

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

Mayor Long 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 20, 2012 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."**

**ROLL CALL:**

**PRESENT:** Bills, Keeler, Kelly, LoBiondo, Leckstein, Murphy, Mayor Long, Chief Financial Officer Bascom, Attorney Oxley, Engineer Flor, Police Chief Sorrentino,

**ABSENT:** None

**APPROVAL OF MINUTES:**

Councilman Murphy introduced a motion approving the Council Meeting Minutes of March 20, 2012. Second by Councilman Leckstein and approved upon the following roll call vote:

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

Nays: None

Abstain: None

Absent: None

Councilman LoBiondo introduced a motion approving the Closed Executive Session Minutes of March 20, 2012. Second by Councilman Murphy and approved upon the following roll call vote:

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

Nays: None

Abstain: None

Absent: None

**REMARKS FROM THE AUDIENCE (limited to 3 minutes)**

The Public Comment portion of this meeting allows members of the audience to bring their concerns or comments to the Mayor and Council's attention. Pursuant to Borough Ordinance 3-2011, a member of the public who wishes to speak shall give his/her name and address for the record and may have up to three minutes to state his/her comments to the Mayor and Council as a Body. If additional time or information is requested, an appointment can be made with the Administrator's office during regular business hours.

Ms. Paulis of Center Street commented that the traffic light for right turns should be replaced by a stop sign at the foot of the Sea Bright/Rumson bridg..

Tom Scriven of 9 Atlantic Way said that the neighbors on his block need information about the cost of installing a speed bump on Atlantic Way to deter speeders.

Janet Henschel of East Church Street thanked Councilman Murphy for the removal of an old pay phone.

**ORDINANCES :**

**A.** Mayor Long called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of March 20, 2012.

Councilman Murphy moved to approve this Ordinance upon Second Reading.

**ORDINANCE NO.5-2012**

**AN ORDINANCE AMENDING SALARY ORDINANCE NO. 13-2011 OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES AND THE CREATION OF A NEW POSITION OF THE BOROUGH OF SEA BRIGHT, MONMOUTH COUNTY, STATE OF NEW JERSEY, AND REPEALING ANY AND ALL OTHER ORDINANCES HERETOFORE ADOPTED WHICH ARE INCONSISTENT HEREWITH**

Be it ordained by the Mayor and Council of the Borough of Sea Bright, in the County of Monmouth, State of New Jersey, that this ordinance be amended as follows:

**SECTION 1:** Effective upon adoption and publication, employees of the Borough of Sea Bright having the position or title enumerated herein shall receive a rate of pay that is within the established pay ranges as set forth herein. The following salary ranges for the following employee shall constitute the minimum and maximum salary, with the exact annual salary to be established by subsequent Resolution of the Mayor and Council within those limits based upon the employees' experience, abilities and education.

<b>POSITION/TITLE</b>	<b>SALARY RANGE</b>	
	<b>MINIMUM</b>	<b>MAXIMUM</b>
Public Works Deputy Director	\$1,000.00	\$55,000.00

**SECTION 2:** Any and all other Ordinances or parts of Ordinances heretofore adopted fixing salaries or compensations different than hereinabove set forth and fixed, and being inconsistent herewith are hereby repealed.

**SECTION 3:** 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 LoBiondo and approved by the following vote:

Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo, 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 Keeler and approved by the following voice vote:

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

Councilman Murphy made a motion to approve Ordinance No. 5-2012 on its Final Reading and advertise it according to law. Second by Councilwoman Long and approved upon the following roll call vote:

AYES: Keeler, Long, LoBiondo, Murphy  
NAYS: None

ABSTAIN: None  
ABSENT: Bills, Kelly

B. Mayor Long called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of March 20, 2012.

Councilman Leckstein introduced a motion carrying Ordinance 6-2012 to the April 17, 2012 Council meeting for public hearing and adoption.

**ORDINANCE NO. 6-2012**  
**AN ORDINANCE REVISING CHAPTER 130, LAND USE,**  
**ARTICLE I, TITLE; PURPOSES; REQUIREMENTS,**  
**SECTION 130-3 REQUIREMENTS PARAGRAPH B**  
**OF THE CODE OF THE BOROUGH OF SEA BRIGHT**

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

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

Nays: None

Abstain: None

C. Mayor Long called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of March 20, 2012.

Councilman Leckstein introduced a motion carrying Ordinance 7-2012 to the April 17, 2012 Council meeting for public hearing and adoption.

**ORDINANCE NO. 7-2012**  
**AN ORDINANCE REVISING CHAPTER 130, LAND USE,**  
**ARTICLE VII, AREA, BULK, USE REQUIREMENTS,**  
**SECTION 130-50.3 PRIVATE SWIMMING POOLS ALL ZONES AND DISTRICTS**  
**OF THE CODE OF THE BOROUGH OF SEA BRIGHT**

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

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

Nays: None

Abstain: None

**CONSENT AGENDA:**

**Certification of Funds supports any items requiring expenditure; any items requiring discussion will be removed from the Consent Agenda:**

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

**RESOLUTION NO.87-2012**  
**PAYMENT OF BILLS 04-03-2012**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$698,271.84 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.

00384	AT & T MOBILITY		
12-00344	03/26/12 DPW-MAR 2012 CELL BILL	Open	112.19
01241	BAIN'S HARDWARE, INC.		
12-00276	03/06/12 FEB 2012 PURCHASES	Open	558.08

01631	BOROUGH OF OCEANPORT		
12-00305	03/15/12 COURT SHARED SERVICES:APR 2012	Open	6,503.34
00627	BOROUGH OF RUMSON		
12-00185	02/14/12 OEM-BLANKET:VEHICLE MAINT	Open	244.90
01546	C.I.T. TECHNOLOGY FIN SERV,INC		
12-00004	01/11/12 POLICE DEPT-2012 COPIER LEASE	Open	147.72
00249	CLARK, DOUGLAS		
12-00358	03/27/12 DPW-REIMB:SOFTWARE	Open	39.99
00198	COMCAST		
12-00337	03/23/12 LIBRARY-INTERNET:MAR 2012	Open	114.19
12-00355	03/27/12 FIRE DEPT-INTERNET:APR 2012	Open	109.23
			-----
			223.42
01194	GLENCO SUPPLY, INC.		
12-00245	02/29/12 DPW-"30 MINUTE PARKING" SIGNS	Open	86.25
01286	INDUSTRIAL MARINE		
12-00285	03/12/12 REIMB:FEB 2012 ELECTRIC	Open	204.08
01782	INDUSTRIAL REPAIR		
12-00289	03/12/12 DPW-REPAIR LINE STRIPING MACH	Open	688.44
01526	JCP & L		
12-00352	03/26/12 FEB 2012 ELECTRIC SERVICE	Open	9,488.75
01602	JEFF YOUNG'S WATER/SEWER, LLC		
12-00183	02/14/12 BLDGS/GRNDS-REPAIR LEAK	Open	200.00
00297	JESSE A. HOWLAND & SONS, INC.		
12-00314	03/19/12 DPW/OEM-GARAGE RENT-APR 2012	Open	1,772.00
12-00315	03/19/12 DPW-ADDT'L GARAGE RENT-APR'12	Open	893.00
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			2,665.00
01562	MACK, WILLIAM		
12-00318	03/20/12 2012 BEACH SEASON CHANGE FUND	Open	4,000.00
00106	MGL FORMS-SYSTEMS, LLC		
12-00202	02/15/12 FINANCE-1000 PURCHASE ORDERS	Open	467.00
01985	MOBILE MINI, INC.		
12-00343	03/26/12 POLICE-TRAILER 2012 PYMT 04/13	Open	278.00
00137	MUNICIPAL CAPITAL CORPORATION		
12-00003	01/11/12 A&E-2012 COPIER LEASE	Open	225.20
00019	NJ AMERICAN WATER		
12-00313	03/19/12 FEB 2012 WATER UTILITY	Open	310.92
00131	NJ CONFERENCE OF MAYORS		
12-00302	03/14/12 A&E-ANNUAL MAYORS' CONFERENCE	Open	125.00
00713	NORTHERN TOOL & EQUIP CO.		
12-00256	03/01/12 BLDGS/GRNDS-FEED TANK W/SPRAY	Open	217.58
01309	OCEANPORT BOARD OF EDUCATION		
12-00316	03/19/12 GRADE SCHOOL TAX - APR 2012	Open	90,528.16
00158	PITNEY BOWES CREDIT CORP.		
12-00309	03/16/12 A&E-2012 METER RENTAL + MAINT	Open	384.00
00533	RUTGERS, THE STATE UNIVERSITY		
12-00179	02/13/12 SEWER-SUPERVISOR COURSE	Open	227.50
00027	SEABOARD WELDING SUPPLY, INC.		
12-00066	01/17/12 DPW - 2012 CYLINDER RENTAL	Open	13.50
00053	SHORE REGIONAL HIGH SCHOOL		
12-00290	03/12/12 HIGH SCHOOL TAX - APR 2012	Open	142,497.66
00246	SICKLES MARKET, LLC		
12-00271	03/06/12 BEAUTIFICATION-CEDAR MULCH	Open	39.14
00192	TAX COLL & TREAS ASSOC OF NJ		
12-00353	03/26/12 TAX COLL-2012 SPRING CONFER	Open	285.00
01285	THE HOME DEPOT		
12-00335	03/23/12 BEACH MAINT-BLANKET:MISC SUPPL	Open	77.97
02114	TWO RIVERS WATER RECLAMATION		
12-00319	03/20/12 2012 PYMT 2/4 SEWER CHARGE	Open	97,786.50
01020	VERIZON COMMUNICATIONS		
12-00312	03/19/12 DPW-DSL INTERNET:FEB 2012	Open	50.75
02061	VERIZON WIRELESS		
12-00310	03/19/12 FIRE DEPT-MDT:MAR 2012	Open	40.03
12-00341	03/23/12 POLICE-MAR 2012 CELL & MDT	Open	810.14
			-----
			850.17
01150	W.W. GRAINGER, INC.		
12-00262	03/02/12 DPW-BLUE,WHITE,YELLOW PAINT	Open	1,505.84
12-00266	03/05/12 FIRE DEPT-VARIOUS ITEMS	Open	611.74
12-00322	03/20/12 BLDGS/GRNDS-CLEANER,WEED KILLR	Open	210.78
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			2,328.36
02177	WALSH, JOAN		
12-00333	03/22/12 LIBRARY-REIMB:3/22 MISC	Open	124.77
01164	WATCHUNG SPRING WATER CO, INC.		
12-00348	03/26/12 MAR 2012 SPRING WATER	Open	201.17

00058	WILLOW CLEANERS, INC.	
12-00323	03/20/12 BLDGS/GRNDS-DRY CLEAN:BUNTING	Open 18.00
	ASBURY PARK PRESS(ESCROW)	55.00
	BOROOFSEABRIGHT(3/30/12PAYROLL)	77,933.33
	NJDIVISION OF PENSIONS(2012PERS)	82,692.00
	NJDIVISION OF PENSIONS(2012PFRS)	<u>175,393.00</u>
		698,271.84

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

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

Nays: None

Abstain: None

Absent: None

B. Councilman Leckstein introduced and approved for adoption the following:

**RESOLUTION NO. 88-2012**  
**Borough of Sea Bright**  
**AUTHORIZING THE AWARD OF**  
**CONTRACT FOR**  
**REPAIR OF BEACH OFFICE ROOF**  
**AND BEACH BATHROOM ROOF**

**WHEREAS**, proposal for Roof Repairs were requested, and received and;

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the acquisition is determined by contract and shall not exceed \$1,900.00 and;

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright authorizes the Mayor and Clerk to enter into a contract with RFD Construction Inc. of 262 Jeffery Street, Long Branch, NJ 07740 for the repair of the Beach Office Roof and the Beach Bathroom Roof.

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available in Ordinance 18-2004.

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**MICHAEL J. BASCOM, CFO**

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

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

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION NO.90-2012**  
**BOROUGH OF SEA BRIGHT**  
**Appointing PART TIME MAINTENANCE WORKER**  
**DPW**

**WHEREAS**, there exists a need for a part - time maintenance employee for the Borough's Department of Public Works, and

**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 pay at the hourly rate per the Salary Ordinance 73-2011.

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available in Streets and Roads S&W.

**MICHAEL J. BASCOM, CFO**

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

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

Nays: None

Abstain: None

Absent: None

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

**Resolution No. 91-2012  
Borough of Sea Bright  
Authorizing Revised S.O.P.  
Sea Bright Police Department**

WHEREAS, from time to time a revision is required in the Police Departments Standard Operating Procedures (S.O.P.) and WHEREAS, there is a selection / hiring process, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth State of New Jersey that they hereby authorized and approve the amendment to that policy as follows:

- Must have obtained a Associates Degree in Criminal Justice
- Must have two (2) years of law enforcement experience

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

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

Nays: None

Abstain: None

Absent: None

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

**RESOLUTION NO. 92-2012  
BOROUGH OF SEA BRIGHT  
Resolution Opposing  
Senate Bills 1451 and 1452**

**WHEREAS**, legislation has been introduced to reform and modernize both the Open Public Meetings Act (S-1451) and the Open Public Records Act (S-1452); and

**WHEREAS**, the governing body of the Borough of Sea Bright agrees with and supports the statement that "the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process"; and

**WHEREAS**, the changes, however, proposed in S-1451 will not only be a cost driver for local and State government but make government less effective; and

**WHEREAS**, S-1451 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process, including the following:

- A new definition of subcommittees that expands subcommittees to be overly inclusive so that, for example, even research projects assigned to one member of a public body could be covered; and
- A new requirement that all subcommittees meetings include notice of their meeting and the preparation of minutes, which would, among other things, necessitate additional administrative support for all meetings of subcommittees as well as increased legal advertising cost; and
- A new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, which will delay the award of contracts and could lead to the loss of grant monies; and
- A new requirement that the governing body may discuss, but not act upon, an item brought up by a citizen at a public meeting if it was not published as an agenda item, that not only runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it but is impractical, ineffective and unnecessarily inhibits the operations of municipal government; and
- A new requirement for advance notification of estimated start times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded that is unworkable and disruptive; and
- A new requirement that recordings of meetings become a part of the minutes that renders the recordings a permanent municipal record and is not only counter to the already-established records retention schedule of Division of Archive and Records Management for such records but which will be costly to preserve the records to ensure that they are permanent; and
- A new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make "hard copies" or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and
- A new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the employee and potentially affected employees which will inhibit the public bodies' ability to take necessary actions on personnel matters and could lead to costly litigation; and
- A new requirement that comprehensive minutes that must include each member's stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 45 days after the meeting that will not only be costly but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

**WHEREAS**, the governing body of the Borough of Sea Bright agrees that government records should be readily accessible and transparent but there must be an appropriate balance between the

need for openness and transparency in government and citizens' reasonable expectation of privacy; and

**WHEREAS**, among the costly unfunded mandates and impractical new requirements of S-1452 are the following:

- The expansion of the definition of government record to include records that are required by law to be made, maintained or kept on file by any public agency that will lead to a records custodians to be in violation of OPRA for the non-existence of a government records created before their tenure with the public body; and
- The creation of a definition for "advisory, consultative or deliberative" material that may be contrary to the well established definition in case law leading to costly litigation; and
- The expanding of the definition of government record to include electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting that is unworkable and unmanageable as the technology does not always exist to make "hard copies" or digital copies of text messages, the records custodian does not always have access to the electronic communications and certain cell phone carriers will not provide this information without a subpoena; and
- The inclusion of a subjective definition for "reasonable" that may be contrary to the well established definition in case law leading to costly litigation; and
- A new requirement that any video or audio recordings or public meetings should be available in unedited form will be in direct violation of the Open Public Meetings Act requirement that requires the redacting of discussions in closed session until the matter can legally be released; and
- A new requirement on how to handle redactions and special services fees is time consuming and costly, especially considering that the Government Records Council has already addressed these procedures in their Custodians' Toolkit, which should be codified; and
- A provision that permits the records custodian to advise a requestor that a government record is readily available on the public agency's website; however, the bill requires the records custodian to directly provide the records to the requestor if they do not have access to a computer but does not define what is meant by "access to a computer"; and
- A new costly requirement that when there is a special service charge the requestor must be provided, at no cost, an index generally describing the responsive government records to be provided and to the greatest extent possible the index shall include the name of each record or brief description of the record or general categories of records, a detailed breakdown of how the special charges were assessed and if records are exempt or redacted, the records custodian must provide a description of those records; and
- A provision that prohibits the assessment of a special service charge for requests for budgets, bills, vouchers, contracts and public employee salaries and overtime unless the request is deemed voluminous, which is undefined and subjective; and

**WHEREAS**, the provisions of S-1451 and S-1452 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so



that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

**WHEREAS**, the totality of the new requirements of S-1451 and S-1452 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

**WHEREAS**, while the governing body of the Borough of Sea Bright strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1451 and S-1452 will make government inefficient;

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Borough of Sea Bright, County of Monmouth, and State of New Jersey for reasons stated above, does hereby oppose S-1451 and S-1452, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; and

**BE IT FURTHER RESOLVED** that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Senator Barbara Buono, Senator Shirley Turner, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, Assemblyman Upendra Chivukula, the legislators of the 11<sup>th</sup> State Legislative District, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

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

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

Nays: None

Abstain: None

Absent: None

**G.** Councilman Leckstein introduced and approved for adoption the following:

**RESOLUTION NO. 93-2012**  
**Borough of Sea Bright**  
**AUTHORIZING THE AWARD OF**  
**CONTRACT FOR SPECIAL PROJECT ENGINEERING**

**WHEREAS**, Bids for Special Project Engineering were advertized and requested for Proposals and Qualifications, and

**WHEREAS**, eight proposal were received and reviewed and it was determined that T& M Associates was the most responsive responsible and qualified, and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the acquisition is determined by contract and shall not exceed \$49,250.00 and,

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State Of New Jersey authorizes the Mayor and Clerk to enter into a contract with T&M Associates of 11 Tindall Road, Middletown, NJ 07748 for the Beach Access Ramp and Public Restroom Special Project Engineering.

**CERTIFICATION OF FUNDS**

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

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**MICHAEL J. BASCOM, CFO**

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

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

Nays: None

Abstain: None

Absent: None

H. Councilman Leckstein introduced and approved for adoption the following:

**RESOLUTION NO. 94-2012**  
**Borough of Sea Bright**  
**Authorizing the Clerk**  
**to Issue a Street Open Permit**

**WHEREAS**, Section 182-11.26 restricts the opening of newly paved roads, and

**WHEREAS**, it was determined that an issue of retiring two (2) old natural gas lines is a potential public safety matter, and

**WHEREAS**, the New Jersey Natural Gas filed applications for a Street Opening Permit for 27 & 29 Normandie Place;

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State Of New Jersey that it hereby authorizes the Municipal Clerk to issue said permits forthwith.

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

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

Nays: None

Abstain: None

Absent: None

J. Councilman LoBiondo introduced and offered for adoption the following Resolution:

**RESOLUTION NO.96-2012**  
**BOROUGH OF SEA BRIGHT**  
**Appointing PART TIME BEACH CLEANER**  
**/MAINTENANCE WORKER**  
**DPW**

**WHEREAS**, there exists a need for a part - time Beach Cleaner / Maintenance employee for the Borough's Department of Public Works, and

**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 pay at the hourly rate per the Salary Ordinance 73-2011

<b>Public Works p/t BEACH CLEANER /MAINTENANCE</b>	<b>Per HOUR</b>
Jake M. Simon	\$10.00

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available in Beach S&W.

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**MICHAEL J. BASCOM, CFO**

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

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

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

**RESOLUTION NO. 89-2012**  
**BOROUGH OF SEA BRIGHT**  
**Appointing Deputy Director**  
**of Public Works**

**WHEREAS**, there exists a need for Organizational Structure for the Borough's Department of Public Works, and

**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 an annual salary prorated as per the Salary Ordinance 13-2011.

<b>Deputy Public Works Director</b>	<b>Per Annum</b>
Mark Philpot	\$36,000.00

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available in Streets & Roads S&W, Beach S&W, Sewer S&W.

\_\_\_\_\_  
**MICHAEL J. BASCOM, CFO**

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

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

G. Councilman Leckstein introduced and approved for adoption the following:

**RESOLUTION NO. 93-2012**  
**Borough of Sea Bright**  
**AUTHORIZING THE AWARD OF**  
**CONTRACT FOR SPECIAL PROJECT ENGINEERING**

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**CERTIFICATION OF FUNDS**

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

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**MICHAEL J. BASCOM, CFO**

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

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

Nays: None

Abstain: None

Absent: None

I. Councilman Leckstein introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 95-2012**  
**Borough of Sea Bright**  
**APPROVAL OF AMS PROPOSAL**  
**& Sea Breeze Mailing**

**WHEREAS**, quotes for Production of Newsletter were requested, and

**WHEREAS**, it was determined that Advanced Marketing Solutions was the most responsive responsible and qualified, and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the acquisition is determined by contract and shall not exceed \$9835.00and,

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State Of New Jersey authorizes the Mayor and Clerk to enter into a contract with Advanced Marketing Solutions 3 Island View Way, Sea Bright, NJ 07748 for the Production & Mailing of the Sea Breeze Newsletter.

**CERTIFICATION OF FUNDS**

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

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**MICHAEL BASCOM, CFO**

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

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

Nays: None

Abstain: None

Absent: None

**OLD BUSINESS**

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

**RESOLUTION NO. 66-2012**  
**BOROUGH OF SEA BRIGHT**  
**SPECIAL LEGAL COUNSEL**

**WHEREAS**, the Mayor and Council of the Borough of Sea Bright are in need of Legal Services associated with public school education matters; and

**WHEREAS**, the Mayor and Council of the Borough of Sea Bright hereby authorize Marianne McKenzie, Esq. to provide legal services for public school education matters, and;

**NOW, THEREFORE**, that the Mayor and Council of the Borough of Sea Bright hereby award the contract for Special Legal Counsel to:

**Marianne McKenzie, Esq.**  
**612 Ocean Avenue**

at \$100.00 per hour in an amount not to exceed \$5,000.00 and to include out of pocket expenses during the term of this contract commencing April 3, 2012 through December 31, 2012.

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

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MICHAEL J. BASCOM, C.F.O.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Marianne McKenzie, Esq. to perform the above services as stated herein.

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

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

Nays: Leckstein

Abstain: Kelly

Absent: None

**NEW BUSINESS:**

**A.** Councilman Leckstein introduced a motion for the formation for a July 4<sup>th</sup> celebration committee with the following members: Councilmembers Leckstein, Murphy and LoBiondo.

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

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

Nays: None

Abstain: None

Absent: None

**10. CORRESPONDENCE / REPORTS:** There were no correspondence or reports.

**MAYOR DINA LONG - REPORT AND COMMUNICATIONS.** Mayor Long said that according to Sea Bright's administrative code regarding special projects as in the case of the education issue facing Sea Bright; the mayor appoints a blue ribbon committee comprised of three elected officials.

Mayor Long reported that 1.37 million dollar FEMA grant for flood mitigation was awarded to Sea Bright to fund bulkhead repairs on Beachway, River Street, South Street, Beach Street, Center Street, and Osborne Place. The grant would fund a submersible storm water pump on Osborne Place.

Mayor Long wished Councilman Leckstein a Happy Birthday.

**COMMENTS FROM THE AUDIENCE** (limited to 3 minutes per person)The Public Comment portion of this meeting allows members of the audience to bring their concerns or comments to the Mayor and Council's attention. Pursuant to Borough Ordinance 3-2011, a member of the public who wishes to speak shall give his/her name and address for the record and may have up to three minutes to state his/her comments to the Mayor and Council as a Body. If additional time or information is requested, an appointment can be made with the Administrator's office during regular business hours

Marianne McKenzie thanked the council for her appointment as special counsel.

**ADJOURNMENT:**

There being no further business before the Governing Body.  
Councilman Murphy made a motion to adjourn the meeting at 7:55  
p.m. Second by Councilman Leckstein and approved upon unanimous  
voice vote.

Respectfully Submitted,

Suzanne Branagan  
Deputy Municipal Clerk