

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

MAY 6, 2014

SEA BRIGHT, NEW JERSEY

Mayor Long called the meeting to order at 7:03 pm and requested those present to join her in the Pledge of Allegiance.

Mayor Long asked those present to join her in a moment of silence for a former Sea Bright Resident who passed away: Bob Osgoodby

Mayor Long read the following Compliance 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 and faxed to the local newspapers on December 10, 2013 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."

PRESENT: Mayor Dina Long
Councilmember's Peggy Bills, William J. Keeler, Marc A. Leckstein, James A. LoBiondo, C. Read Murphy

OTHERS: Attorney Patrick McNamara, Borough Engineer Jaclyn J. Flor,
Acting Borough Administrator/Clerk Joseph L. Verruni

ABSENT: Councilmember Brian Kelly, Chief Financial Officer Michael Bascom,
Chief of Police John Sorrentino

REMARKS FROM THE AUDIENCE:

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

Linda Richter, 2 Village Road, reported this Saturday will be the first annual Sea Bright Cycle Day. Ms. Richter spent time with DOT and Safe Routes to School - thanked Mayor Long for all her help on this important issue and urged everyone's support. Asked Council to consider applying for some of the \$20 million grant funds that are available for Safe Routes to School and TAP.

Paulette Zacharias, 32 Normandie Place, urged Council to support the planting of our dune grass. Also, there is a need to redefine our crossovers with new signs, boardwalks and fencing.

Heather Bedenko, 400 Ocean Avenue, the Dune Committee met on Monday and is asking for funds from the Beautification Fund to help build the beaches back better than ever. Councilman Murphy responded that they will need approximately \$18,000 for the dune projects.

CONSENT AGENDA

Resolutions:

No. 73-2014 Approving Proposal for Construction Management for the Middle Pump Station
Bioxide System Replacement

**RESOLUTION NO. 73-2014
APPROVING PROPOSAL FOR CONSTRUCTION MANAGEMENT
FOR THE MIDDLE PUMP STATION BIOXIDE SYSTEM REPLACEMENT**

Councilmember Keeler introduced and offered for adoption the following Resolution; seconded by Councilmember Leckstein;

WHEREAS, T & M Associates has submitted a proposal dated January 28, 2014 (enclosed), consisting of a Scope and Fee Estimate for Professional Services associated with the Design

Phase, Contract Administration and Construction Observation of the replacement of the Middle Pump Station Bioxide System which was destroyed during Superstorm Sandy; and

WHEREAS, it is the recommendation of the Borough Administrator/Clerk that this proposal be accepted from T & M Associates; and

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, has certified that funds are available to pay the aforesaid contractor \$11,500.00 from Bond Ordinance 01-2014.


MICHAEL J. BASCOM, CFO

WHEREAS, the consideration of award without competitive bidding as a professional service in accordance with the Local Public Contracts Law because engineering services are professional in nature and performed by persons authorized by law to practice a recognized profession; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, in the County of Monmouth that the Mayor and Borough Clerk be and are hereby authorized and directed to execute an agreement with T&M Associates pursuant to the contents of the proposal set forth in their letter proposal of January 28, 2014, for the sum of \$11,500.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Finance Manager
2. T&M Associates
3. Public Works

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
yes Yes absent Yes Yes Yes

No. 74-2014 Sustainable Land Use Pledge of the Borough of Sea Bright
ACTION WAS HELD UNDER INDIVIDUAL ACTION

No. 75-2014 Amending Resolution 71-2014, Appointing William E. Antonides & Company as Fiscal Officer and Other Related Accounting Services

RESOLUTION NO. 75-2014
Amending Resolution 71-2014,
Appointing William E. Antonides & Company
as Fiscal Officer and Other Related Accounting Services

Councilmember Keeler introduced and offered for adoption the following Resolution; seconded by Councilmember Leckstein;

WHEREAS, Resolution 71-2014, appointed "William E. Antonides & Company" as the Fiscal Officer and to provide services of an accountant for a variety of matters and other accounting services commencing April 22, 2014 to April 21, 2015, and

WHEREAS, the terms of their proposal of March 18, 2014 reflect that the general ledger and related services commencing May 1, 2014 to April 30, 2015, and

WHEREAS, I, Michael J. Bascom, Chief of Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in the amount of \$9,000 Finance - O/E and \$24,000 Finance/Beach/Sewer S/W:


MICHAEL J. BASCOM, CFO

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the Borough does hereby accept the changes to the award a contract for additional and accounting services to William E. Antonides and Company commencing May 1, 2014 to April 30, 2015, and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the following:

1. Finance Manager
2. Borough CFO
3. Borough Administrator

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes Yes absent Yes Yes Yes

No. 76-2014 Hiring Seasonal Employees

RESOLUTION NO. 76-2014
HIRING VARIOUS SEASONAL BOROUGH EMPLOYEES

Councilmember Keeler introduced and offered for adoption the following Resolution; seconded by Councilmember Leckstein;

WHEREAS, there exists a need for additional various seasonal employees in the Borough of Sea Bright, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the various seasonal employees be hired and receive the hourly rate of pay as specified in Ordinance No.06-2013 on the attached personnel action form.

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 - Salaries & Wages and Streets & Roads – S & W


 MICHAEL J. BASCOM, CFO

BEACH – Salaries & Wages

<u>Employee</u>	<u>Position</u>
Jane Orving	Assistant Beach Manager
Stewart Kiley	Head Lifeguard
Sean Marelli	Beach Maintenance
Jeffrey Morse	Beach Maintenance
Marlena Luciano	Beach Attendant
Maria Donnelly	Beach Attendant
Peighton Davis	Beach Attendant
Lauren Revere	Beach Attendant
John Trevor	Beach Attendant
Sam Miles	Beach Attendant
Kayleigh Gill	Beach Attendant
Christopher Blanc	Beach Attendant
Erin McQuade	Beach Attendant
Kaitlin Hill	Beach Attendant
Brian McKenna	Beach Attendant
Elizabeth Gill	Beach Attendant
Bridget Manning	Beach Attendant

STREETS & ROADS – Salaries & Wages

<u>Employee</u>	<u>Position</u>
Joseph L. Keselowsky	Seasonal

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Finance Manager
2. Department of Public Works

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes Yes absent Yes Yes Yes

No. 77-2014 Appointing An Independent Real Estate Appraiser

RESOLUTION NO. 77-2014

Appointing An Independent Real Estate Appraiser

Councilmember Keeler introduced and offered for adoption the following Resolution; seconded by Councilmember Leckstein;

WHEREAS, State Tax Court appeals from the Monmouth County Tax Board decision have been filed for the following properties:

1. Navesink Partners, Block 3, Lot 8
2. Glenn Scott, Block 24, Lot 41
3. Oceanfront Investments, Block 30, Lot 39
4. Frank Brooks, Block 34, Lot 5

WHEREAS, the Borough of Sea Bright has identified the need for professional services to analyze the market conditions and to defend the current property assessments; and

WHEREAS, Realty Appraisal Company located at 4912 Bergenline Avenue West New York, NJ 07093 has experience in real estate appraisal and in analyzing trends which effect the market value of real estate; and

WHEREAS, the Borough of Sea Bright has received a proposal from Realty Appraisal Company dated April 1, 2014 outlining the costs for these services; and

WHEREAS, the Borough Tax Assessor, Mr. Timothy Anfuso, has recommended that the Borough retain Realty Appraisal Company for professional appraisal services in defending the 2014 State Tax Court Appeals, and

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


MICHAEL J. BASCOM, CFO

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-5(1) authorizes the retention of such professional service without competitive bidding.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright, in the County of Monmouth, State of New Jersey, that the proposal received from Realty Appraisal Company to defend the year 2014 residential State Tax Court Appeals is hereby accepted.

BE IT FURTHER RESOLVED that this appointment is awarded without competitive bidding as a "professional service contract" in accordance with N.J.S.A.40:11-1 et. esq. of the Local Public Contracts Law as a service rendered or performed by a person authorized by law to practice in a recognized profession.

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the official newspaper of the Borough of Sea Bright.

1. Realty Appraisal Company
2. Tim Anfuso, Tax Assessor
3. Finance Manager

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
Yes Yes absent Yes Yes Yes

No. 78-2014 Adopting 2014 Emergency Temporary Appropriations

RESOLUTION 78-2014

**Adopting 2014 Emergency Temporary Appropriations
BOROUGH OF SEA BRIGHT**

Councilmember Keeler introduced and offered for adoption the following resolution; seconded by Councilmember Leckstein:

WHEREAS, in the normal operation of the Borough of Sea Bright it is necessary for the making of contracts, commitments and payments prior to the adoption of the regular budget; and

WHEREAS, N.J.S. 40A:4-19 of the State of New Jersey provides the Governing Body of any municipality may make temporary emergency appropriations to provide for any contracts, commitments or payments to be made between the beginning of the budget year and adoption of the final budget; and

WHEREAS, the total amount of the appropriations attached hereto and made a part thereof in the amount of \$2,757,758.94 (Current Fund), \$386,038.25 (Sewer Utility) and \$169,157.09 (Beach Utility) cumulative of these appropriations and the temporary budget adopted on January 4, 2014;

Attached hereto: Amended 2014 Temporary Budget Annexed Schedules

NOW, THEREFORE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the attached Temporary Emergency Appropriations for the year 2014 be adopted; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Director of Finance

2. Township Auditor

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
Yes Yes absent Yes Yes Yes

BOROUGH OF SEA BRIGHT CURRENT FUND- EMERGENCY TEMPORARY OPERATING BUDGET May 13, 2014						
ACCOUNT DESCRIPTION	ADOPTED BUDGET	TRANSFERS	AMEND- MENTS	FINAL BUDGET	TEMPORARY BUDGET	Percent of 2013 Budget
General Administration						
Salaries & Wages	50,000.00	12,500.00		62,500.00	31,250.00	50.00%
Other Expenses	62,000.00	-5,500.00		56,500.00	28,250.00	50.00%
Municipal Clerk						
Salaries & Wages	58,000.00	-7,000.00		51,000.00	25,500.00	50.00%
Other Expenses	11,550.00	5,500.00		17,050.00	8,525.00	50.00%
Financial Administration						
Salaries & Wages	59,000.00	13,000.00		72,000.00	36,000.00	50.00%
Other Expenses	12,500.00	5,000.00		17,500.00	8,750.00	50.00%
Audit Services						
Other Expenses	23,000.00			23,000.00	11,500.00	50.00%
Computer Data Processing						
Other Expenses	5,000.00	3,000.00		8,000.00	4,000.00	50.00%
Revenue Administration						
Salaries & Wages	51,500.00			51,500.00	25,750.00	50.00%
Other Expenses	9,000.00			9,000.00	4,500.00	50.00%
Tax Assessment						
Salaries & Wages	24,500.00			24,500.00	12,250.00	50.00%
Other Expenses	12,500.00	-3,000.00		9,500.00	4,750.00	50.00%
Legal Services						
Other Expenses	125,000.00	-15,000.00		110,000.00	55,000.00	50.00%

Engineering Services						
Other Expenses	61,501.00	-14,500.00		47,001.00	23,500.50	50.00%
Planning Board						
Salaries & Wages	18,000.00	9,500.00		27,500.00	13,750.00	50.00%
Other Expenses	30,000.00	-5,500.00		24,500.00	12,250.00	50.00%
Insurance-Liability	72,200.00	-10,000.00		62,200.00	62,200.00	100.00%
Insurance-Workers						
Compensation	110,000.00	-5,000.00		105,000.00	105,000.00	100.00%
Insurance-Group Insurance	509,600.00	-2,000.00		507,600.00	253,800.00	50.00%
Police Department						
Salaries & Wages	226,000.00	-2,500.00	-65,000.00	158,500.00	79,250.00	50.00%
Other Expenses	120,000.00			120,000.00	60,000.00	50.00%
Police Dispatch						
Salaries & Wages	107,000.00	2,500.00		109,500.00	54,750.00	50.00%
Other Expenses	1,000.00			1,000.00	500.00	50.00%
Emergency Management						
Salaries & Wages	5,100.00			5,100.00	2,550.00	50.00%
Other Expenses	20,000.00			20,000.00	10,000.00	50.00%
Aid to Volunteer Ambulance						
Other Expenses	12,500.00			12,500.00	6,250.00	50.00%
Fire						
Hydrant Rental	28,000.00			28,000.00	14,000.00	50.00%
Other Expenses	4,000.00		50,000.00	54,000.00	27,000.00	50.00%
Prosecutor						
Salaries & Wages	14,000.00			14,000.00	7,000.00	50.00%
Streets & Roads						
Salaries & Wages	205,000.00		-95,000.00	110,000.00	55,000.00	50.00%
Other Expenses	92,000.00			92,000.00	46,000.00	50.00%
Maintenance of Bulkheads	2,500.00			2,500.00	1,250.00	50.00%
Buildings & Grounds						
Salaries & Wages	10,000.00	-3,500.00		6,500.00	3,250.00	50.00%
Other Expenses	40,000.00	-2,500.00		37,500.00	18,750.00	50.00%
Beautification	7,000.00			7,000.00	3,500.00	50.00%
Solid Waste Disposal						
Salaries & Wages	30,000.00		110,000.00	140,000.00	70,000.00	50.00%
Other Expenses	0.00					
Public Health Services						
Salaries & Wages	1,000.00			1,000.00	500.00	50.00%
Other Expenses	52,500.00	500.00		53,000.00	26,500.00	50.00%
Animal Control Services						
Other Expenses	6,000.00	-1,000.00		5,000.00	2,500.00	50.00%
Parks & Recreation Services						
Salaries & Wages	7,500.00			7,500.00	3,750.00	50.00%
Other Expenses	10,000.00			10,000.00	5,000.00	50.00%
Municipal Court						
Salaries & Wages	30,000.00			30,000.00	15,000.00	50.00%
Other Expenses	3,000.00			3,000.00	1,500.00	50.00%
Public Defender						
Salaries & Wages	1,000.00			1,000.00	500.00	50.00%
Construction Official						
Salaries & Wages	100,000.00	15,000.00		115,000.00	57,500.00	50.00%
Other Expenses	2,500.00	5,000.00		7,500.00	3,750.00	50.00%
Fire Marshall						
Salaries & Wages	10,000.00	1,500.00		11,500.00	5,750.00	50.00%
Other Expenses	500.00			500.00	250.00	50.00%
Utilities						
Electric	43,000.00	-5,000.00		38,000.00	19,000.00	50.00%
Street Lighting	45,000.00	-5,000.00		40,000.00	20,000.00	50.00%
Telephone/Communications	30,000.00			30,000.00	15,000.00	50.00%
Water	10,000.00	-1,000.00		9,000.00	4,500.00	50.00%
Natural & Propane Gas	23,000.00			23,000.00	11,500.00	50.00%
Gasoline	70,000.00			70,000.00	35,000.00	50.00%

Landfill Disposal Costs	115,000.00	-2,000.00		113,000.00	56,500.00	50.00%
Contingent	1,000.00			1,000.00	0.00	0.00%
Def. Chg.-Highlands Bridge Trust	13,499.00			13,499.00	0.00	0.00%
Public Employees Retirement	81,019.00			81,019.00	0.00	0.00%
Social Security	88,000.00	2,000.00		90,000.00	45,000.00	50.00%
Police/Firemans Retirement	215,055.00			215,055.00	215,055.00	100.00%
Unemployment Insurance	5,000.00	15,000.00		20,000.00	10,000.00	50.00%
Defined Contrib. Retirement	1,000.00			1,000.00	500.00	50.00%
Aid to Private Library	50,000.00			50,000.00	25,000.00	50.00%
Employee Group Insurance-O/C	10,400.00			10,400.00	5,200.00	50.00%
Recycling Tax	5,000.00			5,000.00	2,500.00	50.00%
CDBG Essential Svcs-Police S&W	915,000.00		65,000.00	980,000.00	490,000.00	50.00%
CDBG Essential Svcs-Fire Dept O/E	50,000.00		-50,000.00	0.00	0.00	0.00%
CDBG Essential Svcs-Solid Waste Disp	110,000.00		-110,000.00	0.00	0.00	0.00%
CDBG Essential Svcs-DPW St & Rds-S&W	0.00		95,000.00	95,000.00	0.00	0.00%
911 Emergency -Monmouth County	17,000.00			17,000.00	8,500.00	50.00%
Municipal Court-Oceanport	88,000.00			88,000.00	44,000.00	50.00%
Fire Marshall Vehicle-Ocean Twp	900.00			900.00	450.00	50.00%
Monmouth County-OEM Flood Warning	1,500.00			1,500.00	750.00	50.00%
NJ Body Armor Grant	1,463.22			1,463.22	0.00	0.00%
Clean Communities Grant	4,019.71			4,019.71	0.00	0.00%
Matching Funds for Grants	50,000.00			50,000.00	25,000.00	50.00%
FEMA Hazard Mitigation-25 Center St.	257,040.00			257,040.00	0.00	0.00%
National Emergency Grant	129,146.42			129,146.42	0.00	0.00%
Capital Improvement Fund	200,000.00			200,000.00	0.00	0.00%
Special Emergency-Superstorm Sandy			3,000,000.00	3,000,000.00	0.00	0.00%
Bond Principal Pymt	473,000.00			473,000.00	236,500.00	50.00%
Interest on Bonds	193,816.88			193,816.88	96,908.44	50.00%
NJ EDA-Loan Principal	2,250.00			2,250.00	0.00	0.00%
NJ EDA-Loan Interest	67.50			67.50	0.00	0.00%
Capital Lease Obligation-Principal	100,000.00			100,000.00	50,000.00	50.00%
Capital Lease Obligation-Interest	25,640.00			25,640.00	12,820.00	50.00%
Special Emergency Authorize-5yr	1,011,580.52			1,011,580.52	0.00	0.00%
Special Emergency Note Principal	0.00		258,117.82	258,117.82	0.00	0.00%
Interest on Special Emerg. Note	27,000.00			27,000.00	0.00	0.00%
Reserve for Uncollected Taxes	500,000.00			500,000.00	0.00	0.00%
Post Sandy Planning Grant					20,000.00	
TOTALS	7,416,348.25	0.00	3,258,117.82	10,674,466.07	2,757,758.94	

BOROUGH OF SEA BRIGHT BEACH UTILITY-EMERGENCY TEMPORARY OPERATING BUDGET May 13, 2014						
ACCOUNT DESCRIPTION	ADOPTED BUDGET	TRANSFERS	AMEND-MENTS	FINAL BUDGET	PROPOSED TEMPORARY BUDGET	PERCENT of 2013 Budget
OPERATING:						
Salaries & Wages	156,000.00			156,000.00	62,400.00	40.00%

Other Expenses	100,000.00	-3,778.32		96,221.68	48,110.84	50.00%
CAPITAL IMPROVEMENTS: (Temp. Budget Exclusion)						
Capital Improvement Fund	5,000.00			5,000.00	0.00	0.00%
Capital Outlay	5,000.00			5,000.00	0.00	0.00%
Debt Service: (Temp. Budget Exclusion)						
Payment of Bond Principal	28,000.00			28,000.00	14,000.00	50.00%
Anticipation/Capital Notes	60,000.00			60,000.00	30,000.00	50.00%
Interest on Bonds	2,114.18	93.32		2,207.50	1,103.75	50.00%
Interest on Notes	11,400.00	2,685.00		14,085.00	7,042.50	50.00%
Special Emergency Note-Sandy	200,000.00			200,000.00	0.00	
STATUTORY EXPENDITURES:						0.00%
Public Employees Retirement System	5,000.00			5,000.00	0.00	0.00%
Social Security/Med	12,000.00	1,000.00		13,000.00	6,500.00	50.00%
TOTALS	584,514.18	0.00	0.00	584,514.18	169,157.09	

BOROUGH OF SEA BRIGHT SEWER UTILITY- EMERGENCY TEMPORARY OPERATING BUDGET May 13, 2014						
ACCOUNT DESCRIPTION	ADOPTED BUDGET	TRANSFERS	AMEND-MENTS	FINAL BUDGET	PROPOSED TEMPORARY BUDGET	PERCENT of 2013 Budget
OPERATING:						
Salaries & Wages	116,000.00	13,000.00		129,000.00	64,500.00	50.00%
Other Expenses	125,000.00	-13,000.00		112,000.00	56,000.00	50.00%
Two Rivers Water Reclamation Authority	435,000.00			435,000.00	217,500.00	50.00%
CAPITAL IMPROVEMENTS: (Temp. Budget Exclusion)						
Capital Improvement Fund	10,000.00			10,000.00	0.00	0.00%
Capital Outlay	10,000.00			10,000.00	0.00	0.00%
Debt Service: (Temp. Budget Exclusion)						
Payment of Bond Principal	73,000.00			73,000.00	36,500.00	50.00%
Interest on Bonds	8,076.50			8,076.50	4,038.25	50.00%
Interest on Notes	4,000.00			4,000.00	2,000.00	50.00%
Special Emergency Note-Sandy	140,000.00			140,000.00	0.00	0.00%
Deficit in Operations	16,182.80			16,182.80	0.00	0.00%
STATUTORY EXPENDITURES:						
Public Employees Retirement System	5,000.00			5,000.00	0.00	0.00%
Social Security/Med	11,000.00			11,000.00	5,500.00	50.00%
TOTALS	953,259.30	0.00	0.00	953,259.30	386,038.25	

ORDINANCE(s):

Public Hearing: Mayor Long to read the ordinance by title:

ORDINANCE #06-2014

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL
CODE OF THE BOROUGH OF SEA BRIGHT, CHAPTER 35 ENTITLED
PERSONNEL POLICY AND PROCEDURES**

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 06-2014, seconded by Councilmember Bills;

Vote:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	absent	Yes	Yes	abstain

Public Hearing (Ord. 06-2014)

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 06-2014, seconded by Councilmember Bills;

Vote:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	absent	Yes	Yes	abstain

Councilmember Leckstein offered a motion to adopt Ordinance No. 06-2014 and advertise according to law, seconded by Councilmember Bills;

Vote:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	absent	Yes	Yes	abstain

Public Hearing: Mayor Long to read the ordinance by title:

ORDINANCE NO. 07-2014

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL
CODE OF THE BOROUGH OF SEA BRIGHT, CHAPTER 20 ENTITLED
"FIRE DEPARTMENT" AND CHAPTER 39 ENTITLED "POLICE DEPARTMENT"**

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 07-2014, seconded by Councilmember Bills;

Vote:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	absent	Yes	Yes	abstain

Public Hearing (Ord. 07-2014)

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 07-2014, seconded by Councilmember Bills;

Vote:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	absent	Yes	Yes	abstain

Councilmember Leckstein offered a motion to adopt Ordinance No. 07-2014 and advertise according to law, seconded by Councilmember LoBiondo;

Vote:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	yes	absent	Yes	Yes	abstain

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE NO. 08-2014
**AN ORDINANCE AMENDING CHAPTER 31, OFFICERS AND EMPLOYEES;
ARTICLE II, DIRECTOR OF RECREATION, SECTION 31-4 POWERS AND
DUTIES OF DIRECTOR; RECREATION COMMITTEE AND CREATING
CHAPTER 38, SPECIAL EVENTS, OF THE CODE OF THE BOROUGH OF SEA BRIGHT**

Councilmember Leckstein offered a motion to introduce Ordinance #08-2014 for a public hearing to be held on May 20, 2014 and advertise according to law; seconded by Councilmember Bills;

BE IT ORDAINED, by the Mayor and Council of the Borough of Sea Bright that the following revisions to the Code of the Borough of Sea Bright shall be enacted:

SECTION I

Subparagraph A of § 31-4, Powers and Duties of Director; Recreation Committee of Chapter 31, Officers and Employees, Article II, Director of Recreation, shall be amended so as to read:

A. Recreation. Planning, operation and coordination of recreation programs and services, community centers, cultural affairs, group activities and special events for which a Special Event Permit has been issued pursuant to Chapter 38 of this Code.

SECTION II

Chapter 38, Special Events shall be created and read as follows:

§ 38-1 Definitions:

“Applicant” shall be defined as the person seeking or obtaining a Special Event Permit.

“Block Party” shall be defined as a gathering on a residential street requiring a closure of said street, or a portion thereof, to vehicular traffic and use of the street for the gathering.

“Conflict” shall be defined as any situation in which a member of the Committee shall, either directly or indirectly, have any personal or financial interest in a specific permit application.

“Person” shall be read as including any natural person, organization or company duly formed and existing under the laws of the State of New Jersey, its owners, agents, employees or representatives.

“Public gathering” shall not include weddings, or other private parties on public property, which are not open to the general public, do not constitute a “Block Party”, and have been specifically approved by the Borough Council.

“Special Event” or “Event” shall be defined as, but not limited to, any race, walkathon, parade, fair, carnival, festival, celebration, concert, show, exhibition, block party, public gathering, or other similar event in or upon any public grounds, space, park, beach or street of the Borough, which may also require temporary exemption from certain municipal ordinances.

“Special Event Permit” or “Permit” means a permit issued pursuant to this chapter.

“Special Events Committee” or “Committee” shall mean the Special Events Committee formed pursuant to the provisions of this Chapter.

“Street” means a way or place of whatever nature, publicly maintained and open to the use of the public right-of-way for purposes of vehicular or pedestrian travel. “Street” includes highways and alleys.

§ 38-2 – Special Event Permit

- a) A person or organization desiring to hold a Special Event must first apply for and obtain a permit from the Borough Clerk.
- b) An application for a permit shall be filed with the Clerk on a form furnished by the Borough Administrator, and signed by the organizer under penalty of perjury.
- c) An application shall be filed not less than sixty (60) days before the date of the proposed special event.
- d) There shall be a fee for the filing of any permit application, said fee to be set by the Borough Council on an annual basis, initially at \$ 25.00; said fee may be adjusted.
- e) An applicant who holds reoccurring events for the benefit of the citizens of the Borough of Sea Bright may make a single application listing all of the events for which it seeks approval. The Borough Clerk shall be empowered to determine whether the applicant is in fact one who holds such reoccurring events and is therefore eligible to submit a single application.
- f) Permit applications shall contain:
 - 1) Name, address and telephone number of the applicant;
 - 2) Names, addresses and telephone numbers of any organizers, persons, corporations or associations sponsoring the event.
 - 3) Name, address and telephone number of the contact person who shall be the individual with whom Borough employees and representatives may communicate about the Special Event prior to, during and after the event as to all issues pertaining to the event.
 - 4) A detailed description of the proposed event, including, as applicable, a sketch that would show the area or route to be used, along with proposed structures, tents, fences, barricades, signs, banners and restroom facilities.
 - 5) The date(s) and hours during which the Special Event, for which a permit is desired, will occur.
 - 6) The location of the event for which the permit is desired, and complete details as to how the applicant intends to provide for security and traffic control, including any specific routes or plans, assembly and dispersal locations.
 - 7) The number of contestants, participants, spectators and/or other people that could reasonably be anticipated to attend the event.
 - 8) A detailed description of the Borough resources or services that will be required to be provided in connection with the event.
 - 9) In the case of a Block Party, a signature list with the names and addresses of at least fifty (50%) percent of the properties in the block/neighborhood affected by the event so as to demonstrate local support for the Block Party.
 - 10) An acknowledgment that if the permit is issued, the applicant will (a) be bound by all applicable Borough ordinances, rules and regulations and (b) be liable for all loss, damage or injury sustained by any person, for whatever reason, which might occur during the special event due to the negligence of those organizers, persons, corporations or associations.
 - 11) An indemnity agreement in a form approved by the Borough attorney which shall expressly provide that the applicant agrees to defend, protect, indemnify, and hold the Borough, its officers, employees and agents free and harmless from and against any and all claims, damages, expenses, loss or liability of any kind or nature whatsoever arising out of, or resulting from, the alleged acts or omissions of the applicant, its agents, its employees or participants in the special event.

- 12) Any other information which the Borough Clerk shall find reasonably necessary for making a fair determination as to whether the requested permit should be issued.
- g) Upon submission of the permit application, the Borough Clerk shall transmit the application to the Special Events Committee for consideration and review.
 - h) No special event permit shall be issued by the Borough Clerk unless said permit has either been approved by the Special Events Committee, per § 38-10 of this ordinance, or approved by the Borough Council, per § 38-11 of this ordinance.
 - i) No special event permit shall be issued by the Borough Clerk unless the applicant has paid the Special Event Escrow, if such has been required per § 38-7 of this Ordinance.
 - j) No special event permit shall be issued by the Borough Clerk unless the applicant has provided proof of liability insurance, if such has been required per § 38-8 of this Ordinance.
 - k) The special event permit shall identify the Borough Ordinances, if any, which are being waived for the Applicant for the duration of the Special Event.
 - l) In accordance with the police powers afforded to the Borough pursuant to State Law, the Borough reserves the right to limit the number of Special Event permits to be issued for a given calendar day.

§ 38-3 – Special Events Committee Membership

- a) There shall be created a Special Events Committee which shall consist of the following eleven (11) members: (1) The Mayor or a designee of his or her choosing, (2) A member of the Borough Council as chosen by it, (3) the Borough Administrator or, if the Borough Administrator is unavailable for any Committee meeting, the Borough Clerk, (4) the Chief of Police, (5) the Superintendent of Public Works, (6) the Director of Recreation, (7) the Public Safety Director, (8) the Borough's Fire Subcode Official, (9) a Registered Environmental Health Specialist from the Monmouth County Regional Health Commission No. 1, (10) an owner of a business located in the Borough of Sea Bright who is neither an official of or in the employ of the municipality, as chosen by the Mayor with the advice and consent of the Borough Council, to serve a term no longer than one (1) year from the date of appointment, (11) a resident of the Borough of Sea Bright who is neither an official of or in the employ of the municipality, as chosen by the Mayor with the advice and consent of the Borough Council, to serve a term no longer than one (1) year from the date of appointment.
- b) The Borough Administrator, or Borough Clerk if the Borough Administrator is unavailable, shall act as the Chairman of the Special Events Committee.
- c) The Special Events Committee shall select a secretary, who shall be a member of the Committee or a municipal employee. The Secretary shall be responsible for taking minutes of the Committee meetings and retaining the Committee's files, as well as working with the Borough Clerk as needed to respond to any Open Public Records Act (OPRA) requests.
- d) If any of the municipal officials serving on the Special Events Committee shall hold more than one of the offices identified for membership, (for example, the Superintendent of Public Works is the same individual as the Director of Recreation) then, in that event, the Mayor shall designate another municipal official, other than a member of the Borough Council, to serve on the Special Events Committee so as to maintain the total membership at eleven individuals.
- e) If there is no Registered Environmental Health Specialist from the Monmouth County Regional Health Commission No. 1 who is willing to serve upon the Special Events Committee, then in such an event, the Mayor shall choose a second resident of the Borough of Sea Bright, preferably one in a health related field, regardless of whether they are in the employ of the municipality, to serve on the Committee. Said resident

shall be appointed with the advice and consent of the Borough Council, to serve a term no longer than one (1) year from the date of appointment.

§ 38-4 – Alternate Committee Members

a) Alternate Member of Borough Council Serving on Committee

The Borough Council shall choose, from its membership, an alternate to serve on the Special Events Committee in the event the Council Member who was chosen to serve as the regular member of the Committee is unavailable, for any reason, to participate in a particular application.

b) Alternate Business Owner

The Mayor shall choose, with the advice and consent of the Borough Council, an owner of a business located in the Borough of Sea Bright, who shall not be an official of or in the employ of the municipality, to serve as an alternate on the Committee in the event the Committee Member who was appointed to the Business Owner seat is unavailable, for any reason, to participate in a particular application. This alternate shall serve no longer than one (1) year from the date of appointment.

c) Alternate Resident

The Mayor shall choose, with the advice and consent of the Borough Council, a resident of the Borough of Sea Bright, who shall not be an official of or in the employ of the municipality, to serve as an alternate on the Committee in the event the Committee Member who was appointed to the Resident's seat is unavailable, for any reason, to participate in a particular application. This alternate shall serve no longer than one (1) year from the date of appointment.

§ 38-5 – Conflicts

- a) No member of the Committee shall be permitted to act on any permit application in which he or she has, either directly or indirectly, any personal or financial interest. Should any member of the Special Events Committee have such a conflict preventing their ability to impartially consider a particular permit application, that member shall be recused from hearing the application.
- b) In the event any municipal official, including the Registered Environmental Health Specialist, other than the Mayor or member of the Borough Council, has a conflict on any particular application, the Mayor (or if the Mayor is conflicted, the Borough Administrator) shall designate another municipal official from the conflicted official's department (or if there are no other individuals in that department, an official from a related department) to serve on the Committee for that particular application. The intent of this provision is that it is in the best interest of the Borough of Sea Bright to have each of the various municipal departments represented during the consideration of a permit application.
- c) In the event so many members of the Special Events Committee have conflicts on a particular application so as to prevent a quorum of the Committee from being able to meet, and due to conflicts it has proven impossible to designate a sufficient number of alternate officials as required by paragraph (b) of this section, then, in that event, the Mayor (or if the Mayor is conflicted, the Borough Administrator) shall be empowered to designate municipal officials, other than members of the Borough Council, to sit on the Special Events Committee, for that particular application, until there are the minimum number of members necessary to constitute a quorum.

§ 38-6 – Committee Responsibilities

The Special Events Committee shall hold meetings on a monthly basis, or as frequently as the Chairman deems necessary, to consider those permit applications that have been referred to it by the Borough Clerk. The Committee shall also be empowered to consider any other matter referred to it by the Borough Council. All meetings shall be noticed and conducted pursuant to the provisions of Open Public Meeting Act.

Prior to hearing an application, the Borough Clerk shall prepare for the Committee Members and the Applicant a list of any local ordinances that would require a temporary waiver by the Committee were the permit application to be approved.

Applicants shall be granted the right to appear before the Committee to be heard on any permit application.

When considering whether to grant a permit application, the Committee shall take the following into consideration:

- a) The proposed special event's impact on the public health, public safety and general welfare of the public;
- b) The impact of the proposed special event on the public's enjoyment of the Borough's amenities;
- c) The impact of the proposed special event on the Borough's resources and/or services.
- d) That the proposed special event will not conflict with another proposed or scheduled special event in such a fashion that the Borough's police department and/or other departments would have insufficient manpower to provide for the public safety of the community;
- e) The manner in which the applicant intends to provide notice to neighborhoods impacted by the proposed Special Event of the occurrence of that Special Event.
- f) In the case of a Block Party, the Committee shall ensure that there is a means of ingress and egress for neighbors not wishing to participate in the Block Party.
- g) The Special Events Committee shall not consider the content of the speech, actions or event in reaching its decision on whether to grant the permit or to incorporate any stipulations, unless it determines that such stipulations meet a strict scrutiny test in conformance with the United States Constitution and the Constitution of the State of New Jersey and there is a compelling public interest in imposing such stipulations.
- h) The Special Events Committee shall consider each permit application upon its merits and shall not discriminate based upon race, creed, color, ethnicity, religion, ancestry, sex, age, disability, national origin, sexual orientation, gender identity, political party affiliation (or lack thereof), familial status, or marital status.

§ 38-7 – Special Event Escrow

The applicant shall deposit with the Borough Clerk, at least ten (10) days prior to the date of the Special Event, an amount of money, between \$ 250.00 and \$ 5,000.00, to be determined by the Committee, based upon the municipal services needed for the size and scope of the Special Event, and which shall be held in escrow by the Borough, for the Borough's use to pay for any Borough services and/or facilities for the Special Event.

The amount of escrow set by the Committee shall be based upon the size and scope of the Special Event and the corresponding reasonably anticipated Borough costs for Borough services arising from the Special Event.

The applicant shall be responsible to pay any amount due and owing the Borough for the use of services or facilities for the event over and above the amount of escrow.

Should any funds remain in escrow following the conclusion of the Special Event, and after all costs associated with the Special Event have been paid, those monies shall be returned to the applicant.

The Special Events Committee may waive or reduce the Special Event Escrow if it determines circumstances warrant the granting of such a waiver or reduction, including, but not limited to, nonprofit or charitable organizations where no commercial activity is taking place at the Special Event.

§ 38-8 – Applicant’s Liability

All Applicants seeking a permit shall be bound by all applicable Borough ordinances, rules and regulations, except in such cases where exemptions have been requested and approved by the Committee in its approval of the Special Event. The Applicant to whom the permit is issued shall be liable for all loss, damage or injury sustained by any person or property due to the negligence of the Applicant during the course of the Special Event.

The Committee shall set, based upon the size and scope of the event, an amount of liability insurance the applicant must carry in order to cover any liabilities that may occur as a result of the Special Event. If liability insurance is required, the applicant’s insurance policy shall name the Borough as an additional insured. The maximum amount of insurance coverage shall be \$ 1,000,000.00.

§ 38-9 – Special Conditions For Granting A Permit

The Special Events Committee shall be empowered, as part of any permit grant, to set such special conditions, as it deems reasonably necessary, for the successful conducting of that particular special event.

§ 38-10 – Determination of Special Events Committee

- a) Within five (5) business days following the hearing of any permit application, the Secretary of the Special Events Committee shall transmit the Committee’s determination as to whether the permit has been granted or denied to the Borough Clerk.
- b) If the permit has been granted, the transmission to the Borough Clerk shall include a notation as to the amount of the special event escrow, set per § 38-7 of this Ordinance, and the amount of liability insurance, set per § 38-8 of this Ordinance.
- c) The transmission shall identify any ordinances which the Committee has determined are to be waived for the Applicant during the duration of the Special Event.
- d) The transmission shall include notations of any other special conditions set by the Committee in granting the application.
- e) If the permit has been denied, the transmission to the Borough Clerk shall include a brief statement explaining the reason for denial.

§ 38-11 - Borough Council’s Ability to Grant or Alter Permit

- a) Upon the showing of special circumstances, the Borough Council shall have the authority to grant a Special Event Permit without the necessity of the applicant first having to appear before the Special Events Committee.
- b) Upon the showing of special circumstances, the Borough Council shall have the authority to hear appeals from any denial of a permit by the Special Events Committee and thereafter grant the permit if such a grant is deemed warranted.
- c) Upon the showing of special circumstances, the Borough Council shall have the authority to alter any decision of the Special Events Committee, including, but not limited to, the setting of escrow and/or liability insurance amounts.

Should the Borough Council exercise any of its powers under this section, it shall follow the criteria set forth in § 38-6 of this ordinance for evaluating the proposed special event. The Borough Council shall also be empowered to set a special event escrow, as per § 38-7 of this ordinance, set a liability insurance amount, as per § 38-8 of this ordinance, or set special conditions, as per § 38-9 of this ordinance.

§ 38-12 - Revocation of Permit

The Borough Clerk, Administrator and/or Chief of Police shall have the authority to revoke a Special Event permit upon a finding of the applicant's violation of any rule, Borough Ordinance, or condition of the permit. If a permit is revoked, it may be reinstated by the revoking official if the violation is demonstrated to be rectified in a timely manner. Appeals of a revocation may be taken directly to the Borough Council.

§ 38-13 - Penalty for Violation

Any person who knowingly fails to obtain a Special Event Permit before conducting a Special Event shall be considered to have committed a misdemeanor and may be punished as such with penalties and fines consistent with Borough Ordinances.

In addition to the penalties and fines established by ordinance, the violating party may be assessed costs for any expenses incurred by the Borough as a result of said violation.

§ 38-14 - Enforcement

- a) The Police Department shall, in connection with their duties imposed by law, diligently enforce the provisions of this Chapter.
- b) The Police Department shall have the authority to eject from the Special Event area any person or persons acting in violation of this ordinance or other applicable ordinances of the Borough.
- c) The Police Department shall have the authority to seize and confiscate any property, thing, or device used in violation of this Chapter.

§ 38-15 - Constitutional Protections

It is not the intent of this ordinance to regulate conduct, the sole or principal object of which is the expression, dissemination or communication by verbal, visual, literary or auditory means of opinion, views or ideas that are protected by either the Federal or New Jersey State Constitutions. Therefore, this Chapter is designed and intended to be a content-neutral time, place, and manner permitting system. The Borough's implementation of the various provisions in this Chapter shall seek to ensure compliance with the Federal and New Jersey State Constitutions. As such, the Borough Clerk, after consultation with the Borough Attorney, is empowered to waive and/or modify all fee and escrow requirements under this Chapter where strict adherence to this Chapter's provisions would act as a violation of a person's constitutional rights.

SECTION III

Chapter A214, Community Center Rules, shall be deleted, in its entirety, due to the fact that the former Community Center space is no longer available for public use. The Chapter shall be replaced by a new Chapter A214 titled Public Use of Council Chambers. The new Chapter A214 shall read as follows:

§ A214-1. Scheduling, reservation, fee.

- a) The Recreation Director is hereby given the responsibility for the scheduling of all non-borough government related meetings within the Borough Council chambers.
- b) Sea Bright residents and Sea Bright organizations will be given priority in scheduling.
- c) The Recreation Director will be responsible for maintaining and posting the schedule of use.

- d) An application to reserve the Borough Council Chambers for a meeting must be completed and submitted to the Recreation Director. Applicants must be 21 years of age or older in order to reserve the Council Chambers. Proof of age will be required.
- e) Along with the application form, use of the Borough Council Chambers will require a user fee of \$ 75.00. Such fee is non-refundable unless at least two weeks' notice of a meeting cancellation is provided to the Recreation Director.
- f) No user fee will be required for meetings of those organizations operating under the auspices of the Recreation Committee, such as, but certainly not limited to, the Sea Bright Senior Citizen Group. All other rules, regulations and requirements apply.
- g) The user fee will be waived for meetings conducted by Sea Bright Borough employees, volunteer fire, first aid and elected officials. All other rules, regulations and requirements apply.

§ A214-2. Rules and Regulations.

- a) All persons requesting use of the Council Chambers will be responsible for the conduct of all persons attending the meeting. The laws of the State of New Jersey prohibit anyone under the legal age to order, be served, consume, or be in possession of any alcoholic beverage.
- b) The kitchen area is prohibited from use unless special arrangements are made with the Recreation Director. An additional fee of \$50 will apply for the kitchen use. Arrangements must be made at the time of application. Oven use is strictly prohibited. Refrigerator must be emptied and all garbage and recycling must be taken away by applicants.
- c) Compliance with occupancy restrictions as posted by the Fire Marshal must be adhered to.
- d) Smoking of any tobacco products is strictly prohibited inside any portion of the Borough Hall or Council Chambers.
- e) Keys. Either the Recreation Director or the Borough Police Department will provide entrance to the Borough Hall and Council Chambers and will lock the facility at the end of the meeting.
- f) In addition to the municipal parking lot behind the Borough Hall, overflow parking is permitted in the municipal parking lot situated on the easterly side of Ocean Avenue at the River Street traffic light in the center of town.
- g) No cars are to be parked in the designated "No Parking Areas."
- h) Thermostats must be turned down to 60° before leaving.
- i) Lights must be turned off and all doors locked at the conclusion of the meeting.

SECTION IV

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION V

This ordinance shall take effect upon its final passage and publication as required by law.

INTRODUCED: May 6, 2014

PUBLIC HEARING:

ADOPTED :

Vote:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	absent	Yes	Yes	Yes

INDIVIDUAL ACTION/New Business:**Vouchers: \$1,091,374.35**

Councilmember Keeler offered a motion to approve the Voucher List dated May 6, 2014 as submitted by the Finance Manager, seconded by Councilmember Leckstein;

**SEA BRIGHT BOROUGH
BILL LIST
MAY 6, 2014**

00384	AT & T MOBILITY		
14-00479	04/25/14 DPW-APR 2014 CELL BILL	Open	154.43
01042	ATLANTIC TOMORROWS OFFICE		
14-00454	04/21/14 A&E-1/Q/14 COPY/CLICK CHARGES	Open	617.57
02169	ATTILIO'S RESTAURANT & PIZZA		
14-00239	02/27/14 DPW-PRISONER FOOD W/E 4/11/14	Open	357.78
14-00421	04/11/14 DPW-PRISONER FOOD W/E 4/18/14	Open	218.10

			575.88
00167	AUTONOMY, INC.		
14-00087	01/28/14 A&E-VAULT:2014 SERVER BACKUPS	Open	119.60
01241	BAIN'S HARDWARE, INC.		
14-00384	04/04/14 MAR 2014 PURCHASES	Open	701.76
01641	BORO OF SEA BRIGHT UNEMPLOYMNT		
14-00484	04/28/14 T/F TO UNEMPLOYMENT TRUST A/C	Open	10,000.00
01631	BOROUGH OF OCEANPORT		
14-00457	04/21/14 COURT SHARED SERVICES:MAY 2014	Open	6,503.34
01974	BOROUGH OF SEA BRIGHT COURT		
14-00452	04/21/14 COURT-03/14 CREDIT CARD REIMB	Open	47.56
01546	C.I.T. TECHNOLOGY FIN SERV, INC		
14-00029	01/22/14 POLICE DEPT-2014 COPIER LEASE	Open	148.72
01252	CIERI, GEORGE		
14-00444	04/17/14 COURT-4/14 SPECIAL SESSION	Open	250.00
00198	COMCAST		
14-00453	04/21/14 POLICE DEPT-INTERNET:APR 2014	Open	104.95
01915	CROHN'S & COLITIS FOUNDATION		
14-00470	04/23/14 A&E - 2014 CONTRIBUTION	Open	250.00
01320	DEMAIO, R.N.		
14-00446	04/21/14 BLDGS/GRNDS-BROOM HANDLE/TWLS	Open	140.00
01992	DOGS AND CATS, INC.		
14-00482	04/28/14 BEACH-ONE YEAR LEASE:OFFICE	Open	1,250.00
01068	EDWARD J. ALBERT & SON, INC.		
13-01040	08/13/13 SEWER P/S REPAIRS:POST SANDY	Open	15,477.00
01068	EDWARD J. ALBERT & SON, INC. Continued		
14-00357	03/31/14 SEWER-INSTALL LIGHTS	Open	4,983.00

			20,460.00
00421	FAIL SAFE FIRE HOSE TEST, INC.		
14-00368	03/31/14 FIRE DEPT-ANNUAL PUMP TESTING	Open	300.00
01016	FIORE PAVING, INC.		
13-01475	11/13/13 MUNICIPAL PARKING LOT IMPROV	Open	112,126.70
02181	GATEWAY PRESS		
14-00439	04/15/14 A&E-ENVELOPES & LETTERHEAD	Open	296.00
00979	GIBBONS, P.C.		
14-00483	04/28/14 PREPARE B/O 01-2014, 02-2014	Open	950.00
01194	GLENCO SUPPLY, INC.		

REGULAR MEETING MINUTES**May 6, 2014**

14-00388	04/07/14	DPW-YELLOW PAINT	Open	545.25
14-00423	04/14/14	DPW-BLADE HOLDER ROUND CAPS	Open	48.00

				593.25
01945		HAEGE, DIANE		
14-00445	04/21/14	BLDG DEPT-DATA ENTRY:PERMITS	Open	142.50
14-00474	04/23/14	BLDG DEPT-DATA ENTRY:PERMITS	Open	176.25

				318.75
01887		HEIM ELECTRONICS, INC.		
14-00450	04/21/14	BORO HALL-5/1-7/31/14 ALARM	Open	62.85
01938		INTERPORT MAINTENANCE CO, INC.		
14-00420	04/11/14	POLICE DEPT-TRAILER PURCHASE	Open	2,025.00
01526		JCP & L		
14-00488	04/28/14	MAR 2014 ELECTRIC SERVICE	Open	6,745.36
01043		JERSEY PROFESSIONAL		
14-00478	04/25/14	ACTING DEPUTY CLERK SERVICES	Open	5,695.00
00895		JOHNNY ON THE SPOT, INC.		
14-00309	03/17/14	BEACH-(2) UNITS:3/15 WEEKEND	Open	432.00
01784		JUNGLE LASERS, LLC		
14-00496	04/30/14	BLDG DEPT-DATA FEE:MAR 2014	Open	490.00
00202		KAY PRINTING & ENVELOPE CO, INC		
14-00356	03/31/14	BLDG DEPT-VARIOUS FORMS	Open	114.87
00018		KERRIGAN ELECTRIC, INC.		
14-00271	03/11/14	SEWER-INSTALL TRANSFER SWITCH	Open	3,600.00
00015		LANIGAN ASSOCIATES, INC.		
14-00263	03/11/14	POLICE DEPT-GUN CLEANING MATER	Open	74.70
00426		LONG, DINA		
14-00466	04/22/14	A&E-REIMB:2/26/14 CONFERENCE	Open	87.87
00531		MIDDLESEX COUNTY FIRE ACADEMY		
14-00362	03/31/14	FIRE DEPT-TRAINING	Open	125.00
01985		MOBILE MINI, INC.		
14-00501	04/30/14	POLICE-TRAILER 2014 PYMT 05/13	Open	204.75
00110		MONM CNTY REGIONAL HEALTH		
14-00458	04/21/14	2/Q/2014 PUBLIC SERVICE HEALTH	Open	13,540.25
01422		MONMOUTH MUNICIPAL JOINT		
14-00456	04/21/14	2014 INSURANCE-SECOND INSTALL	Open	92,253.19
00137		MUNICIPAL CAPITAL CORPORATION		
14-00030	01/22/14	A&E-2014 COPIER LEASE	Open	225.20
02121		NADLER MOBILE, LLC		
14-00349	03/25/14	BEACH-BATHROOM TRAILER RENTAL	Open	6,093.75
01211		NAYLOR'S, INC.		
14-00428	04/15/14	FIRE DEPT-TOGGLE SWITCH	Open	5.69
00019		NJ AMERICAN WATER		
14-00455	04/21/14	MAR 2014 WATER UTILITY	Open	190.24
01309		OCEANPORT BOARD OF EDUCATION		
14-00460	04/21/14	GRADE SCHOOL TAX - MAY 2014	Open	59,278.33
00163		OSWALD ENTERPRISES, INC.		
14-00361	03/31/14	SEWER-CLEAN WET WELLS	Open	5,900.00
01015		PUBLIC WORKS ASSOCIATION		
14-00363	03/31/14	DPW-2014 MEMBERSHIP DUES	Open	60.00
00295		RED THE UNIFORM TAYLOR		
14-00448	04/21/14	POLICE DEPT-UNIFORMS:FRIEDMAN	Open	201.04

REGULAR MEETING MINUTES**May 6, 2014**

01979	REPORTING SYSTEMS, INC.			
14-00394	04/07/14 FIRE DEPT-REPORTING SOFTWARE	Open	1,867.00	
00408	SCHWAAB, INC.			
14-00283	03/12/14 A&E-MAYOR'S SIGNATURE STAMP	Open	35.50	
14-00308	03/17/14 A&E & UCC:STAMPS	Open	119.95	

			155.45	
00027	SEABOARD WELDING SUPPLY, INC.			
14-00125	02/10/14 DPW - 2014 CYLINDER RENTAL	Open	13.50	
01709	SHORE AWNING CO., INC.			
14-00393	04/07/14 FIRE DEPT-TENT WALLS	Open	600.00	
00053	SHORE REGIONAL HIGH SCHOOL			
14-00459	04/21/14 HIGH SCHOOL TAX - MAY 2014	Open	165,530.75	
00260	SODON'S ELECTRIC, INC.			
14-00441	04/15/14 RELOCATE LIGHT FIXTURE IN GYM	Open	935.51	
00031	SORRENTINO, JOHN			
14-00447	04/21/14 POLICE-REIMB:SHIPPING CHARGE	Open	14.58	
00285	STAPLE'S ADVANTAGE			
14-00264	03/11/14 SEWER-OFFICE SUPPLIES	Open	617.41	
14-00318	03/19/14 BOROUGH HALL-OFFICE SUPPLIES	Open	212.70	
14-00341	03/25/14 BOROUGH HALL-OFFICE SUPPLIES	Open	70.75	
14-00414	04/11/14 SEWER-INK CARTRIDGES	Open		117.02
14-00418	04/11/14 BOROUGH HALL-OFFICE SUPPLIES	Open	275.37	

			1,293.25	
00083	T & M ASSOCIATES			
11-00377	03/23/11 DEVELOP:MUNICIPAL FACILITIES	Open	4,071.18	
11-00538	05/05/11 ENGINEERING:8 CENTER STREET	Open	202.50	
13-00381	04/01/13 BULKHEADS & PUMP STATION	Open	11,050.80	
13-00566	05/08/13 ROADWAY/PARKING LOT REPAIRS	Open	274.00	
14-00489	04/28/14 2014 MUNICIPAL AID APPLICATION	Open	1,937.40	
14-00491	04/28/14 MEETINGS:3/13/14 & 3/18/14	Open	690.00	
14-00492	04/29/14 BEACH & CENTER-SEWER REHAB	Open	4,338.19	
14-00493	04/29/14 ENGINEERING-1/2/14-3/18/14	Open	4,474.90	
14-00494	04/29/14 PRELIM DESIGN:BULKHEAD/SEAWALL	Open	309.00	

			27,347.97	
00656	TAYLOR FENCE CO., INC.			
14-00270	03/11/14 BEACH-FENCE MATERIAL	Open	1,000.00	
01285	THE HOME DEPOT			
14-00404	04/09/14 BEACH-FENCE POSTS	Open	323.72	
14-00495	04/30/14 BLDGS/GRNDS-BLANKET:MISC SUPP	Open	211.00	

			534.72	
00437	TONY D'S AUTO BODY, INC.			
14-00415	04/11/14 POLICE DEPT-NEW BUMPER #4301	Open	1,336.08	
14-00416	04/11/14 POLICE DEPT-REPAIR DOOR #4301	Open	735.60	

			2,071.68	
00223	TREASURER, COUNTY OF MONMOUTH			
14-00461	04/21/14 2/Q/2014 COUNTY TAXES	Open	423,821.71	
00439	TREASURER, COUNTY OF MONMOUTH			
14-00462	04/21/14 2/Q/2014 LIBRARY TAXES	Open	27,216.11	
00523	TREASURER, COUNTY OF MONMOUTH			
14-00463	04/21/14 2/Q/2014 OPEN SPACE TAXES	Open	23,487.07	
00363	TRICO EQUIPMENT, INC.			
14-00412	04/11/14 DPW-MAINT CHECK:CASE LOADER	Open	258.37	
01020	VERIZON COMMUNICATIONS			
14-00485	04/28/14 POLICE-FIOS STATIC IP:APR 2014	Open	109.99	
02061	VERIZON WIRELESS			
14-00480	04/25/14 AIR CARDS/JET PACKS:APR 2014	Open	160.04	
14-00481	04/25/14 POLICE-APR 2014 CELL & MDT	Open	773.34	

			933.38	

BALANCE CARRIED FORWARD	1,030,504.64
ASBURY PARK PRESS (ESCROW)	276.70
GOWAN, KERRY (3/25/14 ANIMAL CONTROL CALL)	30.00
GOWAN, KERRY (4/1-4/16/14 ANIMAL CONTROL CALL)	480.00
NJSHBP (APRIL 2014)	37,236.69
NJSHBP (APRIL 2014)	12,125.09
STATE OF NJ DEPT OF LABOR (1/Q/14 UNEMPLOYMENT)	10,721.23

GRAND TOTAL	1,091,374.35
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Vote:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	absent	Yes	Yes	Yes

No. 74-2014 Sustainable Land Use Pledge of the Borough of Sea Bright

RESOLUTION NO. 74-2014
SUSTAINABLE LAND USE PLEDGE
OF THE BOROUGH OF SEA BRIGHT

Councilmember Leckstein introduced and offered for adoption the following Resolution; seconded by Councilmember Bills:

WHEREAS, land use is an essential component of overall sustainability for a municipality; and

WHEREAS, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

WHEREAS, Given New Jersey’s strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead; and

NOW THEREFORE BE IT RESOLVED, we, the Borough of Sea Bright, resolve to take the following steps with regard to our municipal land-use decisions with the intent of making the Borough of Sea Bright a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly.

Regional Cooperation - We pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.

Transportation Choices - We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.

Natural Resource Protection - We pledge to take action to protect the natural resources of the State and the Borough for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we pledge to complete a Natural Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.

Mix of Land Uses - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown and borough center areas.

Housing Options - We pledge, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

Green Design - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.

Municipal Facilities Siting - We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Sustainable New Jersey in recognition of the Borough's efforts to fulfill its commitment to Sustainable Land Use.
2. Planning Board

Roll Call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	No	absent	Yes	Yes	Yes

ANNOUNCEMENT

Adoption 2014 Municipal Budget

Action only will be taken at a later date, awaiting notification from the Department of Community Affairs.

FOR DISCUSSION:

- 1) Strategic Recovery Planning Report Update - Mayor Long reported that the SRPR is required by the State Department of Community Affairs; it is a required first step to be able to access grant money. Mayor Long asked Council to review, submit comments and be ready to discuss at the May 15, 2014 Workshop Meeting. The goal is to adopt this document at our May 20, 2014 Regular Council Meeting.
- 2) Mater Dei Prep - Parent Teacher Association 2014 Casino Night & Gift Auction - request a donation of two 2014 beach badges
Council unanimously approved request.
- 3) Suspend Permit Parking until Municipal Lot is open. Council unanimously agreed to to ask Chief Sorrentino to use discretion for the next ten days enforcing the "Permit" parking spots in town until the municipal lot is completed.
- 4) Seawall Rebuilding and Repair - Borough Engineer Jacki Flor reported that the project will last approximately 12-18 months and reviewed the areas designated for repair; Council needs to decide if any areas need to be added or changed to the plan. In addition, a number of the private and public access stairs will need to be removed for the repairs - Council will need to make a decision on who will be responsible for rebuilding these walkovers. Mayor Long noted that we need to keep the Dune Committee informed of the repair locations as the dunes in those areas will be compromised.

Mayor Long read the following updates:

1. May is National Bike Month
2. Benjamin Moore Community Celebration is May 17th.

REMARKS FROM THE AUDIENCE

The Public Comment portions 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.

Ira Schussheim, 730 Ocean Avenue, asked for clarification on the funding of the beach crossovers....if the money exists in the trust, can it be allocated administratively. Mr. Schussheim will contact Borough Administrator Verruni on this matter. Also, recommended the public be given plenty of notification on the seawall project as it will be very disruptive.

Heather Bedenko, 400 Ocean Avenue, stated that the seawall is much more important even though a lot of work has gone into the dunes and dune grass. This is a perfect example of how much we need a better overall plan for the town - they could have waited before planting all the dune grass. Also inquired if the new seawall would extend along the side streets downtown where a lot of damage occurred. Ms. Bedenko asked if the wall would affect the new Anchorage Lot bathroom building and the new beach pavilion. Borough Engineer Flor stated that it would not affect the Anchorage Lot bathroom. The affect on the beach pavilion will be determined prior to construction.

John Lamia, 2 Village Road, asked about the cost of the beach deck for the playground and suggested to Council that they repurpose the decking elsewhere in the Borough.

MaryAnn Morrone, 10 Island View Way, asked about the status of temporary firehouse location. Borough Attorney McNamara responded that there are two leases currently under negotiation. Ms. Morrone wanted to go on the record stating that it is very sad - everybody here pays taxes and that giving special treatment to certain people is overstepping the favoritism bounds.

Butch Hentschel, 7 E. Church Street, asked about the completion date of the parking lot. Borough Engineer Flor responded that the paved portion will be completed by Memorial Day weekend, the gravel portion may not be but we are pushing for it.

Janet Hentschel, 7 E. Church Street, asked if the driveway between Woody's and the Police Station will be paved to fix the large dangerous pothole. Borough Engineer responded that it was not part of the project but they will take a look at the pothole. Ms. Hentschel thanked Councilman Leckstein for his concern for the residents with the permit parking issue. Also, asked about the possibility of paving E. Church and E. New Streets.

Linda Richter, 2 Village Road, asked Council when the Anchorage building comes down to consider extending the left turn signal to ease up the traffic in the summer.

Chris Capillo, 370 Ocean Avenue, reiterated Ms. Richter's comment.

Marianne McKenzie, 612 Ocean Avenue, reiterated the need to extend that turn lane at the bridge to allow more cars to pass through. Councilman LoBiondo will speak to the Chief about this matter. This would also have to be approved by the NJ Department of Transportation.

EXECUTIVE SESSION**RESOLUTION
EXECUTIVE SESSION**

Councilmember Leckstein offered the following resolution and moved its adoption; seconded by Councilmember Murphy:

WHEREAS, Section 8 of the Open Public Meeting Act, NJSA 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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.

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matters to be discussed are as follows:

A. Acquisition of Real Estate

B. Personnel

3. It is anticipated at this time that the subject matters will be made public, if and when, confidentiality is no longer needed. Action may be taken.

4. This Resolution shall take effect immediately

BE IT FURTHER RESOLVED that the Mayor and Council may come back into Regular Session to conduct additional business.

Roll Call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Absent	Yes	Yes	Yes

ADJOURNMENT

Councilmember LoBiondo motion to adjourn the meeting; seconded by Councilmember Keeler:

Vote:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	absent	Yes	Yes	Yes

Respectfully submitted,

Christine Pfeiffer
Deputy Clerk