

Council President Keeler called the meeting to order and requested those present to join her in the Pledge of Allegiance to the Flag.

Administrator Smeltzer 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, Attorney Oxley, Engineer Flor, Police Chief Sorrentino, Administrator Smeltzer

ABSENT: Councilman LoBiondo, Mayor Fernandes, Chief Financial Officer Bascom

4. Councilwoman Bills introduced and offered for adoption the following resolution at 7:45 p.m.:

RESOLUTION NO.195-2010
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 involves litigation and contract negotiations.

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 the following roll call vote.

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

Councilman Kelly introduced a motion to return to the regular order of business at 8:27 p.m. Second by Councilwoman Bills and adopted upon unanimous voice vote.

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

David Muratore of Sea Bright Village said that he hoped that the Council would consider building sand berms on the beach prior to the winter.

Patricia Miller of 7 Surf Street said that she wanted the Council to vote on introducing the cat ordinance scheduled for this evening.

Jo-Ann Kalaka Adams said that the Council should include Osborne as part of the residential permit parking program

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

**6.
A.**

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

Introduced and approved on May 4, 2010.
Public Hearing held previously on May 18, 2010.

Councilwoman Long introduced a motion withdrawing Ordinance 13-2010. Second by Councilman Murphy and approved upon the following roll call vote:

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

B. Administrator Smeltzer read by title only and Councilwoman Long introduced an Ordinance entitled.

**ORDINANCE NO. 23-2010
A REVISED ORDINANCE PERMITTING
THE MANAGED CARE OF FERAL CATS**

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on October 5, 2010. Second by Councilman Murphy and approved upon the following vote:

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

C. Administrator Smeltzer called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of September 7, 2010. Councilman Murphy moved to approve this Ordinance upon Second Reading.

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

BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that Chapter

201, known as Vehicles and Traffic, of the Code of Sea Bright is amended in its entirety as follows:

**ARTICLE I
Traffic and Parking**

§ 201-1. One-way streets.

The following roadways are hereby established as one-way streets:

Name of Street	Direction of Travel	Location
Beach Street	Westbound	Entire length
East Surf Street	Eastbound	Entire length
Front Street Street and	Northbound	Between Beach Surf Street
Front Street	Southbound	Between Beach Street and Surf Street
New Street	Westbound	Entire length
Riverview Place Extension	Eastbound	Between Riverview Place and Ocean Avenue
Surf Street	Eastbound	Entire length
Tradewinds Lane	Southbound	Entire length
Village Road	Counterclockwise	Entire length
Wayne Street	Southbound	From East Surf Street to the north perimeter of the parking lot behind Borough Hall
West Ocean Avenue	Southbound	Between Ocean Avenue and Center Street

201-2. Prohibited parking.

No person shall park a vehicle at any time on the following described streets or parts thereof on the side designated:

Name of Street	Side	Location
Bellevue Place	Both	Entire length
East Surf Street	Both	Entire length
Front Street	West	Entire length
Mountainview Way	Both	Entire length
Sandpiper Lane	Both	Entire length and cul-de-sac
South Street	South	Entire length
Surf Street	North	Entire length
Village Road	Both	North section
Village Road	Both	South section
Village Road	West	East section
Wayne Street	East	Entire length
Willow Way	Both	Entire length

§ 201-3. Prohibited parking of certain vehicles.

A. No vehicle over 17 feet long and six feet seven inches in width shall be parked on either side of any side street of the Borough of Sea Bright between the hours of 6:00 p.m. and 6:00 a.m. of any day of the week.

B. The words "side street" shall include all streets in the Borough with the exception of State Highway 36 (Ocean Avenue).

C. "Vehicle," as used in this section, shall mean any motor vehicle that is required by law to bear any license plate for passenger car use. Also, any motor vehicle which, by reason of a characteristic, coloring or marking exceeding one square foot in area, is identified or commonly associated with any business, industry or public agency shall be considered a vehicle within the terms of this section. A passenger car used in business by a resident shall be considered a "vehicle" for purposes of this section.

D. No recreational vehicles shall be permitted in any Borough-owned parking lot or on any Borough street between the hours of 6:00 p.m. and 6:00 a.m.

§ 201-4. Regulations governing Route 36.

A. No stopping or standing is permitted along both sides of Route 36 for the entire corporate limits of Sea Bright Borough.

B. Parking is established as follows:

(1) Northbound on Route 36, two-hour time limit parking between 10:00 a.m. and 6:00 p.m., Sunday through Saturday, including holidays from May 1 through October 1 of each year.

(a) Beginning at the northerly curblineline of East Church Street extending 220 feet northerly therefrom.

(b) Beginning at the northerly curblineline of River Street and extending 555 feet northerly therefrom.

(2) Southbound on Route 36, two-hour time limit parking between 10:00 a.m. and 6:00 p.m., Sunday through Saturday, including holidays, from May 1 through October 1 of each year.

(a) Beginning at a point 395 feet south of the southerly curblineline of Rumson Road (County Road 520) and extending to the northerly curblineline of Surf Street.

C. Bus stops:

(1) Northbound Route 36 at curb south of River Street.

(2) Southbound on Route 36 at Mountainview Way.

D. Speed limits. The rate of speed designated for State Highway Route NJ 36/Ocean Avenue in Sea Bright Borough shall be established and adopted as the maximum legal rate of speed:

(1) For both directions of traffic from September 15 to May 15 annually:

(a) Zone 1: 40 miles per hour between the Monmouth Beach Borough-Sea Bright Borough corporate line and Marius Lane (approximate mileposts 8:00 to 8:82).

(b) Zone 2: 30 miles per hour between Marius Lane and 500 feet north of Rumson Road (County Road 520) (approximate mileposts 8:82 to 9:38).

(c) Zone 3: 40 miles per hour between 500 feet north of Rumson Road (County Road 520) and the Sea Bright Borough-Highlands Borough corporate line (approximate mileposts 9:38 to 11.68).

(2) For both directions of traffic from May 15 to September 15 annually:

(a) Zone 1: 35 miles per hour between the Monmouth Beach Borough-Sea Bright corporate line and Marius Lane (approximate mileposts 8.00 to 8.82).

(b) Zone 2: 30 miles per hour between Marius Lane and 500 feet north of Rumson Road (County Road 520) (approximate mileposts 8.82 to 9.38).

(c) Zone 3: 35 miles per hour between 500 feet north of Rumson Road (County Road 520) and the Sea Bright Borough-Highlands Borough corporate line (approximate mileposts 9.38 to 11.68).

§ 201-5. Regulations governing East Ocean Avenue.

A. General parking.

(1) All vehicles shall be parked in designated areas and between the lines provided.

(2) No person shall park a vehicle for longer than the time limit upon any of the streets or parts of streets described below:

Name of Street	Sides	Time Limit	Location
East Ocean Avenue	Both	2 hours 10:00 a.m. to 6:00 p.m. May 1 to October 1	Entire length

(3) Handicapped parking: all stalls shall be 12 feet wide and signed with the R7-8 and R7-8P (reserved parking sign and penalty plate) in the designated parking areas for persons who have been issued the handicapped parking permits by the Motor Vehicle Commission.

Location

- East Ocean Avenue on the northbound easterly side
- First parking stall south of East Church Street
- East Ocean Avenue on the southbound westerly side first two parking stalls south of East Church Street

(4) Angle parking. Angle parking shall be established on the following streets.

Name of Street	Side	Type	Location
East Ocean Avenue	East	45 degrees	Between Rt. NJ 36 (Ocean Avenue) and East Surf Street

B. Stop intersections. The following described intersections are hereby designated as stop intersections. Stop signs shall be installed as provided herein.

Intersection On	Stop Sign(s)
East Ocean Avenue and East New Street	East New Street
East Ocean Avenue and East Church Street	East Ocean Avenue (both approaches)

C. One-way streets. The following described streets or parts of streets are hereby designated as one-way streets.

Name of Street Prohibited	Direction	Limits	Parking
East Ocean Avenue	North	Between Rt. N.J. 36	West side (Ocean Avenue) and East Surf Street

D. Speed limits.

(1) The speed limit for both directions of travel on the following roadways shall be:

Name of Street	Speed limit (mph)	Limits
East Ocean Avenue	15	Entire length

(2) Regulatory and warning signs shall be erected and maintained to effect the above-designated speed limits.

E. Tow-away zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exitways, fire zones, loading zones, oil fills, any grassy area or pedestrian walkway or to present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's expense.

F. All signs, posts or other necessary materials installed by the Borough shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and 39:4-183.27.

§ 201-6. Regulations governing West Ocean Avenue.

A. General parking.

(1) All vehicles shall be parked in designated areas and between the lines provided.

(2) No person shall park a vehicle for longer than the time limit upon any of the streets or parts of streets described below:

Name of Street	Sides	Time Limit	Location
West Ocean Avenue	West	2 hours 10:00 a.m. to 6:00 p.m. May 1 to October 1	Surf Street to Center Street

(3) Handicapped parking: all stalls shall be 12 feet wide and signed with the R7-8 and R7-8P (reserved parking sign and penalty plate) in the designated parking areas for persons who have been issued the handicapped parking permits by the Motor Vehicle Commission.

Location

West Ocean Avenue first parking stall south of Beach Street

(4) Angle parking. Angle parking shall be established on the following streets.

Name of Street	Side	Type	Location
West Ocean Avenue	West	45 degrees	Surf Street to Center Street

B. Stop intersections. The following described intersections are hereby designated as stop intersections. Stop signs shall be installed as provided herein.

Intersection On	Stop Sign(s)
West Ocean Avenue and Center Street	Center Street

C. One-way streets. The following described streets or parts of streets are hereby designated as one-way streets:

Name of Street Prohibited	Direction	Limits	Parking
West Ocean Avenue	South	From Surf Street to Center Street	East side

D. Speed limits.

(1) The speed limit for the direction of travel on the following roadway shall be:

Name of Street	Speed limit (mph)	Limits
West Ocean Avenue	15	Entire length

(2) Regulatory and warning signs shall be erected and maintained to effect the above-designated speed limits.

E. Tow-away zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exitways,

fire zones, loading zones, oil fills, any grassy area or pedestrian walkway, or to present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's expense.

F. All signs, posts or other necessary materials installed by the Borough shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and 39:4-183.27.

§ 201-7. Loading and unloading.

A. All loading and unloading of trucks and delivery vehicles shall be made with such trucks or vehicles parked parallel with the curblines.

B. Loading zones. The locations described below are hereby designated as loading zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.

Streets	Time	Sides	Location
Beach Street	7:00 a.m. to 3:00 p.m.	South	From Ocean Avenue to a point 135 feet west thereof
East Surf Street	8:00 a.m. to 6:00 p.m.	South	25 feet east from the Apex (corner) of East Ocean Avenue and East Surf Street
East Surf Street	8:00 a.m. to 6:00 p.m.	South	25 west from the Apex (corner) of Wayne Street and East Surf Street

§ 201-8. No stopping or standing.

No stopping or standing shall be permitted on the following streets or parts of streets:

Name of Street	Side	Location
River Street	Both	From the westerly curblines of Route 36 to a point 45 feet westerly therefrom

**ARTICLE II
EMERGENCY STREET CLEARANCE**

§ 201-9. Declaration of emergency.

Upon declaration of an emergency, there shall be no parking upon streets or sections of streets where temporary emergency no-parking signs are displayed. The Chief of Police or, in his absence, the ranking police officer is authorized to declare an emergency and to direct the posting of said emergency no-parking signs when weather conditions, accidents, fires or public celebrations dictate or require the avoidance of hazards or other conditions which interfere with the free flow of traffic. Notification that the emergency no-parking signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the signs.

§ 201-10. Removal of illegally parked vehicles; redemption fee.

Any unoccupied vehicle parked or standing in violation of this article shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any police officer may provide for the removal of said vehicle. The owner shall pay the reasonable cost of the removal and storage which may result from such removal, before regaining possession of the vehicle.

§ 201-11. Signs.

The effectiveness of this article is contingent on signs being erected as required by law.

**ARTICLE III
Street Cleaning**

§ 201-12. No parking on streets designated for street cleaning.

There shall be no parking upon streets or sections of streets or sections of streets where signs are posted indicating no parking as designated for street cleaning.

§ 201-13. Removal of illegally parked vehicles; redemption fee.

Any unoccupied vehicle parked or standing in violation of this article shall be deemed a nuisance and a menace to the safe and proper cleanup of the Borough, and any police officer may provide for the removal and subsequent storage of said vehicle. The owner shall pay the reasonable costs incidental to said removal and storage before regaining possession of the vehicle.

§ 201-14. Signs.

The effectiveness of this article is contingent on signs being erected as required by law.

**ARTICLE IV
MUNICIPAL PARKING**

§ 201-15. Definitions.

For purposes of this article, the following definitions shall apply:

BUSINESS PATRON PARKING AREA - The first row in the municipal parking lot which provides for head-in car parking in a westerly direction and the second full row of parking which provides for head-in parking in both an easterly and westerly direction as measured from Ocean Avenue in the municipal parking lot.

BUSINESS PERMIT PARKING AREA - Those areas designated for business permit parking in accordance with Article IX of this chapter.

MUNICIPAL PARKING - Includes:

A. The municipal parking lot owned and operated by the Borough of Sea Bright situated on the easterly side of Ocean Avenue adjacent to the police and fire stations and on which the Municipal Library and Municipal Beach Pavilion are situated.

B. The Peninsula-House Lot which shall mean the municipally owned parking lot owned and operated by the Borough of Sea Bright situated on the easterly side of Ocean Avenue north of the municipal parking lot but directly contiguous to it.

C. The municipal parking lot located behind Borough Hall at the intersection of East Center Street and Wayne Street.

D. Any other municipal parking lot owned and operated by the Borough of Sea Bright.

§ 201-16. Parking regulations.

A. The Chief of Police shall cause lines or appropriate markings to be painted upon the surface of the municipal parking lot, outlining and designating each parking space, and each and every vehicle shall be parked within said lines or markings. It shall be unlawful for any operator to park any vehicle outside of said lines or markings or to park any vehicle in such a position that it shall not be entirely within the space designated by such lines or markings within the municipal parking lot. Parking within the Peninsula-House Lot, which generally does not have painted designated parking areas, shall be at the direction of a representative of the Police Department when the lot is used for parking purposes. It shall be illegal to park any vehicle within the Peninsula-House Lot in a manner inconsistent with the direction of a representative of the Police Department.

B. Parking within the business patron parking area shall be allowed for no more than two hours. Vehicles parked within the business patron parking area for more than two hours shall be unlawfully parked and in violation of this article.

C. Parking within the area designated as business permit parking shall be permitted with the appropriate placard issued by the Sea Bright Police Department pursuant to Article IX of this chapter.

§ 201-17. Type of vehicles; parking allowed.

The parking of vehicles in any of the municipal parking lots covered by this article shall be limited to any types of vehicles commonly referred to as private passenger automobiles, motorcycles, motor scooters and light commercial vehicles not in excess of 25 feet in length. It shall be unlawful to park any other vehicle thereon.

§ 201-18. Prohibited hours for parking; exceptions.

A. No parking shall be allowed within the municipal parking lot from May 1 to October 1, other than in the business patron parking area or for emergencies, between the hours of 2:00 a.m. and 7:00 a.m.

B. No parking shall be allowed other than as set forth herein between the hours of 7:00 a.m. and 2:00 a.m., except as designated.

§ 201-19. Signs.

Where necessary, signs shall be provided and posted advising of the requirements of this article.

§ 201-20. Two-hour parking in designated areas.

From May 1 to October 1, between the hours of 10:00 a.m. and 6:00 p.m., vehicles may be parked for a period of no longer than two hours in such places as may be designated by the Chief of Police of the Borough of Sea Bright or his designee.

§ 201-21. Reserved parking for emergency personnel and Borough employees.

A. Main Municipal Lot (Block 23, Lot 1).

(1) Eight reserved parking spaces for "Authorized Vehicles" "Tow Away Zone," as marked on Lot "E" on Road "D": on Municipal Parking Lot Site Plan dated 8/11/98 prepared by C. Bernard Blum, Jr. P.E., T&M Associates.

(2) Ten reserved parking spaces for "Fire and First Aid members" "Tow Away Zone," as marked on Lot "C" on Road "B" on Municipal Parking Lot Site Plan date 8/11/98 prepared by C. Bernard Blum, Jr. P.E., T&M Associates.

(3) Two reserved parking spaces for "Library Staff," Monday through Saturday 9:00 a.m. to 8:00 p.m. "Tow Away Zone," as marked on Lot "Q" on Road "A" on Municipal Parking Lot Site Plan dated 8/11/98 prepared by C. Bernard Blum, Jr. P.E., T&M Associates.

(4) One reserved parking space for "Library Business - 10 Minute parking, "Monday through Saturday, 9:00 .am. to 8:00 p.m., "Tow Away Zone," as marked on Lot "N" on "Road "F" on Municipal Parking Lot Site Plan dated 8/11/98 prepared C. Bernard Blum, Jr. P.E., T&M Associates.

B. Municipal Parking Lot - Wayne Street Parking Lot.

(1) Four reserved parking spaces for Borough employee parking, Monday through Friday, 8:00 a.m. to 5:00 p.m. "Tow Away Zone," as marked on Section "C" on Road "A" on Municipal Parking Lot Site Plan dated 8/11/98 prepared by C. Bernard Blum, Jr. P.E., T&M Associates.

(2) Four reserved parking spaces for Borough employee parking, Monday through Friday, 8:00 a.m. to 5:00 p.m. "Tow Away Zone," as marked on Section "A" on Road "A" on Municipal Parking Lot Site Plan dated 8/11/98 prepared by C. Bernard Blum, Jr. P.E., T&M Associates.

(3) Two reserved parking spaces for "Borough Business" - 10 Minute Parking," Monday through Friday, 8:00 a.m. to 5:00 p.m. "Tow Away Zone," as marked on Section "C" on Road "A" on Municipal Parking Lot Site Plan dated 8/11/98 prepared by C. Bernard Blum, Jr. P.E., T&M Associates.

C. Tow-away zone: Any vehicle parked or standing in reserved parking spaces may be removed at the owner's expense.

§ 201-22. Removal and storage of vehicles; responsibility for fees and fines.

If any vehicle is parked in any parking lot, as herein referred, in violation of any of the provisions of this article, the Police Department may cause such vehicle to be removed to such place as is designated by the Chief of Police or his designee. The owner or operator of any such vehicle so removed shall be responsible for the reasonable costs and expenses of such removal and storage which may result therefrom, and any person, firm or corporation desiring to claim such motor vehicle may do so by first paying the parking fine and then paying the costs and expenses of such removal and storage.

**ARTICLE V
REMOVAL OF VEHICLES FOR PLOWING OF STREETS**

§ 201-23. Parking prohibited on certain streets.

Parking is prohibited on all streets in the Borough where signs have been erected indicating such prohibition for purposes of snowplowing by the Borough.

§ 201-24. Removal of illegally parked vehicles.

Any unoccupied vehicle parked or standing in violation of this article shall be deemed a nuisance and a menace to the safe and proper cleanup of the Borough, and any police officer may provide for the removal and subsequent storage of said vehicle. The owner shall pay the reasonable costs incidental to said removal and storage before regaining possession of the vehicle.

§ 201-25. Responsibility for removal and storage costs.

Vehicles parked in violation of this article shall be removed by the Police Department for storage of such vehicles until claimed by the owner. The owner shall be responsible for costs associated with the removal and storage of the vehicle.

**ARTICLE VI
HANDICAPPED PARKING**

§ 201-26. Definitions.

As used in this article, the following terms have the following meanings:

MUNICIPAL HANDICAPPED PARKING SPACE: Any parking space marked with a white striped outline and designated by a sign that contains the reserved parking with universal handicapped symbol in accordance with the R7-8 and R7-8P reserved parking sign and penalty plate of the current Manual on Uniform Traffic Control Devices.

§ 201-27. Handicapped parking spaces to be provided:

A. The Borough of Sea Bright shall maintain municipal handicapped parking places at the following locations:

Parking Area	Location
Main Municipal Lot	Five spaces closest to the entrance area to the Borough beach Two parking spots closest to the bus stop shelter fronting on Ocean Avenue at River Street Two parking spaces closest to the library handicapped access ramp fronting the library building
Peninsula House	Four parking spaces closest to the entrance Municipal Parking Lot area to the Borough Beach Four parking spaces located to the entrance onto State Highway Route N. 36 on the south side

Wayne Street Municipal	Two parking spaces in the southwestern corner Parking Lot of the lot
East Ocean Avenue	Three parking spaces on the easterly side of the Municipal Parking Lot lot at its intersection with East Church Street

§201-28. Angled parking spaces to be provided:

The Borough of Sea Bright shall maintain municipal angled parking spaces at the following locations:

Parking Area	Location
Main Municipal Parking Lot Street Block 23 Lot 1	First row south of River

§ 201-29. Construction guidelines; signs:

Parking spaces for the physically handicapped shall be constructed in accordance with the Uniform Construction Code of the State of New Jersey, Barrier Free Subcode.

§ 201-30. Parking prohibited without identification marker.

No person shall park a vehicle in any parking space designated and marked as being set aside for the handicapped in any parking facility unless said vehicle shall have affixed thereto an identification certificate or marker issued by the New Jersey Motor Vehicle Commission. Parking in a handicapped space without the aforesaid identification shall create a rebuttable presumption that use of the space was not for the handicapped.

**ARTICLE VII
MID-BLOCK CROSSWALKS**

§ 201-31. Mid-block crosswalks designated.

The following mid-block crosswalks are established:

Name of Street	Location
280 Ocean Avenue	30 feet north of mile marker 11
344 Ocean Avenue	0.1 mile mouth of mile marker 11
700 Ocean Avenue	100 feet north of mile marker 10
801 Ocean Avenue	0.3 mile north of mile marker 9.5
825 Ocean Avenue	0.25 mile north of mile marker 9.5
960 Ocean Avenue	0.05 mile south of mile marker 9.5
1340 Ocean Avenue	0.1 mile north of mile marker 8.5
1566 Ocean Avenue	0.1 mile north of mile marker 8

§§ 201-32 through 201-34. (Reserved)

**ARTICLE VIII
RESIDENTIAL PERMIT PARKING**

§§ 201-35 through 201-42 Residential Permit Parking Ordinance and Amendments

NOTE: General Code to insert the following Ord. 3-2010; amended Ord. 16-2010; amended Ord. 17-2010 in this article.

**ARTICLE IX
BUSINESS PERMIT PARKING**

§§ 201-43 through 201-50 Business Permit Parking Ordinance

NOTE: General Code to insert the following Ord. 7-2010 in this article.

**ARTICLE X
FIRE ZONES**

§201-51. Fire Zones designated.

A. The following Fire Zones are established:

1. Any and all fire hydrants shall be covered under Title 39 New Jersey State Motor Vehicle Statute.
2. Waterview Way- From the end of street bulkhead to a point 49 feet east.
3. Via Ripa- From the end of street bulkhead to a point 51 feet east to include the paper street proceeding to South Way.
4. South Way- From the end of street bulkhead to a point 43 feet east.
5. Beach Way- From the end of street bulkhead to a point 25 feet east.
6. Atlantic Way- From the end of street bulkhead to a point 72 feet east along south side curb line. South to north distance shall be 12 feet in width.
7. Willow Way- From the end of street bulkhead to a point 86 feet east. From the north side bulkhead south to a distance of 50 feet.
8. Shrewsbury Way- From the end of street bulkhead to a point 18 feet east. All other fire zones should be removed and new no parking or two zones should be created.
9. Riverview Place- From the corner of Shrewsbury Place to a point 40 feet south on the east side of the street. From the corner of Shrewsbury Place to a point 36 feet south on the west side of the street.
10. River Way - From the end of street bulkhead to a point 26 feet east.
11. Peninsula Ave- From the end of street bulkhead to a point 36 feet east.
12. River Street- From the end of street bulkhead to a point 21 feet east.
13. Church Street- From the end of street bulkhead to a

point 80 feet east. From the north side curb line to a point 25 feet south.

14. Beach Street- From the end of street bulkhead to a point 24 feet east.
15. Center Street- From the end of street bulkhead to a point 41 feet east.
16. Osborne Place- From the end of street bulkhead to a point 36 feet east.
17. Islandview Way- From the end of street bulkhead to a point 25 feet east. Must be painted and new signs placed.
18. Imbrie Place- From the end of street bulkhead to a point 27 feet east.
19. Tradewinds Lane- The entire length of the east side.
20. Sandpiper Lane- End of street turn around shall be zoned Fire Lane.

B. Bureau of Fire Prevention

Upon the finding that such action is necessary for public safety, the Bureau of Fire Prevention in the Borough of Sea Bright may require the owner or owners of any shopping center, commercial structure, place of public assembly, multiple dwelling groups, or industrial park office buildings to designate "fire zone" in the driveways of the premises leading to and from the parking area to the above-type buildings or structures, public streets or rights-of-way. Such fire zones, also known as "fire lanes," shall be no less than 10 feet nor more than 50 feet in width and shall be outlined and lettered in yellow on a paved surface, such lettering to remain legible at all times. Metal "fire zone" signs, the lettering of the same to be legible at all times, shall be provided, erected and maintained by said owner or owners and placed at the discretion of the Bureau of Fire Prevention. Said signs are to be of a design and quality and lettered in accordance with applicable state law and approved by the Bureau of Fire Prevention.

C. Violations and Enforcement:

1. Any person who parks a vehicle in, obstructs, or allows the obstruction of a designated fire lane shall be liable for all penalty of who is found to be in violation of the provisions of this chapter shall be subject to the penalties as provided in Chapter 1, General Provisions, Article I.
2. Any vehicle or object obstructing a designated fire lane, whether public or private, may be towed or removed without prior notification of the owner, and at the owner's expense.
3. The registered owner of the vehicle parked in the fire lane shall be responsible for all penalties issued and any towing or related charges accruing hereunder.

ARTICLE XI MUNICIPAL BUILDINGS AND PARKING LOTS

§ 201-52. Public Safety Complex.

The Borough of Sea Bright has filed a written consent with the New Jersey Department of Transportation that various regulations be made applicable to the semi-public roads, streets, driveways and parking lots at the Public Safety Complex located in the Borough of Sea Bright, County of Monmouth, and the following regulations shall be enforceable:

A. General parking. All vehicles shall be parked in designated areas and between the lines provided.

B. Reserved parking. All vehicles that are granted specialty parking in this section, such as police vehicles, ambulances, fire and first aid volunteers, and employees of the Sea Bright Police Department shall park in areas designated by signage.

C. Authorized vehicles only. No other vehicle, other than an authorized vehicle, shall enter the entire Public Safety Complex.

D. Tow-away zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exitways, fire lanes, loading zones, oil fills, any grassy area or pedestrian walkway or to present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's expense.

E. All signs, posts or other necessary materials shall be installed and shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and 39:4-183.27.

§ 201-53. Main Municipal Lot.

The Borough of Sea Bright has filed a written consent with the New Jersey Department of Transportation that various traffic regulations be made applicable to the semi-public roads, streets, driveways and parking lots at the Main Municipal Lot (Block 23, Lot 1) located in the Borough of Sea Bright, County of Monmouth, and the following regulations shall be enforceable:

A. General parking.

(1) All vehicles shall be parked in designated areas and between the lines provided.

(2) Time limit reserved parking (May 1 to October 1). No person shall park a vehicle for longer than the time limit below or for any purpose other than shopping.

Name of Lot	Time Limit	Location
Main Municipal Lot (Block 23, Lot 1)	2 hours 10:00 a.m. to 6:00 p.m.	Indicated by signage

(3) Handicapped parking shall be marked by signage and shall be permitted in the designated parking areas for persons who have been issued the handicapped parking permits by the Motor Vehicle Commission.

(4) Restricted parking. No person shall park a vehicle after 7:00 a.m. between May 1 and October 1 except for emergencies and only with approval of the Sea Bright Police Department.

(5) Parking of vehicles over four-ton weight limit. No person shall park a vehicle in excess of four tons or more than 25 feet in length.

B. Reserved parking. All police vehicles, ambulances, fire and first aid volunteers as well as employees of the Sea bright Library and Police Departments shall park in areas marked by signage indicating reserved parking.

C. Speed limits. The speed limit for both directions of traffic in the entire parking lot(s) shall be 15 miles per hour.

D. Tow-away zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exitways, fire zones, loading zones, oil fills, any grassy area or pedestrian walkways or to present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's expense.

E. All signs, posts or other necessary materials shall be installed and shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and 39:4-183.27.

§ 201-54 Peninsula House Lot.

The Borough of Sea Bright has filed a written consent with the New Jersey Department of Transportation that various traffic regulation be made applicable to the semi-public roads, streets, driveways and parking lots at the Peninsula House Lot (Block 23, Lots 2.01 and 2.02) located in the Borough of Sea Bright, County of Monmouth, and the following regulations shall be enforceable:

A. General parking.

(1) Since this lot does not have painted parking lines, all vehicles shall be parked in designated areas at the direction of a representative from the Sea Bright Police Department. It shall be illegal to park any vehicle within this parking lot in a manner inconsistent with the direction of the Police Department representative.

(2) Handicapped parking shall be marked by signage and shall be permitted in the designated parking areas for persons who have been issued the handicapped parking permits by the New Jersey Motor Vehicle Commission.

(3) Restricted parking. No person shall park a vehicle after 7:00 a.m. between May 1 and October 1 except for emergencies and only with approval of the Sea Bright Police.

(4) Parking of vehicles over four-ton weight limit. No person shall park a vehicle in excess of four tons or more than 25 feet in length.

B. Reserved Parking will be designated by signage.

C. Speed limits. The speed limit for both directions of traffic in the parking lot(s) shall be 15 miles per hour.

D. Tow-away zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exitways, fire zones, loading zones, oil fills, any grassy area or pedestrian walkways or to present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's expense.

E. All signs, posts or other necessary materials shall be installed and shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and 39:4-183.27.

§ 201-55. Municipal Complex Parking Lot.

The Borough of Sea Bright has filed a written consent with the New Jersey Department of Transportation that various traffic regulation be made applicable to the semi-public roads, streets, driveways and parking lots at the Sea Bright Borough Municipal Complex Parking Lot located in the Borough of Sea Bright, County of Monmouth, and the following regulations shall be enforceable:

A. General parking.

(1) All vehicles shall be parked in designated areas and between the lines provided.

(2) Handicapped parking shall be marked by signage and permitted in the designated parking areas for persons who have been issued the handicapped parking permits by the New Jersey Motor Vehicle Commission.

(3) Restricted parking. No person shall park a vehicle after 7:00 a.m. between May 1 and October 1 except for emergencies and only with approval by the Sea Bright Police Department.

4) Parking of vehicles over four-ton weight limit. No person shall park a vehicle in excess of four tons or more than 25 feet in length.

B. Reserved parking for Borough business and employees is designated by signs.

C. Stop intersections. The following intersection is hereby designated as a stop intersection:

(1) A Stop sign shall be installed on Wayne Street at its intersection with East Center Street

D. Speed limits. The speed limits for all directions of travel is 15 mph.

E. Tow-away zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exitways, loading zones, fire zones, oil fills, any grassy area or pedestrian walkways or to present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's expense.

**ARTICLE XII
Enforcement**

§ 201-56. Violations and penalties.

Except as specifically provided in this chapter, any person(s) who is found to be in violation of the provisions of this chapter shall be subject to the penalties as provided in Chapter 1, General Provisions, Article I.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its adoption, passage and publication according to law and moved the Public Hearing to be held. Second by Councilwoman Long and approved by the following vote:

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

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, Long, Murphy
NAYS: None
ABSTAIN: None
ABSENT: LoBiondo

Councilman Murphy made a motion to approve Ordinance No. 21-2010 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Long and approved upon the following vote:

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

D. Administrator Smeltzer called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of September 7, 2010. Councilwoman Bills moved to approve this Ordinance upon Second Reading.

ORDINANCE NO. 22-2010
AMENDING ORDINANCE NO. 2-2007
CHAPTER 41 PURCHASING MANUAL
OF THE CODE OF SEA BRIGHT

BE IT ORDAINED, by the Mayor and Council of the Borough of Sea Bright, in the County of Monmouth, that the following amendment to Ordinance No. 2-2007 be made:

APPENDIX A GUIDE TO PREPARING REQUISITIONS

6A): For purchases in an amount less than \$1,500.00 one quote is required.

6B): For purchases in an amount of \$1,500.00 but less than \$3,900.00 two quotes are required.

6C): For purchases in an amount over \$3,900.00 but less than the current bid threshold amount, three quotes are required.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its adoption, passage and publication according to 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 Murphy and approved by the following vote:

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

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

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

Councilwoman Long introduced a motion to approve Ordinance No. 22-2010 on its Third and Final Reading and advertise it according to law. Second by Councilman Murphy and approved upon the following vote:

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

F. Administrator Smeltzer read by title only and Councilwoman Bills introduced an Ordinance entitled.

ORDINANCE No. 24-2010
ORDINANCE OF THE BOROUGH OF SEA BRIGHT,
AMENDING CHAPTER III, ADMINISTRATIVE CODE
TO ESTABLISH AN ABSENTEE POLICY FOR THOSE ELECTED
OFFICIALS AND THOSE APPOINTED TO VARIOUS BOARDS, COMMITTEES OR
AUTHORITY ESTABLISHED WITHIN THE BOROUGH

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on October 5, 2010. Second by Councilman Murphy and approved upon the following vote:

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

G. Administrator Smeltzer read by title only and Councilwoman Bills introduced an Ordinance entitled.

ORDINANCE No. 25-2010
ORDINANCE OF THE BOROUGH OF SEA BRIGHT,
AMENDING CHAPTER III, ADMINISTRATIVE CODE
TO ESTABLISH A POLICY REQUIRING ELECTED
OFFICIALS TO ATTEND COURSES IN
REGARDS TO THEIR RESPONSIBILITIES
AND DUTIES IN LOCAL GOVERNMENT

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on October 5, 2010. Second by Councilman Murphy and approved upon the following vote:

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

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

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

RESOLUTION NO. 195-2010
PAYMENT OF BILLS 09-21-2010

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$76,549.03 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.

00120	7-ELEVEN OF SEA BRIGHT		
10-00417	04/07/10 A&E-MISC ITEMS:MEMORIAL DAY	Open	29.04
01578	AMERICAN MESSAGING		
10-01082	09/02/10 DPW-SEP 2010 PAGER SERVICE	Open	41.17
00003	ASBURY PARK PRESS		
10-00016	01/14/10 MUNI CLERK-BLANKET:NOTICES	Open	95.48
01241	BAIN'S HARDWARE, INC.		
10-01086	09/02/10 AUG 2010 PURCHASES	Open	682.85
01957	BENEMAX BENEFIT MANAGEMENT CO.		
10-01087	09/07/10 09/10 DENTAL PLAN MANAGEMENT	Open	312.00
01565	BOROUGH OF SEA BRIGHT		
10-01120	09/14/10 T/F ADMIN FEE:09/15/10 PAYROLL	Open	828.00
10-01121	09/14/10 T/F ADMIN FEE:09/15/10 PAYROLL	Open	104.00
10-01122	09/14/10 T/F ADMIN FEE:09/15/10 PAYROLL	Open	20.00

			952.00
01974	BOROUGH OF SEA BRIGHT COURT		
10-01116	09/14/10 COURT-08/10 CREDIT CARD REIMB	Open	266.11
00048	BRUNSWICK, CANDANCE		
10-01089	09/07/10 OEM-REIMB:NON-PERISHABLE FOOD	Open	253.27
01358	CAMPBELL SUPPLY CO., L.L.C.		
10-00774	06/23/10 FIRE DEPT-THROTTLE CABLE	Open	398.94
10-00937	07/30/10 FIRE DEPT-4377 VALVE REPAIR	Open	1,109.30

			1,508.24
00063	CHESAPEAKE EXTERMINATING CO.		
10-01088	09/07/10 BLDGS/GRNDS-JUL/AUG'10 EXTERM	Open	60.00
00249	CLARK, DOUGLAS		
10-01093	09/07/10 SEWER-REIMB:C-1 LICENSE FEE	Open	50.00
00198	COMCAST		
10-01091	09/07/10 A&E-INTERNET:SEP 2010	Open	95.18
10-01124	09/14/10 POLICE DEPT-INTERNET:SEP 2010	Open	95.18

			190.36
01318	CONOVER BEYER ASSOCIATES, INC.		
10-01060	08/31/10 VOLUNTEER INSURANCE RENEWAL	Open	3,043.00
00135	COOPER ELECTRIC SUPPLY COMPANY		
10-01068	09/01/10 BLDGS/GRNDS-SERVICE GENERATOR	Open	250.00
01493	COOPERATIVE INDUSTRIES, L.L.C.		
10-01083	09/02/10 JUN 2010 NATURAL GAS	Open	459.57
01320	DEMAIO, R.N.		
10-00891	07/20/10 BEACH-BLANKET:JANITORIAL SUPP	Open	496.30
10-01069	09/01/10 BLDGS/GRNDS-SUPPL:POLICE DEPT	Open	413.12

			909.42
01431	DIRECT TITLE		
10-01054	08/27/10 A&E-TITLE SEARCHES:EASEMENTS	Open	1,245.00
01994	DUFFY, ANNE MARIE		
10-01109	09/13/10 REFUND:APPLICANCE PICKUP FEE	Open	50.00
00563	ESKRIDGE, JOSEPH		
10-01115	09/13/10 DPW-REIMB:WORK BOOTS	Open	39.99
00077	FLEET SERVICES		
10-01130	09/16/10 GASOLINE - SEP 2010	Open	3,843.89
01363	IRON MOUNTAIN, INC.		
10-00170	02/08/10 A&E-VAULT:2010 SERVER BACKUPS	Open	140.40
00895	JOHNNY ON THE SPOT, INC.		
10-00824	07/06/10 PORTO-POTS - SEP 2010	Open	396.00
00014	KIEFER WATER SAFETY SUPPLY		
10-01055	08/30/10 BEACH-BATHING SUIT	Open	18.20
00275	M & S WASTE SERVICES, INC.		
10-00153	02/02/10 2010 TRASH/RECYCLING PICKUP	Open	9,200.00
10-00959	08/06/10 DUMPSTER+DISP FEE:MISC DEBRIS	Open	723.26
10-01118	09/14/10 08/10 LANDFILL TIPPING FEES	Open	8,632.39
10-01119	09/14/10 AUG 2010 EXTRA RECYCLING P-UP	Open	90.00

			18,645.65
01584	MACLEARIE PRINTING, LLC		
10-00473	04/15/10 BEACH-BEACH BADGE CARDS	Open	325.00
00620	MAD HATTER		

10-01011	08/16/10	BEACH-(25) PIZZAS	Open	356.00
01693		MOBILE MARINE REPAIR, INC.		
10-01008	08/16/10	BEACH-REPAIR JET SKI	Open	452.00
01985		MOBILE MINI, INC.		
10-01112	09/13/10	POLICE-TRAILER 2010 PYMT 10/13	Open	278.00
01532		MONMOUTH MEDICAL CENTER		
10-01039	08/25/10	POLICE DEPT-HEALTH SCREENING	Open	237.00
00315		MORGANO, PAUL		
10-00474	04/19/10	BLDGS/GRNDS-2010 MOWING SERV	Open	900.00
10-00475	04/19/10	BLDGS/GRNDS-2010 WEED CONTROL	Open	700.00
10-00618	05/17/10	BLDGS/GRNDS-2010 BRUSH CONTROL	Open	200.00

				1,800.00
00340		MORRIS, KATHLEEN		
10-01078	09/02/10	REC-REIMB:9/1 MISC	Open	62.96
00141		MUNICIPAL RECORD SERVICE		
10-00751	06/21/10	COURT-TRAFFIC TICKETS	Open	303.50
01694		NAVESINK MARINA		
10-01030	08/23/10	FIRE DEPT-8/14 FUEL FOR BOAT	Open	37.15
00158		PITNEY BOWES CREDIT CORP.		
10-00036	01/14/10	POLICE DEPT-2010 METER RENTAL	Open	48.00
01771		PROFESSIONAL GOVERNMENT		
10-01117	09/14/10	TAX COLL-10/20/10 SEMINAR	Open	90.00
01554		SEA BRIGHT SERVICE CENTER		
10-00423	04/07/10	POLICE-BLANKET:VEHICLE MAINT	Open	180.40
10-00855	07/12/10	POLICE-BLANKET:VEHICLE MAINT	Open	258.50
10-01052	08/27/10	POLICE-BLANKET:VEHICLE MAINT	Open	720.64
10-01098	09/10/10	OEM-REPLACE (2) ALTERNATORS	Open	500.00

				1,659.54
00027		SEABOARD WELDING SUPPLY, INC.		
10-00075	01/20/10	DPW - 2010 CYLINDER RENTAL	Open	12.70
00841		SERPICO'S BUSINESS MACHINES		
10-01076	09/02/10	A&E-SERVICE (2) TYPEWRITERS	Open	424.95
01027		SHORE BUSINESS SOLUTIONS		
10-00766	06/22/10	POLICE-FAX ANNUAL MAINT FEE	Open	295.00
10-01038	08/25/10	POLICE-COPIER ANNUAL MAINT FEE	Open	450.00

				745.00
00285		STAPLE'S ADVANTAGE		
10-01040	08/25/10	POLICE DEPT-OFFICE SUPPLIES	Open	218.58
00083		T & M ASSOCIATES		
10-00302	03/08/10	PLANNING SERVICES	Open	718.75
10-00775	06/23/10	SPEED HUMPS/SIGNAGE:CHURCH ST.	Open	150.70
10-00917	07/23/10	AERIAL MAP-GOVT OWNED PARCELS	Open	125.00
10-00962	08/10/10	BORO HALL-SITE PLAN LAYOUT	Open	752.25
10-00967	08/11/10	PREPARE 2011 NJ DOT APPLIC	Open	1,137.25
10-01104	09/13/10	ENGINEERING-SMART GROWTH MAP	Open	125.00
10-01105	09/13/10	SEWER LINE TELEVISIONING:OCEAN AV	Open	1,356.28
10-01106	09/13/10	ENGINEERING-7/19-8/19/10 MISC	Open	3,092.34
10-01107	09/13/10	ENGINEERING-8/3/10 MEETING	Open	375.00

				7,832.57
02061		VERIZON WIRELESS		
10-01111	09/13/10	BLDG/FIRE/COURT:SEP 2010 BILL	Open	80.16
02177		WALSH, JOAN		
10-01077	09/02/10	LIBRARY-REIMB:9/1 MISC	Open	175.86
10-01099	09/10/10	LIBRARY-REIMB:9/7 BOOKS	Open	19.98

				195.84
01164		WATCHUNG SPRING WATER CO, INC.		
10-01094	09/07/10	AUG 2010 SPRING WATER	Open	305.90
		HIGGINS, KERRY (ESCROW)	60.00	
		MONMOUTH COUNTY SPCA (AUG 2010 BOARDING)		300.00
		NJSHBP (AUG 2010)		21,445.16
		SULLIVAN, RICHARD (ESCROW REFUND)		500.00
		TREASURER, STATE OF NJ (CAFRA PERMIT FEE)		5,297.38
		GRAND TOTAL		<u>76,549.03</u>

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

B. Councilwoman Bills introduced a motion adopting the September 7, 2010 Council Meeting Minutes. Second by Councilwoman Long and adopted upon the following roll call vote:
Ayes: Bills, Keeler, Kelly, Long, Murphy
Nays: None
Abstain: None
Absent: LoBiondo

C. Councilwoman Bills introduced a motion adopting the September 7, 2010 Closed Executive Session Minutes. Second by Councilwoman Long and adopted upon the following roll call vote:
Ayes: Bills, Keeler, Kelly, Long, Murphy
Nays: None
Abstain: None
Absent: LoBiondo

D. Councilwoman Bills introduced a motion adopting the request from the Hibernians to hold their 5th Polar Plunge on January 9, 2011 at the Municipal Beach. Second by Councilwoman Long and adopted upon the following roll call vote:
Ayes: Bills, Keeler, Kelly, Long, Murphy
Nays: None
Abstain: None
Absent: LoBiondo

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

**RESOLUTION NO. 196-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for an **Acting Construction/Building Sub-Code Official and an Acting Electrical Sub-Code Official** within the building department from October 1, 2010 through December 31, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that **ALBERT HOPPING** be appointed and receive the rate of pay as specified below effective October 1, 2010 through December 31, 2010.:

Acting Construction/Building Sub-Code Official	semi-monthly	\$588.68
Acting Electrical Sub-Code Official	semi-monthly	<u>\$291.18</u>
Total Amount (semi-monthly):		\$879.86

CERTIFICATION OF FUNDS

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

BY: MICHAEL J. BASCOM, CFO

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

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

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

**RESOLUTION NO. 197-2010
PRE-SEASON 2011 BEACH BADGE SALE**

WHEREAS, the Borough Council of the Borough of Sea Bright have recommended PRE-SEASON 2011 BEACH BADGE SALE effective October 1, 2010 through December 31, 2010 at a price of \$50.00.

NOW, THEREFORE, BE IT RESOLVED that the pre-season 2011 beach badge sale be authorized as indicated above.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 198-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, a request has been received from Chief Sorrentino for a Halloween Curfew in the Borough of Sea Bright.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey that a curfew be imposed between the hours of 9:00 P.M. and 6:00 A.M. for those under the age of eighteen, except those accompanied by an adult or on their way to or from work.
for the dates of October, 30 and 31, 2010.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

8. OLD BUSINESS:

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

**RESOLUTION NO. 191-2010
BOROUGH OF SEA BRIGHT**

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

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

<u>SPECIAL OFFICER CLASS II</u>	<u>HOURLY RATE</u>
James R. Nelligan	\$10.00

<u>DISPATCHER</u>	<u>HOURLY RATE</u>
James R. Nelligan	\$8.00

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available as follows:

- Dispatcher/Police Salaries & Wages
- Pre-hiring Examination Police O/E

MICHAEL J. BASCOM, CFO

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

Ayes: Bills, Keeler, Kelly

Nays: None

Abstain: Long, Murphy

Absent: LoBiondo

B. DISCUSSION: Beach Utility and Pool Club project - Councilman Kelly advised that there would be a Smart Growth meeting on September 30th wherein this matter would be discussed at length.

9. NEW BUSINESS:

A. DISCUSSION: Energy Efficiency Conservation Block Grants - Councilman Murphy introduced a motion authorizing T&M Associates to make a grant application for the River Street pump station not to exceed \$495.00. Second by Councilman Kelly and adopted upon the following roll call vote:

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 199-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of Professional Engineering Services associated with the reviewing of tapes and logs of televised sewer lines in accordance with the engineering proposal prepared by Jaclyn J. Flor, P.E. of T&M Associates dated September 16, 2010; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T&M Associates to provide the services as outlined in the proposal/letter dated September 16, 2010 in an amount not to exceed \$5,650.00 to review video and logs and if sewer logs are not provided with the video then the fee to review the video and prepare the report will be in an amount not to exceed \$6,400.00

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

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

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Bond Ordinance 11-2005 - Section 20 for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 200-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council appoint Maryann M. Smeltzer as safety officer in accordance with Local Government Best Practices to arrange for the training of management and staff in formal risk assessment process to decrease liability claims and injuries.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey that Maryann M. Smeltzer be appointed as safety officer.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 201-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council authorizes the Borough Administrator to review and approve recurring overtime within all departments for any situation in accordance with Local Government Best Practices.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey hereby authorize the Borough Administrator to comply with the Local Government Best Practices for the purpose stated herein.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 202-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright wishes to acquire a 2010 Chevrolet Impala Police Unit with emergency equipment package for the Police Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, NJSA 40A:11-12; and

WHEREAS, Chapman Chevrolet, 6925 Essington Avenue, Philadelphia, PA 19153 has been awarded New Jersey State Contract No.A73849 for the vehicle and for the emergency equipment, paint and lights; and

WHEREAS, the cost for the purchase of a 2010 Chevrolet Impala Police Unit with emergency equipment package is \$30,527.20; and

WHEREAS, the Chief Financial Officer, has certified the availability of funds for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Sea Bright, the acquisition of a 2010 Chevrolet Impala Police Unit with emergency equipment package as referenced herein be authorized as described.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright do hereby certify that funds are available in Police O/E for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

Ayes: Bills, Keeler, Kelly, Long

Nays: None

Abstain: Murphy

Absent: LoBiondo

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

RESOLUTION NO. 203-2010 BOROUGH OF SEA BRIGHT

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of additional Professional Engineering Services associated with the Housing Element Fair Share Plan in accordance with the engineering proposal prepared by Jaclyn J. Flor, P.E. of T&M Associates dated September 16, 2010; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T&M Associates to provide the services as outlined in the proposal/letter dated September 16, 2010 in an amount not to exceed \$2,500.00.

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

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

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Engineering O/E purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

10. CORRESPONDENCE AND COMMUNICATIONS:

- A. Memorandum - T&M Associates - future FEMA risk map revisions.
- B. Police Chief August report
- C. Construction Department July report
- D. Monmouth County Regional Health Commission No. 1 July 21, 2010 minutes.
- E. T&M Associates' letter dated September 10, 2010 - NJ Environmental Infrastructure Financing Program Project

11. COMMITTEE REPORTS:

A. Beach/Education/Environment: Councilwoman Long reported that tonight a resolution for pre-season beach badge sale was adopted. On September 26, Councilwoman Long, Administrator Smeltzer, representatives from Monmouth Beach and U.S Fish and Wildlife will discuss a dune restoration project which would be sponsored by both Boroughs.

B. Public Works/Building Department/Public Relations:
Councilman LoBiondo was absent. Councilman Murphy said progress.

C. Public Safety/Insurance:
Councilman Keeler reported that the police have issued 43 warnings to residents for putting their garbage pails out on the curb earlier than 7 p.m. on the night before garbage collection.

Councilman Keeler attended a safety loss meeting and he said that there were no workman compensation claims during this past quarter.

D. Finance/Grants/Court:
Councilman Murphy reported progress.

E. Personnel/Administration/Cultural Arts/Recreation:
Councilwoman Bills reported that because of costs the personnel committee continues to research shared services and restructuring. The Library's book sale started on Saturday and continues to Thursday. A writing course is being offered on Thursday mornings.

The harvest dinner will be November 5th at McLoones at 7:30 pm and 50/50 raffle tickets are now available for this event.

The recreation committee will start the Kid's club in October and it will have a six week basketball program on Fridays. The family fun night's will continue as well.

F. Smart Growth/Flood Mitigation/Beautification: Councilman Kelly reported that the next Smart Growth meeting is September 30th and the architect's plans would be accessible for review.

At the beautification committee meeting there was discussion about the Anchorage Beach property and how to maintain it.

12. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. Acting Mayor Keeler reminded the public about the 9pm Halloween curfew. On September 27th, 7:00pm there will be the 6th annual Environmental

Summit in Wall Township. There will be discussions about COAH, beach replenishment and CAFRA permits.

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

Desiree Pearce asked about new plans for development.

14. ADJOURNMENT:

There being no further business before the Governing Body. Councilman Murphy made a motion to adjourn the meeting at 9:24 P.M. Second by Councilwoman Bills and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer, RMC
Municipal Clerk