Oxley, Chief Financial Officer Bascom, Engineer Flor, Police Chief Sorrentino, Administrator Smeltzer.

4. PLAQUE PRESENTATION TO RETIRING - Police Captain Steven M. Spahr was re-scheduled to June 1, 2010.

Councilman Kelly introduced and offered for adoption the following resolution at 7:42 pm.

RESOLUTION NO. 116-2010
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 contract negotiation.

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 Murphy and adopted upon unanimous voice vote.

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

Councilman Kelly made a motion to return to regular order of business. Second by Councilman Murphy and approved upon unanimous voice vote.

5.

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

**RESOLUTION NO. 109-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, NJSA 40A:4-8 provides that the budget be read by title only at the time of the Public Hearing if a resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in Borough Hall and copies have been made available by the Clerk to persons requiring them; and

WHEREAS, these two conditions have been met.

NOW, THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

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 Councilman Kelly and approved by the following vote:

AYES: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: None

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

RESOLUTION NO. 110-2010
BOROUGH OF SEA BRIGHT

BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$3,678,760.93 (Item 2 below) for municipal purposes; and

(b) \$0 (Item 3 below) for School Purposes in Type 1 School Districts Only (NJSA 18A:9-2) to be raised by taxation; and

(c) \$0 (Items 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (NJSA 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(d) \$ 0 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy.

SUMMARY OF REVENUES

1. General Revenues		
Surplus Anticipated	\$	570,000.00
Miscellaneous Revenues		
Anticipated	\$	638,255.27
Receipts from Delinquent Taxes	\$	273,187.60

2.	AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	\$ 3,678,760.93
3.	AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICT ONLY:	
	Item 6, Sheet 42	\$ -0-
	Item 6, (b) Sheet 13 (NJSA 40A:4-14)	\$ -0-
	Total Amount to be Raised by Taxation for Schools in Type I School Districts Only	
4.	To be added to THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOL IN TYPE II SCHOOL DISTRICTS ONLY:	
	Item 6(b), Sheet 13 (NJSA 40A:4-14)	
	TOTAL REVENUES	\$ 5,160,203.80
5.	GENERAL APPROPRIATIONS	
	Within "CAPS"	
	(a&b) Operations Including Contingent	\$ 3,478,605.00
	(e) Deferred Charges and Statutory Expenditures - Municipal	\$ 343,021.94
	Excluded from "CAPS"	
	(a) Operations - Total Operations Excluded from "CAPS"	\$ 209,651.86
	(c) Capital Improvements	\$ 50,000.00
	(d) Municipal Debt Service	\$ 703,925.00
	(e) Deferred Charges - Municipal	\$ -0-
	(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	\$ 375,000.00
6.	SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (NJSA 40A:4-13)	
	Total Appropriations	\$ 5,160,203.80

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 18th day of May 2010. It is further certified that each item of revenue and appropriation is set forth in the same title as appeared in the **2010** approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Murphy

Nays: Long

Abstain: None

Absent: None

6. PRESENTATIONS:

A. Elite Application Services - Thomas Pignitore said that their company services military bases, schools, hospitals and major baseball teams to combat microbial contaminants such MRSA (methicillin-resistant Staphylococcus aureus), Staph, H1N1 Flu viruses, ringworm, and impetigo MRSA and other bacteria by doing surface cleaning to get to zero bacteria level. Then we add a coating that inhibits the growth of bacteria, mold, and fungi on surfaces for three years.

B. T&M Associates - Joanne Bergin grant consultant said municipalities should be thinking about how to be strategic with

receiving grant funding. There are different types of grant that could help offset costs that could free up money for other types of projects. This could be for police vehicles, police supplies, safety grants, fire department, ambulances, energy efficiency and shared services. The size of Sea Bright is not entirely relevant, it is the impact that the grant would have to all departments. She offered to assist the Borough with this process.

7. REMARKS FROM THE AUDIENCE (limited to 3 minutes) Missy Vitagliano of Tradewinds said that their street should be marked for a fire zone and crosswalks.

Councilman Murphy offered a motion to close the public portion of the meeting. Second by Councilwoman Long and approved upon unanimous voice vote.

Attorney Oxley and Chief Sorrentino would meet with the Tradewinds Association to discuss safety issues.

8.

A. Attorney Oxley called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of May 4, 2010. Councilman Murphy moved to approve this Ordinance upon Second Reading.

ORDINANCE NO. 9-2010
ORDINANCE REVISING CHAPTER 178, SOLID WASTE,
ARTICLE II, RECYCLING, OF THE CODE
OF THE BOROUGH OF SEA BRIGHT

Councilman Murphy introduced a motion to open this meeting to the public. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, LoBiondo, Long Murphy

Nays: None

Abstain: None

Absent: None

Councilman Murphy introduced a motion to close the meeting to the public. Second by Councilwoman Long and approved upon unanimous voice vote.

Councilman Murphy introducing a motion moving Ordinance No. 9-2010 to June 1 for final adoption. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, LoBiondo, Murphy

Nays: Long

Abstain: None

Absent: None

B. Attorney Oxley called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of May 4, 2010. Councilman Murphy moved to approve this Ordinance upon Second Reading.

ORDINANCE NO. 11-2010
AN ORDINANCE ESTABLISHING
PROCEDURES AND REQUIRING REIMBURSEMENT
AND COLLECTION OF COSTS, EXPENSES AND DAMAGES
INCURRED IN DISPOSING OF HAZARDOUS
MATERIALS, AND POLICING SPILL INCIDENTS

BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey as follows:

SECTION I ENACTMENT

This Ordinance is enacted pursuant to N.J.S.A. 40:42.1 et seq., The Home Rule Act which directs municipalities to act to provide for the health, welfare and safety of its citizens.

SECTION II DEFINITIONS

1. HAZARDOUS MATERIALS/SUBSTANCES. "Hazardous Materials/Substances" are any material, solid, liquid or gas, listed as such under the N.F.P.A. Guide of Hazardous Materials, the Department of Transportation Guide Book, the list of hazardous substances adopted by the Federal Environmental Protection Agency (EPA), pursuant to Section 311 of the Federal Water Pollution Control Act Amendment of 1972, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.), and the list of toxic pollutants designated by Congress or the EPA, pursuant to Section 307 of the Federal Water Pollution Control Act, any hospital or medical waste, including but not limited to, syringes, bandages and discarded pharmaceutical products, and any material warranting removal or cleanup in the opinion of the Borough of Sea Bright Office of Emergency Management or the Sea Bright Fire Department.

2. VEHICLE. A "vehicle" is any motorized equipment, registered or unregistered, including but not limited to, a passenger car, motorcycle, truck, tractor trailer, construction equipment, farm machinery, watercraft, aircraft and trains.

3. VESSEL. A "vessel" is any container, drum, box cylinder or tank used to hold or contain or carry or store any hazardous materials, whether or not said container was manufactured for the containment of a hazardous material.

4. DISCHARGE. A "discharge" is any intentional or unintentional action or omission resulting in the releasing, spilling, leaking, pumping, pouring, emitting, emptying or dumping of hazardous substances into any waters which flow within the jurisdiction of the Borough of Sea Bright or on any land within the jurisdiction of the Borough of Sea Bright.

5. EXPENDABLE ITEMS. "Expendable Items" are any items used to extinguish or prevent any hazardous material fire, or stop or contain any leak, release or spill involving any hazardous material, which cannot be reused or cannot be replenished without cost after that particular incident. These expendable items include, but are not limited to, fire fighting foam, chemical extinguishing agents, absorbent materials, sand, recovery drums, and any protective suits, chemical protective gloves, goggles, and any other item owned or controlled by the Borough of Sea Bright or the Sea Bright Fire Departments hereinafter set forth.

6. EQUIPMENT. "Equipment" shall include, but not be limited to, such things as all Fire Fighting and First Aid tools, protective clothing, vehicles, radios, etc.

7. REIMBURSABLE COSTS. "Reimbursable Costs" shall include the replacement cost or repair of any and all equipment, materials and supplies utilized by the Borough of Sea Bright and the Sea Bright Fire Department which have been consumed, destroyed, damaged, or contaminated. For costs expended, without regard to ownership, for the purpose of mitigating, controlling, or containing any incident in which a hazardous material is

involved in a fire, leak, release or spill, or where the potential thereof exists, or for the prevention of same. Expenses incurred by the Borough of Sea Bright and the Sea Bright Fire Department for the wages (regular or overtime) or compensation paid to its employees, agents, or servants as a result of an incident involving a hazardous material fire, leak, release, or spill and for the costs of medical and hospital treatment for injuries incurred by agents, servants and employees of the Borough of Sea Bright and the Sea Bright Fire Department.

8. BOROUGH. The "Borough" shall include the Borough of Sea Bright's employees, agents, officers, officials, and supporting units as directed by the Office of Emergency Management.

8A. FIRE DEPARTMENT. The "Fire Department" shall include Sea Bright Hook & Ladder and Ocean Fire Company within the Borough of Sea Bright, and each of said Fire Department volunteers, agents, officers, officials, supporting units, fire fighters and first aiders. "Fire Department" shall include both the plural and singular as the context may require.

9. COLLECTING AGENCY. The "Collecting Agency" hereunder shall be the Borough of Sea Bright.

SECTION III PURPOSE

This Ordinance provides for the reimbursement for the replacement cost or repair of, any and all equipment, materials and supplies utilized by the Borough of Sea Bright and the Sea Bright Fire Department which have been consumed, destroyed, damaged, or contaminated. For costs expended, without regard to ownership, for the purpose of mitigating, controlling, or containing any incident in which a hazardous material is involved in a fire, leak, release or spill, or where the potential thereof exists, or for the prevention of same. This Ordinance also provides for the reimbursement for the expenses incurred by the Borough of Sea Bright for the wages (regular or overtime) or compensation paid to its employees, agents, or servants as a result of an incident involving a hazardous material fire, leak, release, or spill and for the costs of medical and hospital treatment for injuries incurred by agents, servants and employees of the Borough of Sea Bright and the Sea Bright Fire Department. This Ordinance also provides for a penalty for the violation of the Ordinance for either committing a fire, leak, release or spill or for failure to report the same.

SECTION IV HAZARDOUS SUBSTANCES, DISCHARGE, PROHIBITION

1. The discharge of hazardous substances is prohibited. This section shall not apply to discharge of hazardous substances pursuant to and in compliance with the condition of a Federal or State permit.

2. Any person, concern or corporation who may be subject to liability for a discharge, or become aware of a discharge which occurred prior to or after the effective date of this Ordinance, shall immediately notify the Borough of Sea Bright Police Department and the Sea Bright Fire Department.

3. Whenever any hazardous substance is discharged, the Borough of Sea Bright or the Sea Bright Fire Department may in their discretion act to remove or arrange for the removal of such discharge.

4. Any person, concern or corporation who has discharged a hazardous substance, or who has failed to report said discharge or who is in any way responsible for any hazardous substance which has been or shall be removed by the Borough of Sea Bright

and/or the Sea Bright Fire Department shall be strictly liable, jointly and severally for all cleanup and removal costs and shall be liable for the wages (regular and overtime) and compensation paid and the costs of medical and hospital treatment for injuries incurred by the agents, servants and employees of the Borough of Sea Bright and each of said Sea Bright Fire Department.

SECTION V PARTIES RESPONSIBLE

Reimbursement to the Borough of Sea Bright and the Sea Bright Fire Department for expendable items used and reimbursable costs incurred shall be made by the owner and operator, be it a person, concern or corporation, of the vehicle responsible for the hazardous material fire, leak, release or spill; the owner and operator, person, concern or corporation responsible for the vessel containing the hazardous material involved in such fire, leak, release or spill on public or private property, whether stationary or in transit and whether accidental or through negligence; the owner and tenant, person, concern or corporation responsible for any property from which any fire, leak, release or spill of hazardous material emanates, whether accidental or through negligence; the person, concern or corporation responsible for the hazardous material fire, leak, release, spill or hazardous material emanation, whether accidental or through negligence; and the person, concern or corporation responsible for the hazardous material fire, leak, release or spill on public or private property, whether accidental or through negligence.

SECTION VI REIMBURSEMENT FOR SERVICES OF RECOVERY COMPANY, TOWING COMPANY AND/OR TECHNICAL ASSISTANCE

Any person, concern or corporation causing any hazardous material fire, leak, release or spill must provide reimbursement for services rendered by any recovery company, towing company or any other technical assistance called for by the Borough of Sea Bright and the Sea Bright Fire Department to handle such incident. In the event of a vehicle having been responsible for an incident, such vehicle shall be impounded until such time as it has been deemed safe to proceed by the responsible official in conjunction and cooperation with the Borough of Sea Bright and the Sea Bright Fire Department, and until such time as arrangements have been made to reimburse the Borough and/or the Sea Bright Fire Department and the recovery company, towing company and/or technical assistance company for their expenditures and fees under the terms of this Ordinance.

SECTION VII PERIOD FOR PAYMENT

The person, concern or corporation responsible for any fire, leak, release or spill of hazardous materials shall reimburse the Borough and the Sea Bright Fire Department the full price of expendable items used and reimbursable costs incurred to extinguish, contain, control or stop such fire, leak, release or spill, within forty-five (45) days after receipt of a bill therefore. The Borough shall render a bill to the responsible party(s) for said price of expendable items used and reimbursable costs incurred, and the Sea Bright Fire Department shall render a separate bill to the responsible party(s) for said price of expendable items used and reimbursable costs incurred. The collecting agencies shall utilize their best efforts to collect the amounts due hereunder and shall reimburse its agents or the local units of amounts collected. In the event that the collecting agencies are not able to collect said amounts due or only a portion thereof, the collecting agencies shall not be responsible to its agents or the local units for the full amount of same.

SECTION VIII PENALTIES

The person, concern or corporation responsible for any fire, leak, release or spill of hazardous materials who fails to reimburse the Borough and the Sea Bright Fire Department within the time required, shall be subject to a fine of not less than Fifty (\$50.00) Dollars or more than Five-Hundred (\$500.00) Dollars per day, or by imprisonment for a period of not more than six (6) months, or both. The person, concern or corporation responsible for committing a fire, leak, release or spill of a hazardous material, or who fails to report same, will be liable for the same penalties as aforesaid stated. Any fines collected shall be shared proportionately by the Borough and the Sea Bright Fire Department based on the proportionate amount of their share of the total reimbursable amount due.

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 Bills and approved by the following vote:

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

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

Councilman Murphy made a motion to approve Ordinance No. 11-2010 on its Third and Final Reading and advertise it according to law. Second by Councilman Keeler and approved upon the following vote:

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

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 May 4, 2010. Councilman Murphy moved to approve this Ordinance upon Second Reading.

BOND ORDINANCE NO. 12-2010
BOND ORDINANCE AMENDING BOND ORDINANCE
NUMBER 20-2005 FINALLY ADOPTED BY THE
BOROUGH COUNCIL OF THE BOROUGH OF SEA
BRIGHT, NEW JERSEY ON NOVEMBER 1, 2005, AS
AMENDED.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Bond Ordinance of the Borough Council of the Borough of Sea Bright, in the County of Monmouth, New Jersey (the "Borough") entitled "Bond Ordinance Providing For The Sand Replenishment Project, Appropriating \$340,000 Therefor And Authorizing The Issuance Of \$323,000 Bonds And Notes To Finance A Portion Of The Costs Thereof, Authorized In And By The Borough

Of Sea Bright, In The County Of Monmouth, New Jersey," finally adopted on November 1, 2005, as amended (the "Ordinance") is hereby incorporated by reference in its entirety.

Section 2. The Ordinance is hereby amended by deleting the reference of "\$10,000" for Section 20 expenses and substituting in lieu therefore "150,000".

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$323,000.

Section 5. All other provisions of the Ordinance shall remain unchanged.

Section 6. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond 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 Keeler and approved by the following vote:

AYES: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: None

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: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: None

Councilman Murphy made a motion to approve Ordinance No. 12-2010 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Bills and approved upon the following vote:

AYES: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: None

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 May 4, 2010. Councilwoman Long moved to approve this Ordinance upon Second Reading. Second by Councilman Murphy and approved upon unanimous voice vote.

Councilman Murphy introduced a motion to open this meeting to the public. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, LoBiondo, Long Murphy

Nays: None

Abstain: None

Absent: None

Councilman Murphy introduced a motion to close the meeting to the public. Second by Councilwoman Long and approved upon unanimous voice vote.

Councilwoman Long introduced a motion carrying Ordinance No. 13-2010 to June 1. Second by Councilman Murphy and approved upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

ORDINANCE NO. 13-2010

**AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT
PERMITTING THE MANAGED CARE OF FERAL CATS**

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

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

RESOLUTION NO. 103-2010

PAYMENT OF BILLS 05/18/2010

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$58,757.46 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.

01578	AMERICAN MESSAGING		
10-00546	05/03/10 DPW-MAY 2010 PAGER SERVICE	Open	41.22
01957	BENEMAX BENEFIT MANAGEMENT CO.		
10-00572	05/10/10 05/10 DENTAL PLAN MANAGEMENT	Open	288.00
01631	BOROUGH OF OCEANPORT		
10-00575	05/11/10 COURT SHARED SERVICES:MAY 2010	Open	6,503.34
01547	CHURCH'S GARDEN CENTER &		
10-00435	04/12/10 DUNE GRASS PLANTS	Open	1,900.00
00249	CLARK, DOUGLAS		
10-00545	05/03/10 DPW-TRAVEL REIMB:5/2/10	Open	26.00
10-00571	05/10/10 DPW-TRAVEL REIMB:5/8/10	Open	26.00

			52.00
00198	COMCAST		
10-00573	05/10/10 A&E-INTERNET:MAY 2010	Open	95.18
01493	COOPERATIVE INDUSTRIES, L.L.C.		
10-00544	05/03/10 FEB 2010 NATURAL GAS	Open	3,939.36
00089	DE LISA DEMOLITION, INC.		
10-00269	03/01/10 DPW-2010 BRANCH/LEAF PICKUP	Open	950.00
01320	DEMAIO, R.N.		
10-00239	02/23/10 BLDGS/GRNDS-SUPPL:POLICE DEPT	Open	390.32
01593	DEROSA, ISABEL		
10-00562	05/07/10 COURT - 05/06/10 INTERPRETER	Open	100.00
02181	GATEWAY PRESS		
10-00563	05/07/10 TAX COLL-STUBS:TAX & MISC	Open	84.00
01297	HATCH, MOTT & MACDONALD, LLC		
10-00574	05/11/10 MISC ENGINEERING-3/19 & 4/2/10	Open	350.00
01363	IRON MOUNTAIN, INC.		

10-00170	02/08/10	A&E-VAULT:2010 SERVER BACKUPS	Open	140.88
02023		JEWISH COMMUNITY CENTER		
10-00457	04/13/10	BEACH-USE OF SWIMMING POOL	Open	164.40
00895		JOHNNY ON THE SPOT, INC.		
10-00577	05/11/10	PORTO-POTS - MAY 2010	Open	409.20
00275		M & S WASTE SERVICES, INC.		
10-00153	02/02/10	2010 TRASH/RECYCLING PICKUP	Open	9,200.00
10-00478	04/19/10	DUMPSTER+DISP FEE:BEACH DEBRIS	Open	374.96
10-00560	05/07/10	04/10 LANDFILL TIPPING FEES	Open	7,500.08

				17,075.04
01801		MASER CONSULTING, P.A.		
10-00451	04/12/10	PRJ#129 PARKING LOTS	Open	3,368.59
10-00452	04/13/10	PRJ#115 ADA RAMP OVER SEA WALL	Open	125.00

				3,493.59
00106		MGL FORMS-SYSTEMS, LLC		
10-00505	04/22/10	FINANCE-1000 A/P CHECKS	Open	265.00
00462		MUNICIPAL MAINTENANCE COMPANY		
10-00540	04/29/10	DIIP-INSTALL SUBMERSIBLE PUMP	Open	1,412.75
00141		MUNICIPAL RECORD SERVICE		
10-00477	04/19/10	COURT-TRAFFIC TICKETS	Open	303.50
00323		MURPHY, GEORGE		
10-00415	04/07/10	A&E-ORGANIST FOR MEMORIAL DAY	Open	75.00
00019		NJ AMERICAN WATER		
10-00543	05/03/10	APR 2010 HYDRANTS	Open	2,143.96
00408		SCHWAAB, INC.		
10-00120	01/26/10	MUNI CLERK-INK REFILLS	Open	51.73
01554		SEA BRIGHT SERVICE CENTER		
10-00054	01/15/10	POLICE-BLANKET:VEHICLE MAINT	Open	329.15
10-00353	03/23/10	DPW-BLANKET:VEHICLE MAINT	Open	34.95
10-00423	04/07/10	POLICE-BLANKET:VEHICLE MAINT	Open	492.45

				856.55
00027		SEABOARD WELDING SUPPLY, INC.		
10-00075	01/20/10	DPW - 2010 CYLINDER RENTAL	Open	12.70
00271		SHANES, SCOTT		
10-00524	04/26/10	REFUND:RECREATION FEE OVERPYMT	Open	75.00
00031		SORRENTINO, JOHN		
10-00561	05/07/10	POLICE-REIMB:(2) BATTERIES	Open	310.40
00427		STRATTON, FELECIA		
10-00529	04/27/10	REC-REIMB:TOYS-FAMILY FUN NITE	Open	25.68
01285		THE HOME DEPOT		
10-00484	04/19/10	BLDGS/GRNDS-BLANKET:MISC SUPP	Open	335.80
00814		THE JERSEY SHORE PARTNERSHIP		
10-00566	05/07/10	A&E - 2010 MEMBERSHIP DUES	Open	100.00
02061		VERIZON WIRELESS		
10-00576	05/11/10	BLDG/FIRE/COURT:MAY 2010 BILL	Open	80.10
02177		WALSH, JOAN		
10-00555	05/06/10	LIBRARY-REIMB:5/4 BOOK,MISC	Open	22.47
DIGIROLAMO, LOUIS (MAYHEALTHREIMB)				1,890.29
THE BANK OF NEW YORK (BOND INTEREST PYMTS)				14,820.00
TOTAL				58,757.46

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION NO. 104-2010
BOROUGH OF SEA BRIGHT**

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

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

Salary \$12.00 (HOURLY) Effective 5-15-2010 thru 10-03-10

Matthew Edward Williams,
85 William Street
Long Branch, N. J. 07740

Andrew Lewis Eastwood
19 Washington Avenue
Rumson, N.J. 07760

Parker Robertson Hilton
19 Washington Avenue
Rumson, N.J. 07760

CERTIFICATION OF FUNDS

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

MICHAEL J. BASCOM, CFO

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 105-2010**

WHEREAS, the Recreation Director has indicated that there was an overpayment of recreation fees in the amount of \$75.00 which may be refunded to:

**Scott Shanes
24 Center Street
Rumson, NJ 07760**

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize the overpayment of recreation fees in the amount referenced above be refunded. Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 106-2010**

WHEREAS, the Construction Department Secretary has indicated that there was a duplicate Certificate of Occupancy fee submitted causing an overpayment in the amount of \$100.00 which may be refunded to:

**Pauline Poyner
17 West River Road
Rumson, NJ 07760**

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize the overpayment of

Certificate of Occupancy in the amount referenced above be refunded.

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION NO. 107-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for 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 people shall be hired for the Beach and will receive the hourly rate of pay as specified after each name:

Staff	Rate/hour	2010
Lauren Anderson	\$7.25	
Nicole Burbelo	\$7.25	
Lindsay Crescenzi	\$7.75	
Lyndsay Ganz	\$7.25	
Danielle Hemhauser	\$8.00	
Michelle Hemhauser	\$7.75	
Mary Janosi	\$7.75	
Danielle Knoepfel	\$9.00	Office Supervisor
Jennifer Knoepfel	\$11.00	Office Supervisor
Dana Lagomarsino	\$8.00	
Britney Lenz	\$8.00	
William Mack	stipend	
Eleanor Morse	\$7.50	
Brooke Tunny-Farley	\$7.50	
Carolyn Walsh	\$11.00	Office Supervisor
Lifeguard	Rate/Hour 2010	
John Brennan	\$10.50	
Tyler Conley	\$8.00	
Caleb Doherty	\$8.00	
Jack Donleavy	\$8.00	
John P. Forrester	\$9.50	
Anne Geltzeiler	\$8.00	
Jon Holmes	\$12.00	Supervisor
Stuart Kieley	\$9.00	

Joseph Kingsberry	\$10.50
Bryan Lutz	\$9.00
Andrew Manning	\$8.00
Kelly Megill	\$9.00
Christopher O'Connor	\$12.00 Supervisor
Thomas O'Mealia	\$9.00
Cliff Schmardel	\$12.00 Supervisor
Courtney Sergeant	\$10.00
Mariska Voell	\$8.50

CERTIFICATION

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

Michael J. Bascom, CFO

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

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

RESOLUTION NO. 108-2010
BOROUGH OF SEA BRIGHT

WHEREAS, authorization is hereby given to the Sea Bright Beach Patrol to schedule the following program and charge the fees as noted:

Junior Lifeguard Program

Mon-Fri. Session One: Two Weeks at \$75.00 per child

Dates: July 5th thru July 16th

Time: 9 to 10:30 a.m.

Session Two: Two Weeks at \$75.00 per child

Dates: July 19th to July 30th

Time: 9 to 10:30 a.m.

NOW, THEREFORE, BE IT RESOLVED that the above mentioned program and fees are hereby authorized and monies will be deposited in the Beach Trust account.

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

10. NEW BUSINESS:

A. Councilwoman Long introduced and offered for adoption the following resolution:

RESOLUTION NO. 111-2010

**A RESOLUTION SETTING FORTH THE AMOUNT OF APPROPRIATIONS
FOR THE OCEANPORT SCHOOL DISTRICT 2010-11 SCHOOL YEAR
AND CERTIFYING THE AMOUNT TO BE APPROPRIATED TO THE
MONMOUTH COUNTY BOARD OF TAXATION**

WHEREAS, the proposed budget for the Oceanport School district for 2010-2011 school year **\$8,783,661.00** was defeated by total vote of the voters of Borough of Sea Bright; and

WHEREAS, pursuant to N.J.S.A. 18A:7F-5, the Borough of Sea Bright, have consulted with the Board of Education of Oceanport("Board") to determine the amount necessary to be appropriated for each item appearing in the 2010-2011 school year budget; and

WHEREAS the Borough of Sea Bright has determined that with the line item budgetary reduction listed below, the revised budget for the 2010-2011 school year will still permit the board to provide its students with a through and efficient education.

NOW, THEREFORE, BE IT RESOLVED, by the Sea Bright Governing Body as follows:

1. That the Borough finds that the following specific line item reductions should be made to the budget initially proposed by the Board as listed below for a total specific line item budgetary reduction of \$90,000.00.
2. With the aforementioned budgetary reductions, the Borough of Sea Bright hereby approves and certifies the Board's budget for the 2010-2011 school year.
3. That the Borough of Sea Bright hereby certifies to the Monmouth County Board of Taxation that the amount to be appropriated pursuant to the budget for the 2010-2011, less the aforementioned reductions of \$90,000.00 and will be used for the general fund expenses of the school resulting in a total tax levy of **\$8,693,661.00**.

Account	Description	Amount
11-000-270-511	Transportation	\$40,000
11-000-291-280	Tuition Reimbursement	\$50,000

BE IT FURTHER RESOLVED that the Municipal Clerk of the Borough of Sea Bright shall forthwith transmit a copy of this Resolution to the Monmouth County Board of Taxation, Oceanport School District, the Sea Bright Tax Assessor, and the Monmouth County Superintendent of Schools.

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

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

RESOLUTION NO. 112-2010

**A RESOLUTION SETTING FORTH THE AMOUNT OF
APPROPRIATIONS FOR THE SHORE REGIONAL DISTRICT 2011-12
SCHOOL YEAR AND CERTIFYING THE AMOUNT TO BE
APPROPRIATED TO THE MONMOUTH COUNTY BOARD OF TAXATION**

WHEREAS, the proposed budget for the Shore Regional High School district for 2010-2011 school year \$14,224,171.00 was defeated by total vote of the voters of the municipalities constituting the Shore Regional District; and

WHEREAS, pursuant to N.J.S.A. 18A:22-37, the Borough of Sea Bright, the Borough of Oceanport, the Borough of Monmouth Beach and the Borough of West Long Branch have consulted with the Board of Education of the Shore Regional District ("Board") to determine the amount necessary to be appropriated for each item appearing in the 2010-2011 school year budget; and

WHEREAS the Borough of Sea Bright has determined that with the line item budgetary reduction listed below, the revised budget for the 2010-2011 school year will still permit the board to provide its students with a through and efficient education.

NOW, THEREFORE, BE IT RESOLVED, by the Sea Bright Governing Body as follows:

1. That the Borough finds that the following specific line item reductions should be made to the budget initially proposed by the Board as listed below for a total specific line item budgetary reduction of \$120,000.
2. With the aforementioned budgetary reductions, the Borough of Sea Bright hereby approves and certifies the Board's budget for the 2010-2011 school year.
3. That the Borough of Sea Bright hereby certifies to the Monmouth County Board of Taxation that the amount to be appropriated pursuant to the budget for the 2010-2011, less the aforementioned reductions of \$120,000 and will be used for the general fund expenses of the school resulting in a total tax levy of **\$14,104.171**.

ACCOUNT DESCRIPTION	AMOUNT
11-000-218-270-42-09 Health Insurance Guidance	\$9,500.00
11-000-270-270-42-09 Health Insurance Transportation	\$4,100.00
11-000-291-270-42-09 Health Insurance Non Instruction	\$48,300.00
11-190-100-270-42-09 Health Insurance Instructional	\$58,100.00

BE IT FURTHER RESOLVED that the Municipal Clerk of the Borough of Sea Bright shall forthwith transmit a copy of this Resolution to the Monmouth County Board of Taxation, Shore Regional High School, the Sea Bright Tax Assessor and the Monmouth County Superintendent of Schools.
Second by Councilman Keeler and adopted upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: None

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO.113-2010**

WHEREAS, the Governing Body of the Borough of Sea Bright desires to enter into a ten year Fish and Wildlife habitat restoration agreement with the U.S. Fish and Wildlife for a beach restoration project to control Asiatic sand sedge on property owned by the Borough of Sea Bright and;

THEREFORE, the Governing Body of the Borough of Sea Bright resolves that Mayor Maria D. Fernandes or the successor to the office of Mayor is authorized to execute the fish and wildlife habitat restoration agreement with the U.S. Fish and Wildlife for ten years.

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

Ayes: Bills, Keeler, Kelly, LoBiondo, Long and Murphy

Nays: None

Abstain: None

Absent: None

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 114-2010**

WHEREAS, employees of the Borough of Sea Bright will begin making contributions towards the cost of health insurance which has been mandated by the State of New Jersey, effective May 21, 2010, through payroll deductions; and

WHEREAS, Section 125 of the Internal Revenue Code permits the establishment of a cafeteria plan which will allow employees to make these contributions on a pre-tax basis.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Sea Bright hereby authorizes the implementation of a Section 125 cafeteria plan and also authorizes the Chief Financial Officer, or his designee in the Finance Department to implement this program. Second by Councilwoman Bills and adopted upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Absent: None

Abstain: None

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

**RESOLUTION NO. 115-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, request for proposals/qualifications for an architect for special projects 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 for Architect to:

**Robert Adler
1049 Broadway
West Long Branch, NJ 07760**

At an hourly rate not to exceed \$140.00 per hour as per proposal dated 5/18/2010 for the one year period of time June 1, 2010 through May 31, 2011.

CERTIFICATION OF FUNDS

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available in A & E other professional services for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

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

11. CORRESPONDENCE AND COMMUNICATIONS:

- A. Library Director monthly report
- B. Police Chief monthly report

12. COMMITTEE REPORTS:

- A. Beach/Education/Environment:** Councilwoman Long reported that they planted 10,000 dune plants and about 7,000 feet of the 10,000 fencing has been installed on the public beach.

They met with the U.S. Fish and Wildlife Service and NJ Fish and Wildlife Service to discuss concerns about federally protective species and our beach management plan as it pertains to the cat trap-neuter-release pilot program and the feral cat ordinance that we are proposing. Hopefully, we can come to a compromise and be ready for introducing this ordinance on June 1.

The Community garden has begun with the Recreation Department's support at the beach.

The school board's deserve credit for working with the municipalities for reducing their budget.

The speed limit on Ocean Avenue has reverted back to 35 mph for the summer season.

B. Public Works/Building Department/Public Relations:

Councilman LoBiondo said that the corrections workers will be back to clean the beaches before Memorial weekend. After showing pictures of the debris on the beaches north of Ship Ahoy to U.S. Fish and Wildlife Service and NJ Fish and Wildlife Service, they are permitting us to clean that area.

The court trailer has been removed and its removal has revealed structural damages to Borough Hall. They will receive estimates as to the costs of repairing.

North Beach pump station had a gas leak with a generator causing the problem and should be repaired before the weekend.

C. Public Safety/Insurance:

Councilman Keeler reported that the radio consultant advises that the problem could be corrected at police headquarters and installing a repeater might not be necessary.

Highlands and Sea Bright's police schedules are ready for the summer. The demolition work on the bridge is done and the pile driving would be done in three weeks. The entire project should be completed by March 2011. The DOT repaving project on Route 36/Ocean Avenue will be begin on September 15.

Captain Spahr's retirement party is Wednesday, June 2nd. Chief Sorrentino initiated a shared service program among all borough departments. The police donated another boat motor, large enclosed trailer for storage to the fire department and a portable generator and lights to OEM. OEM in turn is sharing its open trailer for use by all departments

The American LaFrance truck will be here in time for Memorial Day and the loaner truck will be returned.

The Firemen's fair begins May 20 through May 23 and volunteers are needed.

JIF will be included in approving the beach facility design plan so that all structures will be covered under our insurance.

Chief Sorrentino said that all parking residential/business permits will be available next week.

D. Finance/Grants/Court:

Councilman Murphy thanked CFO Bascom for all his time and energy in helping prepare our budget. We lost \$45,000 in state aid and \$50,000 in investments.

E. Personnel/Administration/Cultural Arts/Recreation:

Councilwoman Bills said that during April there was a meet the Artists Series at Sea Bright's library. It was well attended. The personnel committee continues to work on the personnel manual.

F. Smart Growth/Flood Mitigation/Beautification: Councilman Kelly said that the Smart Growth committee has been discussing with the Engineer her recommendations and putting together an advisory team including our newly appointed architect.

Beautification committee has a nine members and they will begin planting at Memorial Park and pots around town.

13. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. Mayor Fernandes reminded everyone about Clean Ocean Actions' event at Ship Ahoy on Sunday, May 23 and Sea Bright's Memorial Service on Monday May 31. Birthday wishes to Councilmembers LoBiondo and Long.

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

15. ADJOURNMENT:

There being no further business before the Governing Body. Councilwoman Long made a motion to adjourn the meeting at 9:35 P.M. Second by Councilwoman Bills and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer, RMC
Municipal Clerk