

Sea Bright, New Jersey
Council Meeting Minutes
April 19, 2011
7:30 P.M.

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 LINK ON JANUARY 20, 2011 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, Mayor Fernandes
Attorney Oxley, Engineer Flor, Chief Financial Officer Bascom,
Police Chief Sorrentino, Administrator Smeltzer

ABSENT: LoBiondo

4. COMMENTS FROM THE AUDIENCE (limited to 3 minutes)

Margaret Lyford of 786 Ocean Avenue said that she is please with the recycling center hours of operation for the public.

No one else wished to be heard. Councilman Kelly introduced a motion to close the meeting to the public. Second by Councilwoman Long and approved upon unanimous voice vote.

5. PRESENTATION: 27" Sewer Main Slip Line Project - Michael Gianforte, Executive Director TRWRA. Mr. Gianforte said that the current estimate to repair the 27" sewer main slip line is \$475,000. Sea Bright's share is 45.71% of the cost. Rumson's share is 45.71 % and there is 8.58% share of this cost to members. A provision in the contract requires a surcharge against a customer entity when they are over their flow allotment. Sea Bright and Rumson are allowed 292 million gallons a year. Sea Bright is under their flow amount and has to pay \$145,000 toward this project. This could be paid over a period of five years making it \$29,000 yearly.

The project is complete and the new man hole has been installed. The TRWRA is cleaning and televising all the lines between the meter chamber and the problem area and this would include all lines between Rumson and Sea Bright. They are looking into other avenues to lower the cost of this repair to Sea Bright and Rumson.

6.

A. PRESENTATION: CFO Bascom of 2011 Budget. Mr. Bascom said that the presentation is part of the Best Management Practices prescribed by the Division of Local Government Services. The 2011 municipal budget increase is 3 cents per \$100 of assessed value. This is equivalent to \$30.00 per \$100,000 of assessed value. The total 2011 Budget is \$5,192,018.16 and this figure is down about \$150,000 from last year. Sea Bright's municipal budget is impacted by the appropriations CAP at 3.55, Levy CAP

at 2%, unfunded mandates, pension contributions and health benefits program.

Mr. Bascom said that the tax collection rate has been down the past 10 years but overall we have a high tax collection rate. The major surplus source for 2010 was the close out of the \$300,000 local BOE account. The tax collections did not generate any surplus because we rose exactly what was anticipated. Current tax collections generated over \$75,000 and if the tax rate was higher than the amount would have been higher as well. We need to be in the 98% range and not the current 96% tax collection rate. The total budget surplus is \$582,549.06. He said to expect deeper budget cuts in 2012.

Sea Bright's work force is doing with less through attrition, shared services, change the way services is done and new revenue sources.

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

**RESOLUTION NO. 99-2011
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 Councilwoman Long and adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: LoBiondo

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

RESOLUTION NO. 93-2011
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) \$3,873,176.62 (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	\$	520,000.00
	Miscellaneous Revenues		
	Anticipated	\$	568,463.84
	Receipts from Delinquent Taxes	\$	266,377.70
2.	AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	\$	3,837,176.62
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	\$	5,192,018.16
5.	GENERAL APPROPRIATIONS		
	Within "CAPS"		
	(a&b) Operations Including Contingent	\$	3,460,335.00
	(e) Deferred Charges and Statutory Expenditures - Municipal	\$	412,945.00
	Excluded from "CAPS"		
	(a) Operations - Total Operations Excluded from "CAPS"	\$	211,140.00

(c) Capital Improvements	\$	30,000.00
(d) Municipal Debt Service	\$	677,598.16
(e) Deferred Charges - Municipal	\$	-0-
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	\$	400,000.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (NJSA 40A:4-13)		
Total Appropriations	\$	5,192,018.16

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 19th day of April 2011. It is further certified that each item of revenue and appropriation is set forth in the same title as appeared in the **2011** approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

7. Administrator Smeltzer called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of April 5, 2011.

A. Councilman Murphy moved to approve this Ordinance upon Second Reading.

ORDINANCE NO. 10-2011
AN ORDINANCE AMENDING CHAPTER 140 MERCANTILE LICENSES
ARTICLE III MISCELLANEOUS
SECTION 140-10 PARAGRAPH D SCHEDULE OF FEES AND
SECTION 140-13 NUMBER OF TAXICAB LICENSES
OF THE CODE OF THE BOROUGH OF SEA BRIGHT

BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright that Chapter 140 entitled Mercantile Licenses shall be amended as follows:

Section 140-10 Paragraph D Schedule of fees:

Remove: Automotive taxicabs \$100.00 per cab.

Section 140-13 Number of Taxicab Licenses:

This section shall be removed.

BE IT FURTHER ORDAINED all other sections of Chapter 140 shall remain in full force and effect. In the event there is any conflict or inconsistency between this particular ordinance and the rest of Chapter 140, the terms in this ordinance shall prevail.

This Ordinance shall take effect upon passage and publication as required by 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 Councilwoman Bills and approved by the following vote:
Ayes: Bills, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Keeler

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. 10-2011 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

B. Administrator Smeltzer read by title only and Councilman Murphy introduced an Ordinance entitled.

ORDINANCE NO. 11-2011
AN ORDINANCE REVISING CHAPTER 130, LAND USE,
ARTICLE VII, AREA BULK AND USE REQUIRMENTS,
SECTION 130-50 PARAGRAPH A
OF THE CODE OF THE BOROUGH OF SEA BRIGHT

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on May 17, 2011. Second by Councilwoman Long and approved upon the following vote:
Ayes: Bills, Keeler, Kelly, Long, Murphy
Nays: None
Abstain: None
Absent: LoBiondo

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

ORDINANCE NO.12-2011
AN ORDINANCE AMENDING SALARY ORDINANCE OF
CERTAIN OFFICERS, POSITIONS AND EMPLOYEES OF THE
BOROUGH OF SEA BRIGHT

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on May 3, 2011. Second by Councilman Murphy and approved upon the following vote:

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

8. 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.89-2011
 PAYMENT OF BILLS 04-19-2011**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$69,622.58 are to be paid; and

BE IT FURTHER RESOLVED, that proper Officers are hereby authorized to execute and issue warrants for payments of said vouchers, but only if and when conditions of the Borough Treasury shall permit, and the said vouchers be approved by the proper Committees.

02182	A.M./P.M. SERVICES		
11-00336	03/15/11 MUNI CLERK-3/25/11 SEMINAR	Open	99.00
01578	AMERICAN MESSAGING		
01185	AMRP, LLC t/a GLASS WORLD		
11-00393	03/28/11 POLICE-GLASS:DISPATCH WINDOW	Open	250.00
00319	AMSTERDAM PRINTING		
11-00144	02/03/11 A&E-2011 ATTENDANCE CALENDARS	Open	50.18
00003	ASBURY PARK PRESS		
11-00002	01/21/11 MUNI CLERK-BLANKET:NOTICES	Open	764.00
01984	AVAYA, INC.		
11-00073	01/25/11 A&E-2011 PHONE MAINTENANCE	Open	211.80
00006	AVAYA, INC.		
11-00074	01/25/11 POLICE DEPT-2011 BOX/MOD MAINT	Open	55.35
01241	BAIN'S HARDWARE, INC.		
11-00422	04/04/11 MAR 2011 PURCHASES	Open	876.12
01957	BENEMAX BENEFIT MANAGEMENT CO.		
11-00425	04/05/11 04/11 DENTAL PLAN MANAGEMENT	Open	312.00
01974	BOROUGH OF SEA BRIGHT COURT		
11-00446	04/13/11 COURT-03/11 CREDIT CARD REIMB	Open	153.67
00198	COMCAST		
11-00412	03/31/11 FIRE DEPT-INTERNET:APR 2011	Open	95.17
11-00445	04/12/11 A&E-INTERNET:APR 2011	Open	95.17

			190.34
01493	COOPERATIVE INDUSTRIES, L.L.C.		
11-00419	04/04/11 JAN 2011 NATURAL GAS	Open	5,943.12
01915	CROHN'S & COLITIS FOUNDATION		
11-00418	04/04/11 A&E - 2011 CONTRIBUTION	Open	250.00
00089	DE LISA DEMOLITION, INC.		
11-00312	03/10/11 BEACH-2011 CLEAN SHORES	Open	1,067.88
01320	DEMAIO, R.N.		
11-00309	03/08/11 BLDGS/GRNDS-SUPPL:POLICE DEPT	Open	381.46
00731	EXTREME MACHINES		
11-00290	03/03/11 POLICE DEPT-SERV:2005 POLARIS	Open	776.43
00077	FLEET SERVICES		
11-00448	04/13/11 GASOLINE - APR 2011	Open	4,405.28
00313	GAGLIANO APPRAISAL, LLC		

09-05237	11/16/09	TAX ASSESSOR-DEFEND APPEALS	Open	880.00
02181		GATEWAY PRESS		
11-00375	03/23/11	TAX COLL-RECEIPTS	Open	163.00
11-00400	03/29/11	A&E-5 BOXES:ENVELOPES	Open	165.00

				328.00
01194		LENCO SUPPLY, INC.		
11-00343	03/15/11	DPW-REFACE (27) SIGNS	Open	467.84
11-00358	03/17/11	BEACH-"PARKING" SIGNS	Open	686.40

				1,154.24
01374		INTERNATIONAL CODE COUNCIL		
11-00180	02/09/11	BLDG DEPT-CODE BOOKS	Open	328.50
01363		IRON MOUNTAIN, INC.		
11-00152	02/07/11	A&E-VAULT:2011 SERVER BACKUPS	Open	154.80
01762		JOHN GUIRE COMPANY		
11-00389	03/28/11	DPW-26 TONS TRAP ROCK	Open	646.04
00895		JOHNNY ON THE SPOT, INC.		
11-00444	04/12/11	PORTO-POTS - APR 2011	Open	408.00
00202		KAY PRINTING & ENVELOPE CO,INC		
11-00401	03/29/11	BLDG DEPT-VARIOUS FORMS	Open	100.15
00275		M & S WASTE SERVICES, INC.		
10-01413	11/24/10	NEW DUMPSTER & TARP	Open	3,895.00
11-00155	02/07/11	2011 TRASH/RECYCLING PICKUP	Open	9,725.00
11-00434	04/06/11	03/11 LANDFILL TIPPING FEES	Open	5,888.93

				19,508.93
01218		MACCHIARELLI, LOUIS & MARIANNE		
11-00428	04/06/11	TAX REFUND B3.01/L25	Open	775.89
01900		MCKENNA, DUPONT, HIGGINS &		
11-00415	04/04/11	P/L BOARD-LITIGATION:SCUDIERY	Open	80.00
01315		MOTOROLA SOLUTIONS, INC.		
10-01528	12/31/10	POLICE DEPT-MOTOROLA RADIOS	Open	8,215.00
00339		NAPA AUTO PARTS		
11-00070	01/25/11	DPW-BLANKET:VEHICLE MAINT	Open	123.46
01211		NAYLOR'S, INC.		
11-00165	02/08/11	POLICE-BLANKET:VEHICLE MAINT	Open	387.72
11-00423	04/05/11	DPW-BLANKET:VEHICLE MAINT	Open	164.27

				551.99
00019		NJ AMERICAN WATER		
11-00420	04/04/11	MAR 2011 HYDRANTS	Open	2,215.32
01089		NJ DIVISION PENSIONS/BENEFITS		
11-00421	04/04/11	2011 DCRP ER' CONTRIBUTION	Open	277.61
00502		NJ STATE LEAGUE/MUNICIPALITIES		
11-00285	03/02/11	A&E-WEB AD:ADMIN/CLERK	Open	160.00
00743		OFFICE MAX, INC.		
11-00392	03/28/11	DPW-INK CARTRIDGE & TELEPHONE	Open	126.34
00046		ONE CALL CONCEPTS, INC.		
11-00417	04/04/11	A&E - 1/Q/2011 BILLS	Open	41.73
01482		PRECISION DYNAMICS CORP.		
11-00330	03/15/11	BEACH-2011 TYVEK WRIST BANDS	Open	1,497.50
01554		SEA BRIGHT SERVICE CENTER		
11-00405	03/29/11	FIRE DEPT-BATTERY FOR #4367	Open	120.00
00208		SEA BRIGHT SUPER MARKET		
11-00270	03/01/11	DPW-PRISONER FOOD W/E 3/18/11	Open	314.99
11-00320	03/11/11	BEACH-FOOD:2011 CLEAN SHORES	Open	546.19

				861.18
00027		SEABOARD WELDING SUPPLY, INC.		
11-00197	02/10/11	DPW - 2011 CYLINDER RENTAL	Open	13.50
01328		STAPLE BUSINESS ADVANTAGE		
11-00398	03/29/11	COMPUTER KEYBOARD DRAWERS	Open	313.68
11-00414	04/04/11	10 CARTONS:COPIER PAPER	Open	307.60

				621.28
01429		THE BANK OF NEW YORK MELLON		
11-00426	04/05/11	ANNUAL ADMINISTRATION FEE	Open	400.00
01285		THE HOME DEPOT		
11-00198	02/10/11	BLDGS/GRNDS-BLANKET:MISC SUPP	Open	21.88
01403		TREASURER, STATE OF NEW JERSEY		
11-00436	04/12/11	1/Q/2011 MARRIAGE LICENSE FEES	Open	75.00

02061	VERIZON WIRELESS		
11-00437	04/12/11 FIRE DEPT-MDT:APR 2011	Open	40.01
11-00438	04/12/11 BLDG/FIRE/COURT:APR 2011	Open	80.48

			120.49

01150	W.W. GRAINGER, INC.		
11-00413	03/31/11 SEWER-VALVE AIR RELEASE & VAC	Open	937.80
	ASBURY PARK PRESS (ESCROW)		55.00
	MASER CONSULTING (ESCROW)		187.50
	MCKENNA,DUPONT,HIGGINS & STONE (ESCROW)		220.00
	MONMOUTH COUNTY SPCA (MARCH 2011 BOARDING)		390.00
	MOTOROLA SOLUTIONS, INC. (MCIA)		3,000.00
	STATE OF NJ DEPT OF LABOR (4 QTR 2010 UNEMPLOY)		<u>9,189.38</u>
	TOTAL		69,622.58

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

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

B. Councilman Murphy introduced a motion adopting the April 5, 2011 Council Meeting Minutes. Second by Councilwoman Long and approved upon the following roll call vote:

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

C. Councilman Murphy introduced and offered for adoption the following resolution.

**RESOLUTION NO.90-2011
 BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, by the Mayor and Council of Sea Bright, County of Monmouth, State of New Jersey that the proper officers, be and are hereby authorized to approve sewer adjustments on the following sewer account:

BLOCK	LOT	ACCOUNT#	AMOUNT
13	27	673-0	\$ 163.50
1	3	1147-0	\$5,777.00

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following sewer adjustment in the amount of \$ 5,940.50
 Second by Councilwoman Long and approved upon the following roll call vote:

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

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

**RESOLUTION NO.91-2011
 BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, by the Mayor and Council of Sea Bright, County of Monmouth, State of New Jersey that the proper officers, be and are hereby authorized to refund the following tax overpayment:

BLOCK	LOT	NAME	AMOUNT
3.01	25	Mariann/ Louis Macchiarelli	\$775.89

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following tax overpayment in the amount of \$ 775.89.

Second by Councilwoman Long and adopted upon unanimous voice vote.

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 94-2011**

WHEREAS, the Finance Manager has indicated that the engineering inspection escrow monies shall be refunded to:

APPLICANT	REFUND
Jesse A. Howland & Sons, Inc. P.O. Box 419 Kingstown, NJ 08528	\$1,795.25

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize the engineering inspection escrow monies shall be refunded.

Second by Councilwoman Long and adopted upon unanimous voice vote.

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

F. Councilman Murphy introduced a motion approving the request from Sharon Chessman to have yoga classes on public beach - Saturday, June 4 - August 30 2011. 8 am - 9 am. Second by Councilwoman Long and adopted upon unanimous voice vote.

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

G. Councilman Murphy introduced a motion approving the request from Monmouth Cancer Coalition to have free skin cancer screening - Saturday, June 25, 2011 - 10 am to 1 pm. Second by Councilwoman Long and adopted upon unanimous voice vote.

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

9. OLD BUSINESS:

A. DISCUSSION: Cell Tower Consultant - Councilman Kelly introduced a motion for a request for proposal to hire a cell tower consultant. Second by Councilwoman Long and adopted upon unanimous voice vote.

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

B. DISCUSSION: Dilapidated Buildings Report. Mayor Fernandes said that they have received complaints from residents and business owners concerning a number of dilapidated buildings. Action must be taken to get the property owners to repair their buildings. Councilman Murphy said that code enforcement should address this problem and Administrator Smeltzer will send a letter to the property owners.

C. DISCUSSION: Updated Smart Growth Plan for municipal parking lot. Engineer Flor said that the plan has to contain public access and promote the use of the beach.

Councilman Murphy introduced a motion approving the Smart Growth plan as a draft and for the Borough Engineer to meet with NJDEP for approval. Second by Councilman Kelly and adopted upon unanimous voice vote.

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

10. NEW BUSINESS:

A. Request for compensation from French & Parrello for Kara Homes/Tradewinds Property Construction Oversight.

Administrator Smeltzer said that originally there was a request for proposal for construction oversight of the Tradewinds properties. French and Parrello were awarded the contract. The developer, Kara Homes submitted escrow for construction oversight. Thereafter Kara Homes went bankrupt. The engineer escrow is long gone. Because of engineering review, meetings, oversight of the property French and Parrello is asking for additional compensation for work that they have done. There is escrow we are holding for Kara Homes. Attorney Oxley said that we are close to a settlement with the Bonding Company and releasing escrow funds is premature. He said that the escrow funds should be first applied towards legal fees that the Borough has had to pay as a result of the bankruptcy.

Administrator Smeltzer will send a letter to French and Parrello.

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

**RESOLUTION NO. 92-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright hereby amends the Personnel Policies and Procedures Manual as follows:

Chapter Two - Workplace Policies, Paragraph H - Use of Vehicles and Property Policy to include the following Paragraph:

"All employees and volunteers who are permitted to operate Borough owned vehicles and equipment during official borough business are strictly prohibited from "texting" while driving. Violators of this policy will be subject to disciplinary action."

Chapter Five - Managerial/Supervisory Procedures, Paragraph A - Employment Procedures - Applications to include the following within the paragraph: "In addition to a complete background and criminal check, all candidates being considered for Managerial, Supervisory or Financial positions must provide to the Borough, and attach, a up-to-date Credit Report to their Employment Application."

NOW, THEREFORE, BE IT RESOLVED by the Borough of Sea Bright that the Personnel Policies and Procedures Manual is hereby amended as hereinabove stated.

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 Long introduced and offered for adoption the following resolution:

**RESOLUTION NO. 95-2011
AMENDS RESOLUTION NO. 69-2003**

**POSITION DESCRIPTION - BEACH CLEANER/MAINTENANCE
DEPARTMENT - BEACH**

Position Description prepared by : Beach Committee
Accepted by Mayor and Council on : April 19, 2011
Appointed by : Mayor and Council
Report to : Beach Maintenance Supervisor

BASIC FUNCTION: Beach Cleaners are under the immediate supervision of the Beach Maintenance Supervisor and must report to the Supervisor directly. Beach Cleaners perform various cleaning duties related to the Borough's entire beach and the operation of the Borough's beach buildings, bathrooms and grounds in accordance with standard operating procedures and weekly work schedules and other duties as assigned. Beach Cleaners must comply with the State of New Jersey Statutes, Sea Bright Borough Ordinances and Sea Bright employment policies, regulations, performance standards, work requirements.

NATURE AND SCOPE:

- Classification - Seasonal Part time; exempt
- Hours of Employment - As established by the Beach Maintenance Supervisor
- Salary - as established by the annual salary resolution
- One half hour unpaid lunch
- Employees Supervised - None

PRINCIPAL ACCOUNTABILITIES:

The Beach Cleaner/Maintenance personnel are responsible for accurate execution of the following:

- On a daily basis and as needed:
 1. Empty all trash/recycling cans on the beach, including But not limited to the parking lot, boardwalk entrances And exits. Replace all trash can liners.
 2. Use care to insure that recycling goes into property containers.
 3. Pick up trash/recycling in all parking areas and Borough beaches.
 4. Maintain safe, clean restrooms at all times: clean Sinks, toilets, urinals, stall barriers and floors, Empty trash cans and stock bathrooms with supplies As needed.
 5. Sweep and remove trash and debris from walkways, Parking lots, playground and all public access Entrances and stairways.
 6. Maintain all assigned areas for cleanliness and public Safety.
 7. Perform additional duties as requested by the Beach Maintenance Supervisor.
- Maintain all Borough tools, equipment, vehicles and machinery in a safe workmanship condition. Operate all vehicles and equipment according to generally accepted safety and operation procedures.
- When storms are predicted, move all equipment and trash cans to the westerly side of the beach.
- Report any large debris to the Beach Maintenance Supervisor for removal.
- Perform other appropriate duties as requested.
- Participate in all safety requirements to protect the general public from injury during repair activities.
- Perform all duties in a courteous, professional and efficient manner and adhere to Borough dress code, which requires official Borough attire.

EXPERIENCE:

Entry level job - Able to follow directions and work on own.

LICENSES:

Valid New Jersey Drivers License.

KNOWLEDGE AND REQUIREMENTS:

- GED or High School Diploma

- English language capabilities (written and spoken)

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

Resolution No.96-2011

Position Description- Beach Maintenance Supervisor

Department- Beach

Position Description Prepared by: Beach Committee
Accepted by Mayor and Council on: April 19, 2011
Appointed by : Mayor and Council
Report to : Public Works Director or
Administrator

Basic Function: Responsible for maintenance of all beaches in Sea Bright, except privately owned beaches, and ensuring safe, clean grounds, facilities, and public access points in compliance with the Sea Bright Borough Beach Management Plan, Borough ordinances, and State and Federal statutes governing public access to the ocean.

Nature and Scope:

Classification : Permanent part time; exempt
Hours of employment: At the direction of Beach Committee (32 hours/week May 1 to Labor Day, 20 hours/week Labor Day through April 30)
Employees Supervised: Beach Maintenance Crew

Principal Accountabilities:

The Beach Maintenance Supervisor is responsible for accurate execution of the following:

- As directed, hires beach maintenance crew.
- Provides supervision to employees listed above to ensure safe and efficient performance by employees. The Beach Maintenance Supervisor maintains the ability to dismiss employees who demonstrate unsafe, inefficient, discourteous or otherwise unacceptable performance.
- Provides training for all maintenance personnel.
- Ensures the following maintenance tasks are accurately completed every day during beach season and as needed during off-season:
 - Trash removal from all beachfront receptacles
 - Use care to insure recycling goes into proper containers
 - Trash and debris removal from beach
 - Arrange for removal of large debris from the beach
 - Rest room maintenance
 - Maintenance of all public access points to the beach for cleanliness and public safety.
 - Inspection/repair of dune-fencing as needed

- Removal of equipment and trash cans from the beachfront when storms are predicted
- Assists/performs daily work assignments as needed.
- Coordinates Project Clean Shores, Beach sweeps and related beach clean-up initiatives.
- Coordinates annual sand-scraping and winter storm protection measures.
- Prepares quarterly reports for the Mayor and Council on the condition of the Beach.
- Purchases, inventories and maintains necessary equipment and supplies.
- Maintains and manages equipment and personnel budgets in accordance with Borough financial policies and procedures.
- Performs all duties in a courteous, professional and efficient manner and adheres to Borough dress code, which requires official borough attire.

Experience:

- 3 years of experience/responsibility for supervision of employees.
- Related maintenance skills and/or experience with beach maintenance practices.

Licenses:

- Valid NJ Driver's License

Knowledge and Requirements:

- Light carpentry skills and ability to perform basic repairs
- GED Or High School Diploma
- English language capabilities (written and spoken)

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

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

**RESOLUTION NO. 97-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T&M Associates to prepare contract documents and advertise for uniform bid specifications for solid waste and recyclable materials collection service pursuant to April 5, 2011 proposal ; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize Jaclyn J. Flor, P.E. of T&M Associates in an amount not to exceed \$6,675.00 for engineering services stated herein.

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

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

**RESOLUTION NO. 98-2011
BOROUGH OF SEA BRIGHT**

WHEREAS, the Beach committee recommends to the Governing Body of the Borough of Sea Bright that the purchase of portable and removable rollout access pathways (Mobi-mat) on the public beach is necessary for disabled persons and pedestrians, and;

WHEREAS, the portable and removable rollout access pathways (Mobi-mat) will be installed at the following locations and entrances at the public beach:

Location 1: Municipal Parking lot - 133' long	\$10,787.00
Location 2: Playground entrance - 266' long	\$21,474.00
Location 3: Public restroom - 116' long	\$ 9,447.00
Location 4: Behind Borough Hall - 166' long	\$13,486.00

WHEREAS, Deschamps Mat System is currently a sole source distributor and has submitted a certification, attached hereto, stating that it has exclusive distribution of Mobi-mat, and;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby award the contract for the purchase of portable and removable rollout access pathways to:

**DMS, Inc
75 Kingsland Avenue
Suite 1
Clifton, New Jersey 07014**

CERTIFICATION OF FUNDS

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available in Beach Capital Ordinance 19-2004 and CDBG #2 for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

Ayes: Bills, Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: LoBiondo

11. CORRESPONDENCE AND COMMUNICATIONS:

A. Police Chief March report

B. Library Director March report.

12. COMMITTEE REPORTS:

A. Beach/Education/Environment: Councilwoman Long said that the Oceanport school budget has increased slightly and Sea Bright's share is \$134,000 more in taxes for the K-8 district. This is a direct result of consolidation of our school district with Oceanport. We were given a funding formula from the State with our share being based on 98% on enrollment and 2% on property values. The reality is a 12% increase on property values. Sea Bright has 73 students and Oceanport has 568 students. This is 2.57 cents per one hundred dollars of assessed value increase, which means a hundred dollar increase in their schools taxes for K-8. The Oceanport school board achieved major cost savings through sharing services and personnel. Their budget is very lean, and if it fails, we are not sure where to cut. Sea Bright is paying \$13,754.00 per student while Oceanport is paying \$12,963.00.

Councilwoman Long said that Shore Regional reduced their budget by 1.9% and our share is 10.8% of the budget compared to last year's 13%. We have 17 students at the high school. Our taxes will be reduced to 5.6 cents per hundred dollars of assessed value. This is a direct result of the number of students attending Shore Regional. There has been a reduction to property value through tax appeals. We are still paying \$90,000 per student while Monmouth Beach pays \$35,000, Oceanport and West Long Branch pays \$15,000 for each high school student.

Councilwoman Long said that 1009 pre-season beach badges were sold.

B. Public Works/Building Department/Public Relations:

Councilman Murphy report progress during Councilman LoBiondo absence.

C. Public Safety/Insurance: Councilman Keeler reported that specifications are being prepared for the purchase of new rescue pumper. The water rescue boat will be ready to be in the water soon for fire safety and rescue. The National Parks needed the loan of our fire truck while theirs is being replaced.

Long Branch has offered us an emergency rescue truck to replace our flood truck. If the emergency rescue truck is in good condition we can give the old flood truck to Sandy Hook's historical society.

Today's JIF meeting was a saving of \$250.00 in premiums for each elected official that attended.

The police department is a community police department not just highway patrol and this is evident through the many house checks that the police do each month.

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

E. Personnel/Administration/Cultural Arts/Recreation:

Councilwoman Bills reported progress on personnel, administration, cultural arts. This Saturday at 11 am on April 23rd will be the annual Easter Egg hunt on the beach, if it rains the hunt will be in the gym. The recreation committee needs volunteer for the Sea Bright Fireman's fair from May 18 to May 22nd.

The Governing Body discussed the possibilities of having swimming lessons offered to the Sea Bright children.

F. Smart Growth/Flood Mitigation/Beautification:

Councilman Kelly reported that the beautification fundraiser will begin soon.

13. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. Mayor Fernandes said a resolution for support of the Monmouth County Wastewater Management plan will be scheduled for the next meeting. A Mayor's Advisory notice states that if a financial disclosure statement is not completed by April 30th, a \$100.00 fine can be imposed.

Mayor Fernandes received a complaint from Joan Pra Sisto concerning the town's appearance.

14. COMMENTS FROM THE AUDIENCE (limited to 3 minutes)
Recreation Director Morris said that she supports swimming lessons for the children and that her department is researching all avenues.

15. ADJOURNMENT:

There being no further business before the Governing Body a motion to adjourn the meeting the meeting at 9:16 p.m. was made by Councilman Kelly. Second by Councilman Murphy and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer, RMC
Municipal Clerk