

**MINUTES  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**JUNE 3, 2014**

**SEA BRIGHT, NEW JERSEY**

**Mayor Long** called the meeting to order at 7:04 pm and requested those present to join her in the Pledge of Allegiance.

**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, Brian P. Kelly,  
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,  
Chief Financial Officer Michael Bascom

**ABSENT:**

**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.

Janet Hentschel, 7 E. Church St., inquired about the completion date of the Peninsula parking lot. Borough Administrator Verruni explained that we asked the contractor to stop working over Memorial Day Weekend. Borough Engineer Flor reported the work would be resuming and is scheduled to be completed by Friday, June 6. The "customer parking" signs will be installed as soon as the lot is finished.

MaryAnn Morrone, 15 Sandpiper, addressed two beach issues: dogs and alcohol on the beach - who will be policing this. Mayor Long thanked Ms. Morrone for bringing these issues to our attention.

Jean Kingman, 36 Waterview Way, happy to hear that the Borough is revamping the handling of money at the beach office and that Council should consider accepting credit cards. Also suggested the temporary library be located in an available space for rent in town vs. a trailer.

**CONSENT AGENDA**

**MINUTES**

Councilmember Leckstein introduced a motion to approve the Council Meeting minutes listed below, seconded by Councilmember Kelly:

Regular Meeting - February 18, 2014  
Special Workshop Meeting - February 18, 2014  
Workshop Meeting - March 13, 2014  
Closed Session Regular Minutes - 2013

<b><u>Vote:</u></b>	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

**Resolutions:**

**No. 86-2014** Authorize the Release of Performance Guarantees - Rozinante, Inc.  
t/a Sands Beach Club

**RESOLUTION NO. 86-2014**  
**Authorize the Release of Performance Guarantees**  
**Rozinante, Inc. t/a Sands Beach Club**

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

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Borough of Sea Bright to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Borough Engineer; and

**WHEREAS**, Rozinante, Inc. trading as Sands Beach Club has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$60,990.00 (\$54,891.00 in a form of a Performance Bond & \$6,099.00 in Cash) to guarantee the completion of all improvements on premises known as Block 23, Lot 13 and Block 24, Lot 15.02 also known as 825 Ocean Avenue; and

**WHEREAS**, Jaclyn J. Flor, P.E., P.P., representing the Borough Engineer, has advised the Borough Council by letter dated May 20, 2014, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Borough Engineer recommends the acceptance of same and the release of the aforementioned performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$9,148.50) of the cost of the improvements and posting of any outstanding engineering and administrative fees; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Jaclyn J. Flor, Borough Engineer and the performance guarantees totaling \$60,990.00 are hereby released, canceled and discharged.

**BE IT FURTHER RESOLVED** by the Borough Council that this resolution shall not become effective unless and until the Borough of Sea Bright is furnished with the posting of a maintenance guarantee in the amount of 15% (\$9,148.50) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

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

1. First Indemnity of America Insurance Company
2. Erik Anderson, Esq. Atty for Rozinante, Inc., t/a Sands Beach Club
3. Borough Engineer
4. Finance Manager
5. Construction Official

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

**No. 87-2014** Authorizes Lease Agreement for a Temporary Fire House Facilities  
Block 15, Lot 10 aka 15 South Street

**RESOLUTION NO. 87-2014**  
**Authorizes Lease Agreement for a**  
**Temporary Fire House Facilities**  
**Block 15, Lot 10 aka 15 South Street**

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

**WHEREAS**, it has been determined that the Borough of Sea Bright's Firehouse is in need of repairs due to Hurricane Sandy, and

**WHEREAS**, as a result of these repairs it will be necessary to immediately vacate the premises known as the Sea Bright Firehouse located at 1099 East Ocean Avenue, and

**WHEREAS**, there are few vacant properties able to house a temporary firehouse facilities in order to continue fire fighting capabilities in Sea Bright, and

**WHEREAS**, I, Michael Bascom, Chief Financial Officer, certified that funds are available for this specific purpose under Special Emergency.



MICHAEL J. BASCOM, CFO

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the Mayor to enter into a lease agreement for Block 15, Lot 10 located at 15 South Street for a sum of \$100.00 per month for six months, the total of \$600.00 (June 1, 2014 through November 30, 2014). Other lease terms shall be reviewed and agreed upon by the Borough Attorney and Mayor, and

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

1. Finance Manager
2. Administrative Fire Chief
3. Borough Attorney
4. Jesse Howland, owner of property

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

**No. 88-2014** Authorizing the Submission of an Application for Funding to the New Jersey Department of Community Affairs Post-Sandy Planning Assistance Grant Program seeking Funds to complete Various Plans

**RESOLUTION NO. 88-2014**

**AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS POST-SANDY PLANNING ASSISTANCE GRANT PROGRAM SEEKING FUNDS TO COMPLETE VARIOUS PLANS**

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

**WHEREAS**, the Mayor and Borough Council of the Borough of Sea Bright desires to apply for and obtain a Post-Sandy Planning Assistance grant from the New Jersey Department of Community Affairs (DCA); and

**WHEREAS**, a representative from the Borough of Sea Bright, County of Monmouth has attended an orientation session held by DCA explaining the grant process; and

**WHEREAS**, the Borough of Sea Bright has completed a Strategic Recovery Planning Report (SRPR) in accordance with the guidelines of the Post-Sandy Planning Assistance Grant Program; and

**WHEREAS**, DCA has approved the SRPR and has deemed the Borough of Sea Bright, County of Monmouth, eligible to receive additional funding; and

**WHEREAS**, the Borough of Sea Bright intends to apply at this time for Post-Sandy Planning Assistance grant money for the following planning activities in the following amounts:

1.	Borough Organizational/Services Plan	\$15,000
2.	Debris Removal Plan	\$25,000
3.	GIS Data	\$25,000
4.	Master Plan	\$95,000
5.	Mitigation Plan	\$50,000
6.	Redevelopment Plan	\$65,000

**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 it does hereby authorize the application for the above grant:

1. Borough of Sea Bright, has sustained a ratable loss attributable to Superstorm Sandy of at least 1 percent or \$1 million dollars, as indicated by documentation from the tax assessor; and
2. Borough of Sea Bright recognizes and accepts that DCA may offer a lesser or greater amount of grant funding than requested; and
3. Borough of Sea Bright agrees to comply with all CDBG-DR regulations, Post Sandy Planning Assistance Guidelines and also accepts that the proposed use(s) of CDBG-DR funds are not reimbursable by FEMA, SBA, or any other federal agencies; and

- 4. Borough of Sea Bright, authorize the execution of the grant agreement in the amount offered and approved by DCA and further authorize the expenditure of funds pursuant to the terms of the grant agreement entered into by the Borough of Sea Bright, County of Monmouth and DCA; and

**BE IT FURTHER RESOLVED** that the persons whose names appear below (or any successor or assign) are authorized to sign the grant agreement or any other document in connection therewith.

- 1. Dina Long, Mayor
- 2. Joseph L. Verruni, Acting Administrator/Clerk

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the following:

- 1. New Jersey Department of Environmental Protection (DEP)
- 2. Steve Nelson, New Jersey Future

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

**No. 89-2014** Dedication by Rider - Public Defender  
**RESOLUTION NO. 89-2014**

**REQUESTING THE DIVISION OF LOCAL GOVERNMENT SERVICES GRANT APPROVAL OF A DEDICATION BY RIDER OF REVENUES RECEIVED FOR PUBLIC DEFENDER**

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

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and,

**WHEREAS**, P.L.1997, c. 256 permits the municipality to impose an application fee not to exceed \$50.00 to offset the costs of retaining a municipal public defender(s) as a use if consistent with the laws of the State and of the United States; and,

**WHEREAS**, NJSA 40A:4-39 provides the dedicated revenues anticipated from the Public Defender Trust are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement that the Director of the Division of Local Government Services may approve expenditures of said monies by dedication by rider;

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, as follows:

- 1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to utilize funds received for Public Defender for the stated purpose.
- 2. The Borough Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

**No. 90-2014** Dedication by Rider - Off-duty Employment of Police  
**RESOLUTION NO. 90-2014**

**REQUESTING THE DIVISION OF LOCAL GOVERNMENT SERVICES GRANT APPROVAL OF A DEDICATION BY RIDER OF REVENUES RECEIVED FOR OFF-DUTY EMPLOYMENT OF POLICE**

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

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and,

**WHEREAS**, Borough of Sea Bright provides for receipts of off-duty employment of Police by the municipality to provide for the operating costs to administer this act, and

**WHEREAS**, NJSA 40A:4-39 provides the dedicated revenues anticipated from the Off-Duty Employment of Police Trust are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement that the Director of the Division of Local Government Services may approve expenditures of said monies by dedication by rider;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey as follows:

1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to utilize funds received for off-duty employment of police for the stated purpose.
2. The Borough Clerk of the Borough of Sea Bright is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

**No. 91-2014** Dedication by Rider - Developer's Escrow

**RESOLUTION NO. 91-2014**  
**REQUESTING THE DIVISION OF LOCAL GOVERNMENT SERVICES**  
**GRANT APPROVAL OF A DEDICATION BY RIDER OF REVENUES**  
**RECEIVED FOR DEVELOPER'S ESCROW**

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

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in Advance; and,

**WHEREAS**, NJSA 40:55D-53.1 et seq. authorizes a municipality to accept funds and utilize same so long as the use is consistent with the laws of the State and of the United States; and,

**WHEREAS**, NJSA 40A:4-39 provides the dedicated revenues anticipated from the Developer's Escrow Trust are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement that the Director of the Division of Local Government Services may approve expenditures of said monies by dedication by rider;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, as follows:

1. The Borough Council does hereby request permission of the Director of the Division of Local Government Services to utilize escrow funds received for Developer's Escrow for the stated purpose.
2. The Borough Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

**No. 92-2014** Authorize the Release of Performance Guarantees - Beach Club Holdings D/B/A Ship Ahoy Beach Club

**RESOLUTION NO. 92-2014**  
**Authorize the Release of Performance Guarantees**  
**Beach Club Holdings D/B/A Ship Ahoy Beach Club**

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

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Borough of Sea Bright to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Borough Engineer; and

**WHEREAS**, Beach Club Holdings trading as Ship Ahoy Club has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$69,070.00 (\$62,163.00 in a form of a Performance Bond & \$6,907.00 in Cash) to guarantee the completion of all improvements on premises known as Block 23, Lot 14 and Block 24, Lot 17 also known as 801 Ocean Avenue; and

**WHEREAS**, Jaclyn J. Flor, P.E., P.P., representing the Borough Engineer, has advised the Borough Council by letter dated May 22, 2014, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Borough Engineer recommends the acceptance of same and the release of the aforementioned performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$10,360.50) of the cost of the improvements and posting of any outstanding engineering and administrative fees; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Jaclyn J. Flor, Borough Engineer and the performance guarantees totaling \$69,070.00 are hereby released, canceled and discharged.

**BE IT FURTHER RESOLVED** by the Borough Council that this resolution shall not become effective unless and until the Borough of Sea Bright is furnished with the posting of a maintenance guarantee in the amount of 15% (\$10,360.50) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

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

- 1. Selective Insurance Company of America
- 2. Erik Anderson, Esq. Atty for Beach Club Holdings D/B/A Ship Ahoy Beach Club
- 3. Borough Engineer
- 4. Finance Manager
- 5. Construction Official

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

**No. 93-2014** Amendment to Contract with T&M Associates for 2013 Municipal Parking Lot Improvements

**RESOLUTION NO. 93-2014**  
**Amendment to Contract with T & M Associates**  
**for 2013 Municipal Parking Lot Improvements**

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

**WHEREAS**, the Borough Council of the Borough of Sea Bright authorized T & M Associates to perform the Design, Specifications and Construction of the Municipal Parking Lot as per their proposal dated May 7, 2013 by resolution #93-2013 in an amount not to exceed \$120,000.00, and

**WHEREAS**, on February 18, 2014, Resolution 41- 2014 authorized additional funds of \$19,030.00 to be paid to T & M Associates as for the additional work for the Design Changes for the 2013 Municipal Parking Lot Improvements in an amount not to exceed \$139,030.00, and

**WHEREAS**, an additional invoice #250185 was submitted by T & M Associates in the amount of \$13,737.59 bringing the total project cost for engineering services to **\$152,767.59**, and

**WHEREAS**, Certification of Funds is hereby given by Michael J. Bascom, Chief Finance Officer of the Borough of Sea Bright that there are adequate funds available for the purpose of this contract in the Bond Ordinance #18-2013, Section 20, and

  
MICHAEL J. BASCOM, CFO

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the additional funds to be paid to T & M Associates for the 2013 Municipal Parking Lot; and

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

- 1. Finance Manager
- 2. Borough Engineer
- 3. Borough Attorney

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

**No. 94-2014** Authorizing Mayor to Sign Settlement Agreement and Mutual Release with Douglas Clark

**RESOLUTION NO. 94-2014**  
**AUTHORIZING MAYOR TO SIGN SETTLEMENT AGREEMENT  
AND MUTUAL RELEASE WITH DOUGLAS CLARK**

Councilmember Leckstein offered the following resolution for approval; seconded by Councilmember Kelly:

**WHEREAS**, Douglas Clark was employed as the Superintendent of Public Works for the Borough of Sea Bright; and

**WHEREAS**, Mr. Clark has been on an extended Leave of Absence due to a medical disability and will not be returning to work effective April 7, 2014; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Sea Bright desire to resolve all outstanding issues with respect to Mr. Clark's employment with the Borough of Sea Bright and his separation therefrom; 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 the Mayor is hereby authorized to sign said Settlement Agreement and Mutual Release agreeing to the terms and conditions contained therein; and

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

- 1. Borough Administrator
- 2. Borough Council
- 3. Finance Manager
- 4. Public Works Director

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

**No. 95-2014** Authorizing Sewerage Rates and Charges for Second, Third and Fourth Quarters of 2014 and First Quarter of 2015

**RESOLUTION NO. 95-2014**  
**AUTHORIZING SEWERAGE RATES AND CHARGES FOR SECOND, THIRD, AND  
FOURTH QUARTERS OF 2014 AND FIRST QUARTER OF 2015**

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

**WHEREAS**, the Governing Body of the Borough of Sea Bright authorized the rates and charges of the municipal public utility for sewerage for the second, third and fourth quarter of 2014 and the first quarter of 2015.

**WHEREAS**, any previous schedule of charges adopted by the Mayor and Council of the Borough of Sea Bright which are inconsistent herewith are hereby rescinded.

**WHEREAS**, the rates and charges for the utilities are as follows:

1. The 2014 second, third and fourth and 2015 first quarter sewerage rate will be at the rate of \$9.90 for every 1,000 gallons of water consumed by the customer.

2. The charges shall be due and payable in 2014 and 2015 within 10 days after the due date of the municipal sewer utilities bill. If the bill is not timely paid, the outstanding bill shall be considered a municipal charge and shall be subject to the same rate of interest accruing on delinquent taxes. The second quarter billing in 2014 shall be mailed during July of 2014 which will be for consumption billed by the water company from mid March thru mid June. The third quarter billing in 2014 shall be mailed in October for consumption billed by the water company from mid June thru mid September. The fourth quarter 2014 billing shall be mailed in January 2015 for consumption billed by the water company from mid September thru mid December. The first quarter billing in 2015 shall be mailed during April 2015 for consumption billed by the water company from mid December 2014 thru mid March 2015.

3. Consumption shall be based upon the information provided to the Borough of Sea Bright Municipal Sewer Utility by the New Jersey American Water Company. The customers that are billed by the New Jersey American Water Company on a quarterly basis shall have their sewer charge based upon the quarterly water charges from New Jersey American Water Company. Those customers that are billed on a monthly basis by New Jersey American Water Company shall have their bills based upon their water consumption.

4. All customers of the municipal sewer utility shall be billed for at least 10,000 gallons quarterly. This minimum charge shall be \$99.00 for the second, third and fourth quarters of 2014 and the first quarter of 2015.

5. The consumption charges shall be billed to the metered townhouse or condominium association or corporation for payment.

6. If any section, subsection, clause or provision of this Schedule of Charges shall be adjudged unconstitutional or to be ineffective in whole or in part, to the extent that it is not adjudged unconstitutional or is not effective, it shall be valid and effective; and no other section, subsection, clause or provision of this Schedule of Charges shall on account thereof be deemed invalid or ineffective and the inapplicability or invalidity of any section, subsection, clause or provision of this Schedule of Rates and Charges in any one or more instances or under any one or more circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instances or under other circumstances.

7. A copy of same shall at all times be kept on file at the office of the Tax/Sewer Utility Collector at 1167 Ocean Avenue, Sea Bright, New Jersey and shall at all reasonable times be open to public inspection.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright that the utility is hereby authorized to publish a notice of final adoption of said Resolution of Rates and Charges.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Sea Bright that they hereby authorize the utility to forward a copy of said Resolution of Rates and Charges to the customers of the utility at the utility's discretion.

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

**No. 96-2014** Interim Management Plan - Shrewsbury River Municipal Park (Anchorage)  
**Resolution was discussed under individual action.**

**No. 97-2014** Development of Municipal Facilities  
**RESOLUTION NO. 97-2014**  
**DEVELOPMENT OF MUNICIPAL FACILITIES**

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

**WHEREAS**, the Mayor and Council of the Borough of Sea Bright are in need of Professional Engineering Services associated with the development of the municipal facilities project, and

**WHEREAS**, Borough Engineer Jaclyn Flor, P.E. of T&M Associates determined and certified in writing in her proposal dated February 24, 2011, that the value of this project shall not exceed \$46,710.00 in engineering services, and

**WHEREAS**, Resolution 69-2011 approved on March 11, 2011, authorized the following services (Step 4 of the Municipal Facilities Plan - Regulatory Determination) from the above mentioned proposal the value of which shall not exceed \$5,000.00:

- 1. Preparing required materials & attending meeting with NJDEP \$2,500.00
  - 2. Preparing required materials & attending meeting with ACOE \$2,500.00
- , and

**WHEREAS**, Resolution 106-2011 approved on May 3, 2011, authorized the additional services in the amount \$41,710.00 as outlined in the original proposal dated February 24, 2011, and

**WHEREAS**, T&M Associates submitted an additional invoice #215700 in the amount of \$4,305.00, and

**CERTIFICATION OF FUNDS:**

I, Michael J. Bascom, Chief Financial Officer has certified that there are additional funds available for this specific purpose under Bond Ordinance No. 5-2011, Section 20, which will be charged and funds will be available in an amount of \$3,613.97.



MICHAEL J. BASCOM, CFO

**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 are hereby authorized and directed to make an additional payment to T & M Associates pursuant to the contents of their invoice as submitted; and

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

- 1. Finance Manager
- 2. T & M Associates

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

**No. 98-2014** Hiring Various Seasonal Borough Employees

**RESOLUTION NO. 98-2014**  
**HIRING VARIOUS SEASONAL BOROUGH EMPLOYEES**

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

**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.



MICHAEL J. BASCOM, CFO

**Employee**  
 Matthew Shaw  
 Regina Burns

**Position**  
 Lifeguard  
 Gate Attendant

Eric D'Amico  
 Riley Flanagan  
 John Dunleavy  
 Raymond Reynolds  
 Alexandra Cole  
 John A. Trevor  
 Robert Maggs  
 Blaine Dempsey

Lifeguard  
 Lifeguard  
 Lifeguard  
 Lifeguard  
 Lifeguard  
 Beach Attendant  
 Lifeguard  
 Lifeguard

**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 Yes Yes Yes Yes

**No. 99-2014** Repair of Beach and Center Street Pump Stations

**RESOLUTION NO. 99-2014  
 REPAIR OF BEACH &  
 CENTER STREET PUMP STATIONS**

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

**WHEREAS**, quotes for valve replacements of existing ball check vales and control panel electrical connections for the Beach and Center Streets storm water pump stations were received on December 18, 2012; and,

**WHEREAS**, Borough Engineer Jaclyn Flor, P.E. of T&M Associates has determined and certified in writing, that the value of this project shall not exceed \$16,500.00 in engineering services; and,

**WHEREAS**, Resolution#212-2013 approved on November 18, 2013 for additional invoices #229963, #231878, #232897, 238440, #236144 in the amount of \$4,469.23 for Repair of Beach and Center Street Pump Stations submitted by T & M Associates, and

**WHEREAS**, Resolution #36-2014 approved on February 4, 2014 for additional invoices #241673, and #242549 for the Repair of Beach and Center Street Pump Stations were submitted by T & M Associates in the amount of \$1,134.25, and

**WHEREAS**, an additional invoice #243212 for the Repair of Beach and Center Street Pump Stations has been submitted by T&M Associates in the amount of \$313.75, and

**CERTIFICATION OF FUNDS:**

I, Michael J. Bascom, Chief Financial Officer has certified that there are additional funds available for this specific purpose under Special Emergency (3-01-46-890-228), which will be charged and funds will be available in an amount of \$313.75.

  
 MICHAEL J. BASCOM, CFO

**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 are hereby authorized and directed to make additional payment to T & M Associates pursuant to the contents of their invoices as submitted; and

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

1. Finance Manager
2. T & M Associates

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

**ORDINANCE(s):**

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

**ORDINANCE #09-2014**

**AN ORDINANCE AMENDING CHAPTER A214, PUBLIC USE OF COUNCIL CHAMBERS OF THE CODE OF THE BOROUGH OF SEA BRIGHT**

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 09-2014, seconded by Councilmember Bills.

<b>Vote:</b>	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

Heather Bedenko, 400 Ocean Avenue, reiterated to Council why she had asked for this Ordinance to be amended to remove the fee for Sea Bright residents, business owners and organizations working on behalf of Sea Bright.

**Public Hearing (Ord. 09-2014)**

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 09-2014, seconded by Councilmember Bills.

<b>Vote:</b>	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

Councilmember Leckstein offered a motion to carry Ordinance No. 09 - 2014 to the June 17, 2014 Council Meeting, seconded by Councilmember Bills.

<b>Vote:</b>	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

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

**ORDINANCE #10-2014**

**AN ORDINANCE AMENDING AN ORDINANCE #06-2013 "FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES" OF THE BOROUGH OF SEA BRIGHT FOR THE YEAR 2013 Through 2015**

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 10-2014, seconded by Councilmember Murphy.

<b>Vote:</b>	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

**Public Hearing (Ord. 10-2014)**

Councilmember Murphy offered a motion to close the public hearing on Ordinance No. 10-2014, seconded by Councilmember Leckstein.

<b>Vote:</b>	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

Councilmember Leckstein offered a motion to adopt Ordinance No. 10-2014 and advertise according to law, seconded by Councilmember Murphy.

<b>Vote:</b>	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

**INDIVIDUAL ACTION/New Business:****Vouchers: \$980,531.00**

Councilmember Leckstein offered a motion to approve the Voucher List dated June 3, 2014 as submitted by the Finance Manager, seconded by Councilmember Bills.

Voucher List  
June 3, 2014  
Sea Bright Borough

01772	ALL STRUCTURES, LLC		
14-00377	04/03/14 DPW-SHED	Open	5,746.00
01909	AMERICAN UNIFORM & SUPPLY CO.		
14-00352	03/27/14 BEACH MAINT-SHIRTS/SWEATSHIRTS	Open	336.00
02113	AMERICAN WATER		
14-00604	05/28/14 APR 2014 USAGE DATA:BILLING	Open	315.09
00384	AT & T MOBILITY		
14-00600	05/28/14 DPW-MAY 2014 CELL BILL	Open	136.13
02169	ATTILIO'S RESTAURANT & PIZZA		
14-00508	05/01/14 BEACH-PRISONER FOOD W/E 5/9/14	Open	189.17
00006	AVAYA, INC.		
14-00153	02/11/14 POLICE DEPT-2014 PHONE MAINT	Open	91.47
01935	BEACH BURGER & GRILL		
14-00570	05/20/14 A&E-SALAD & WRAPS:MEMORIAL DAY	Open	300.00
01443	BENNETT, ERICH		
14-00591	05/27/14 POLICE DEPT-REIMB:CLOTHING	Open	600.61
01631	BOROUGH OF OCEANPORT		
14-00465	04/22/14 COURT SHARED SERVICES:JUN 2014	Open	6,503.34
01565	BOROUGH OF SEA BRIGHT		
14-00552	05/15/14 T/F ADMIN FEE:05/15/14 P/R	Open	643.00
01974	BOROUGH OF SEA BRIGHT COURT		
14-00550	05/14/14 COURT-04/14 CREDIT CARD REIMB	Open	70.08
00230	CERTIFIED SPEEDOMETER		
14-00472	04/23/14 POLICE DEPT-CALIBRATE VEHICLES	Open	180.00
00198	COMCAST		
14-00567	05/19/14 POLICE DEPT-INTERNET:MAY 2014	Open	104.95
01992	DOGS AND CATS, INC.		
14-00482	04/28/14 BEACH-ONE YEAR LEASE:OFFICE	Open	2,500.00
01016	FIORE PAVING, INC.		
13-01475	11/13/13 MUNICIPAL PARKING LOT IMPROV	Open	505,317.30
00911	GILL, ELIZABETH		
14-00589	05/27/14 BEACH-REIMB:BACKGROUND CHECK	Open	40.70
01194	GLENCO SUPPLY, INC.		
14-00476	04/25/14 BEACH-"KEEP OFF DUNES" SIGNS	Open	480.00
14-00529	05/08/14 DPW-YELLOW PAINT	Open	545.25
14-00562	05/16/14 DPW-"REVERSE ANGLE PARKING"	Open	460.00
			-----
			1,485.25
00700	JACOBS, KHRISTI		
14-00590	05/27/14 POLICE DEPT-REIMB:CLOTHING	Open	852.27
01435	JAMALI DEVELOPERS, LLC		
13-01549	12/06/13 ADA RAMP & PUBLIC RESTROOM	Open	94,465.58
01526	JCP & L		
14-00581	05/27/14 PARKING LOT-POLE RELOCATION	Open	32,984.49
01043	JERSEY PROFESSIONAL		
14-00564	05/16/14 ACTING ADMINISTRATOR SERVICES	Open	6,247.50
14-00587	05/27/14 ACTING DEPUTY CLERK SERVICES	Open	4,143.75
			-----
			10,391.25

**REGULAR MEETING MINUTES****JUNE 3, 2014**

00106	MGL FORMS-SYSTEMS, LLC		
14-00464	04/21/14 FINANCE-1000 PURCHASE ORDERS	Open	467.00
14-00467	04/23/14 FINANCE-1000 A/P CHECKS	Open	274.00
			-----
			741.00
01985	MOBILE MINI, INC.		
14-00578	05/27/14 POLICE-TRAILER 2014 PYMT 06/13	Open	204.75
00688	MONMOUTH COUNTY POLICE ACADEMY		
14-00498	04/30/14 POLICE DEPT-TRAINING	Open	30.00
00340	MORRIS, KATHLEEN		
14-00605	05/28/14 A&E-REIMB:MEMORIAL DAY SUPPL	Open	78.64
00137	MUNICIPAL CAPITAL CORPORATION		
14-00030	01/22/14 A&E-2014 COPIER LEASE	Open	225.20
00019	NJ AMERICAN WATER		
14-00603	05/28/14 APR 2014 WATER UTILITY	Open	176.54
00012	NJ ASSOCIATION OF PLANNING &		
14-00332	03/21/14 PLANNING BOARD-2014 DUES	Open	55.00
01309	OCEANPORT BOARD OF EDUCATION		
14-00546	05/12/14 GRADE SCHOOL TAX - JUN 2014	Open	59,278.37
00081	PERRY'S TROPHY CO., INC.		
14-00520	05/06/14 REC-PLAQUE:BIKE STATION	Open	10.00
01648	PETRA OVERHEAD DOOR CO., INC.		
14-00545	05/12/14 BLDGS/GRNDS-REPAIR FIRST AID	Open	450.00
02141	RELIANCE GRAPHICS, INC.		
14-00555	05/16/14 SAMPLE BALLOTS-2014 PRIMARY	Open	632.00
01640	SEA BRIGHT PIZZA		
14-00592	05/27/14 POLICE DEPT-5/9/14 (3) PIZZAS	Open	50.50
01554	SEA BRIGHT SERVICE CENTER		
14-00449	04/21/14 OEM-BLANKET:EQUIPMENT MAINT	Open	230.87
00027	SEABOARD WELDING SUPPLY, INC.		
14-00125	02/10/14 DPW - 2014 CYLINDER RENTAL	Open	13.50
01027	SHORE BUSINESS SOLUTIONS		
14-00544	05/12/14 MAINT:SHARP FAX MACH:BORO HALL	Open	395.00
00053	SHORE REGIONAL HIGH SCHOOL		
14-00606	05/29/14 HIGH SCHOOL TAX - JUN 2014	Open	165,530.75
00125	SPAHR, PATRICIA		
14-00602	05/28/14 TAX COLL-REIMB:A/CITY TRAV EXP	Open	84.00
00285	STAPLE'S ADVANTAGE		
14-00371	04/01/14 POLICE DEPT-COPY PAPER	Open	282.06
14-00532	05/08/14 BOROUGH HALL-OFFICE SUPPLIES	Open	206.38
			-----
			488.44
00083	T & M ASSOCIATES		
14-00553	05/16/14 ENGINEERING-9/9/13	Open	272.00
01285	THE HOME DEPOT		
14-00557	05/16/14 BEACH-BLANKET:MAINT & REPAIRS	Open	557.19
00178	UNITED STATES POSTAL SERVICE		
14-00571	05/20/14 POSTAGE FOR POSTAGE METER	Open	750.00
01960	VERIZON		
14-00554	05/16/14 LOCAL/LONG DISTANCE:APR 2014	Open	1,602.91
00809	VERIZON - ENGINEERING DEPT		
14-00580	05/27/14 PARKING LOT-RELOCATE SERVICE	Open	15,500.00
01020	VERIZON COMMUNICATIONS		
14-00582	05/27/14 POLICE-FIOS STATIC IP:MAY 2014	Open	109.99

02061	VERIZON WIRELESS		
14-00598	05/28/14 AIR CARDS/JET PACKS:MAY 2014	Open	160.04
14-00599	05/28/14 POLICE-MAY 2014 CELL & MDT	Open	773.38
			-----
			933.42
01150	W.W. GRAINGER, INC.		
14-00534	05/09/14 SEWER-SEALED BATTERIES	Open	60.12
BALANCE CARRIED FORWARD			911,712.87
GOWAN, KERRY (MAY 2014 ANIMAL CONTROL CALLS)			90.00
MONMOUTH COUNTY SPCA			200.00
OLVING, JANE (BEACH CHANGE FUND )			4,000.00
THE BANK OF NEW YORK (BOND INTEREST PAYMENT)			1,556.16
THE BANK OF NEW YORK (BOND INTEREST PAYMENT)			35,881.11
U.S. BANK, NA (BOND INTEREST PAYMENT)			21,981.25
WEX BANK (MAY 2014 VEHICLE FUEL)			5,109.61
GRAND TOTAL			<u>980,531.00</u>

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

**No. 96-2014 Interim Management Plan - Shrewsbury River Municipal Park (Anchorage)**

Councilman Keeler is opposed to this Resolution and summarized his concerns and objections for Council to consider- most importantly the loss of 23 reasonable based housing units.

**RESOLUTION NO. 96-2014  
 INTERIM MANAGEMENT PLAN  
 SHREWSBURY RIVER MUNICIPAL PARK**

Councilmember Leckstein offered the following resolution for approval; seconded by Councilmember Kelly;

**WHEREAS**, the Borough of Sea Bright has been advised by the State of New Jersey Department of Environmental Protection that it is under contract to acquire 960 Ocean Avenue, which is officially known as Block 24, Lot 1.01 on the tax map of the Borough of Sea Bright, through the Green Acres Program; and

**WHEREAS**, the Mayor and Council of the Borough of Sea Bright believe that it would be in the best interests of the Borough of Sea Bright for the property at 960 Ocean Avenue to be acquired by the Department of Environmental Protection, through its Green Acres Program, for utilization as a public park; and

**WHEREAS**, the above mentioned land, which will be known as The Shrewsbury River Municipal Park until a more permanent name can be chosen, has significant environmental and open space attributes which will provide open space and passive outdoor recreational opportunities to the public; and

**WHEREAS**, the Department of Environmental Protection and the Division of Parks and Forestry, State Park Service will be assigned the responsibility of overseeing the property as a State asset; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Sea Bright have agreed to provide maintenance functions as referenced in the Interim Management Plan; 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 the Borough Administrator/Clerk is hereby authorized to work with the Department of Environmental Protection toward aiding the Department in its efforts to acquire 960 Ocean Avenue; and

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

1. Honorable Bob Martin, Commissioner of the Department of Environmental Protection
2. Michael Buriani, Green Acres Program

Vote: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy  
 Yes No Yes Yes Yes Yes

**FOR DISCUSSION:**

- a) Sea Bright Citizen Advisory Committee to Study Municipal Consolidation  
Councilman Leckstein lead discussion summarizing the report. Committee met with various municipalities and concluded that the towns immediately adjoining would be the most logical towns to consolidate with. Would like Committee to continue to explore shared services opportunities. Councilman Leckstein thanked the committee members for all their hard work.

**Mayor Long made the following Announcement**

**Town Hall Meeting - THURSDAY, June 12, 2014 at 7 pm to give an Update on Strategic Recovery Planning Report that was recently submitted to the State Department of Community Affairs as well as to provide information for the larger public what is happening with the projects identified in SEA BRIGHT 20/20.**

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

The Public Comment portions of this meeting allow 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.

Jean Kingman, 36 Waterview, inquired as to where she could get a copy of the SRPR. Councilman Leckstein let her know the report is available in the Clerk's office.

Liz Von Ziegesar, 174 Ocean Avenue, stated that she agreed with Councilman Keeler's concerns about removing the Anchorage Apartment site and that there is a lack of housing for elderly people.

**EXECUTIVE SESSION****RESOLUTION  
EXECUTIVE SESSION**

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

**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. Litigation
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        Yes        Yes        Yes        Yes

**ADJOURNMENT**

Councilmember Murphy offered a motion to adjourn the meeting; seconded by Councilmember Leckstein.

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

Respectfully submitted,

Christine Pfeiffer  
Deputy Clerk