

**AGENDA  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**MARCH 15, 2016**

**SEA BRIGHT, NEW JERSEY**

**CALL MEETING TO ORDER: 7:00pm**

**PLEDGE OF ALLEGIANCE**

**COMPLIANCE STATEMENT (N.J.S.A. 10:4-18)**

**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 Faxed to the Asbury Park Press and other local newspapers on November 23, 2015. In each instance, the Date, Time, And Location Of This Meeting Were Provided In The Notice. This Meeting Is Open To The Public."**

**ROLL CALL:**

**Councilmember (s)**      **BILLS**\_\_\_\_ **KEELER**\_\_\_\_ **KELLY**\_\_\_\_ **LAMIA**\_\_\_\_  
                                 **LECKSTEIN**\_\_\_\_ **ROONEY**\_\_\_\_  
**Mayor**                      **LONG** \_\_\_\_\_

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

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

**CONSENT AGENDA**

Councilmember \_\_\_\_\_ offered a motion to approve the items that are considered routine in nature under the consent agenda; seconded by Councilmember \_\_\_\_\_

**Minutes**

02/11/2016	Workshop Meeting
02/11/2016	Executive Session
02/16/2016	Regular Meeting
02/16/2016	Executive Session
03/01/2016	Regular Meeting
03/01/2016	Executive Session

**Resolutions:**

**No. 53-2016**      Accepting the Performance Guarantee(s) for LBP Corporation  
                                 d/b/s Donovan's Reef, Block 7, Lot 9, 1171 Ocean Avenue

**No. 54-2016**      Authorizing Hiring Of Police Part Time Special Officers

- No. 55-2016** Authorizing Additional Duties for the Superintendent of Public Works
- No. 56-2016** Lease Agreement for Temporary Library with First United Methodist Church of Sea Bright
- No. 57-2016** Donation of 2016 Beach Badges
- No. 58-2016** Authorize Submission of Tax Reimbursement Certificate in Connection with the Recycling Tonnage Grant
- No. 59-2016** 2015 Recycling Tonnage Grant
- No. 60-2016** Appropriation Reserve Transfer
- No. 61-2016** Award of Contract - Ocean Avenue Streetscape Improvements Project
- No. 62-2016** Authorize the Release of Maintenance Bond for Edgewater Beach, Inc.

**Roll Call:** Bills\_\_\_ Keeler\_\_\_ Kelly\_\_\_ Lamia\_\_\_ Leckstein \_\_\_ Rooney\_\_\_

**ORDINANCE(s):**

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

**ORDINANCE #07-2016**  
**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET**  
**APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**  
**CALENDAR YEAR 2016**  
**(N.J.S.A. 40A: 4-45.14)**

Councilmember \_\_\_\_\_ offered a motion to open the public hearing on Ordinance No. 07-2016, seconded by Councilmember \_\_\_\_\_

**Roll Call:** Bills\_\_\_ Keeler\_\_\_ Kelly\_\_\_ Lamia\_\_\_ Leckstein \_\_\_ Rooney\_\_\_

**Public Hearing (Ord. 07-2016)**

Councilmember \_\_\_\_\_ offered a motion to close the public hearing on Ordinance No. 07-2016, seconded by Councilmember \_\_\_\_\_

**Roll Call:** Bills\_\_\_ Keeler\_\_\_ Kelly\_\_\_ Lamia\_\_\_ Leckstein \_\_\_ Rooney\_\_\_

Councilmember \_\_\_\_\_ offered a motion to adopt Ordinance No. 07-2016 and advertise according to law, seconded by Councilmember \_\_\_\_\_

**Roll Call:** Bills\_\_\_ Keeler\_\_\_ Kelly\_\_\_ Lamia\_\_\_ Leckstein \_\_\_ Rooney\_\_\_

**INDIVIDUAL ACTION/New Business:****Vouchers: \$ 265,734.77**

Councilmember \_\_\_\_\_ offered a motion to approve the Voucher List dated March 15, 2016 as submitted by the Finance Manager, seconded by Councilmember \_\_\_\_\_

**Roll Call:** Bills\_\_\_ Keeler\_\_\_ Kelly\_\_\_ Lamia\_\_\_ Leckstein \_\_\_Rooney\_\_\_

**COUNCIL COMMITTEE REPORTS:****A. BEACH / PUBLIC RELATIONS / GRANTS:**

- **JOHN LAMIA, CHAIR**
- Charles Rooney
- Brian Kelly

**B. FINANCE / INSURANCE / COURT / VOLUNTEERS:**

- **WILLIAM KEELER, CHAIR**
- Peggy Bills
- John Lamia

**C. PERSONNEL/ LIBRARY / RECREATION:**

- **PEGGY BILLS, CHAIR**
- Marc Leckstein
- Charles Rooney

**D. PUBLIC SAFETY / EDUCATION:**

- **CHARLES ROONEY, CHAIR**
- William Keeler
- Peggy Bills

**E. PUBLIC WORKS / BUILDING DEPARTMENT/ CODE ENFORCEMENT / SEA BRIGHT 365 & CULTURAL ARTS:**

- **MARC LECKSTEIN, CHAIR**
- Brian Kelly
- William Keeler

**F. SEA BRIGHT RECOVERY / CAPITAL PLAN / FLOOD CONTROL / BEAUTIFICATION:**

- **BRIAN KELLY, CHAIR**
- John Lamia
- Marc Leckstein

**MAYOR DINA LONG – Reports and Communications**

**EXECUTIVE SESSION**

Councilmember \_\_\_\_\_ offered a motion to enter into Closed Session;  
seconded by Councilmember \_\_\_\_\_

**Resolution to discuss:** 1) Personnel  
2) Contracts

**Roll Call:** Bills\_\_\_ Keeler\_\_\_ Kelly\_\_\_ Lamia\_\_\_ Leckstein \_\_\_ Rooney\_\_\_

**ADJOURNMENT**

Councilmember \_\_\_\_\_ offered a motion to adjourn the meeting; seconded  
by Councilmember \_\_\_\_\_

**Roll Call:** Bills\_\_\_ Keeler\_\_\_ Kelly\_\_\_ Lamia\_\_\_ Leckstein \_\_\_ Rooney\_\_\_

**RESOLUTION #53-2016**  
**Accepting the Performance Guarantee(s) for**  
**LBP Corporation d/b/s Donovan's Reef**  
**Block 7, Lot 9, 1171 Ocean Avenue**

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

**WHEREAS**, the Borough of Sea Bright Planning Board has approved a development project on Block 7, Lot 9 commonly known as 1171 Ocean Avenue; and

**WHEREAS**, T & M Associations prepared a performance guarantee estimate on December 22, 2014, and later a revised estimated was submitted dated February 5, 2016 for LBP Corporation; and

**WHEREAS**, LBP Corporation posted the required performance guarantee in the total amount of \$312,411.00, ten percent (10%) \$ 31,241.10 of which was cash and deposited with the Borough in accordance with the ordinances of the Borough of Sea Bright and the remaining ninety percent (90%) \$281,170.00 was in the form of a performance bond # B 1169926, and

**WHEREAS**, LBP Corporation is required to post six percent (6%) engineering inspection fees in the amount of \$15,620.55 and the required certificate of insurance; and

**WHEREAS**, the Borough Attorney, R. McLaughlin reviewed said Performance Bond issued by Selective Insurance Company of America, along with related documents and found that all documents conform to the Engineer's estimate dated February 5, 2016 and further certifies the foregoing on March 7, 2016 to the Mayor and Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that all requirements for entering into a developer's agreement are hereby waived; and

**BE IT FURTHER RESOLVED** that the total performance guarantees are hereby accepted for LBP Corporation.

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

1. Kathy Morris, Planning Board Secretary
2. Karen DiBerardino, Construction Secretary
3. Wayne Sibilia, Fiscal Officer
4. Jaclyn Flor, Borough Engineer
5. LBP Corporation

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on March 15, 2016.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 54-2016**  
**AUTHORIZING HIRING OF POLICE OFFICERS**  
**PART TIME SPECIAL OFFICERS**

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

**WHEREAS**, there exists a need for part time employees in the Police Department in the Borough of Sea Bright during the summer months; and

**WHEREAS**, Chief John Sorrentino submitted a letter dated March 8, 2016, to hire two (2) additional employees as part time Special Officers; and

**WHEREAS**, the Chief has affirmed that the two (2) employees have had background checks completed by the Sea Bright Police Department; and

**CERTIFICATION OF FUNDS**

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

\_\_\_\_\_  
Michael J. Bascom

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that two (2) employee(s) be hired as specified in Ordinance No.06-2013; and

- 1. Anthony J. Holiday, Shrewsbury, NJ - Class II Special Officer**
- 2. Ty D. Manning, Fair Haven, NJ - Class I Special Officer**

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

1. Finance Manager
2. Chief of Police
3. Individual Appointees

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on March 15, 2016.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk

**RESOLUTION No. 55-2016**  
**Authorizing Additional Duties for the  
Superintendent of Public Works  
Borough of Sea Bright**

Councilmember \_\_\_\_\_ introduced and offered the following Resolution for adoption;  
seconded by Councilmember \_\_\_\_\_ :

**WHEREAS**, Mark Philpot, Superintendent of the Department of Public Works is a Borough of Sea Bright Municipal employee; and

**WHEREAS**, Mark has attended classes to obtain his Sewer Collection System C1 License and Recycling Coordinator certification, and

**WHEREAS**, Mark passed the State Exams and obtained Certifications for the positions;  
and

**WHEREAS**, the Borough Council wishes to compensation Marc Philpot, Superintendent of Public Works, as follows:

<b>Recycling Coordinator</b>	<b>\$ 2,500.00/year</b>
<b>Sewer Collection System C1 License</b>	<b>\$ 500.00/year</b>

**Certification of Funds**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds will be available in the Recycling Tonnage Grant and Sewer Utility for the purposes stated herein.

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Michael J. Bascom

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, hereby authorize the compensation of \$3,000.00 as indicated above to Mark Philpot, Superintendent of Public Works, for obtaining his Sewer Collection System C1 License and further appoints Mark as the Recycling Coordinator/Inspector.

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

1. Mark Philpot
2. Finance Manager

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council meeting held on March 15, 2016.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 56-2016**  
**LEASE AGREEMENT**  
**FOR TEMPORARY LIBRARY WITH**  
**FIRST UNITED METHODIST CHURCH OF SEA BRIGHT**

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

**WHEREAS**, the Borough of Sea Bright entered into a lease agreement for one (1) year with the United Methodist Church of Sea Bright, 1104 Ocean Avenue, Sea Bright, New Jersey (aka Block 14; Lot 1) for the use of the Stage and Fellowship areas of sanctuary on the first floor for the use of a temporary library on December 16, 2014 (Resolution No. 193-2014); and

**WHEREAS**, the Borough Council is in receipt of a letter dated March 8, 2016 from Pastor Michael Turner of the First United Methodist Church along with the Renewal Lease Agreement for an additional one year term beginning March 1, 2016 and ending February 28, 2017 at the Residential Contribution amount of \$1,000 per month payable in advance at the first day of each month; and

**WHEREAS**, the Borough Council wish to continue the use of the United Methodist Church of Sea Bright, Stage and Fellowship areas of the sanctuary for the use of a temporary library for an additional one year term.

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in the Current Fund - Aid to Privately Owned Library.

\_\_\_\_\_  
Michael J. Bascom

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the Mayor and Borough Clerk to execute the renewal lease agreement for an additional one year with First United Methodist Church of Sea Bright for an amount not to exceed \$12,000.00; and

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

1. First United Methodist Church of Sea Bright
2. Finance Manager
3. Library Committee
4. Borough Attorney

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright; County of Monmouth, State of New Jersey, at a Council Meeting held on March 15, 2016.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk



**RESOLUTION NO. 57-2016**  
**DONATION 2016 BEACH BADGES**  
**BOROUGH OF SEA BRIGHT**

Councilmember \_\_\_\_\_ offered the following resolution and moved for its adoption;  
seconded by Councilmember \_\_\_\_\_ :

**WHEREAS**, the Governing Body of the Borough of Sea Bright wish to support the fundraising efforts for the local organizations listed below by donating 2016 beach badges as requested in the letters attached hereto:

- |    |   |                 |
|----|---|-----------------|
| 1. | Marine Academy of Science & Technology, Highlands, NJ<br>Fourteenth Annual Gift Auction on March 18, 2016 | <b>2 Badges</b> |
| 2. | Nut Swamp Elementary School, Middletown, NJ<br>Nut Swamp Spring Gala on April 29, 2016                    | <b>2 Badges</b> |
| 3. | Parents of Autistic Children, Brick, NJ<br>Tricky Tray for Autism Event on April 16, 2016                 | <b>2 Badges</b> |

**WHEREAS**, the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2016 Season Beach Badges.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Sea Bright, County of Monmouth, authorize the donation of a total of six (6) 2016 Season Beach Badges for the aforementioned fund raising events.

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

1. Borough Administrator
2. Borough Auditor
3. Individual Requestors

**Roll Call:** Bills, Keeler, Kelly, Lamia, Leckstein, Rooney

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on March 15, 2016.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 58-2016**  
**AUTHORIZE SUBMISSION OF TAX REIMBURSEMENT CERTIFICATE  
IN CONNECTION WITH THE RECYCLING TONNAGE GRANT**

Councilmember \_\_\_\_\_ introduced and offered for adoption the following  
Resolution; seconded by Councilmember \_\_\_\_\_ :

**WHEREAS**, the Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

**WHEREAS**, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and,

**WHEREAS**, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law," the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program; and,

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify a submission of expenditures for taxes paid in the amount of \$3,408.17 was received by this municipality.

\_\_\_\_\_  
Michael J. Bascom, CFO

**THEREFORE, BE IT RESOLVED**, by the Borough Council of Sea Bright, County of Monmouth, State of New Jersey, that the Borough of Sea Bright hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2009, chapter 311, in 2015 the amount of \$3,408.17. Documentation supporting this submission is available with the Chief Financial Officer at the Borough of Sea Bright Municipal Offices, 1167 Ocean Avenue, Sea Bright, NJ 07760 and shall be maintained for no less than five years from this date; and,

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

1. Chief Financial Officer
2. Director of Public Works/Recycling Coordinator

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on March 15, 2016.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 59-2016**  
**2015 Recycling Tonnage Grant**

Councilmember                    introduced and offered the following resolution for approval;  
seconded by Councilmember                    :

**WHEREAS**, the Mandatory Source Separation and Recycling Act P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulation imposes on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for 2015 recycling tonnage grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Sea Bright to the efforts undertaken by the municipality and the requirements contained in the recycling act and recycling regulations; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Bright, that the Borough of Sea Bright hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates David Bahrle, Recycling Coordinator to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

1. New Jersey Department of Environmental Protection
2. Department of Public Works

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on March 15, 2016.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 60-2015  
APPROPRIATION RESERVE TRANSFER**

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

**WHEREAS**, N.J.S.A. 40A:4-4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

**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, 2/3 of the majority of the full membership concurring herein that the following transfers be authorized amongst 2015 Budget Appropriation Reserves as follows:

<b>ACCOUNTING CODE</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>	<b>TOTALS</b>
	<b>CURRENT FUND-Transfer From (Inside CAPs):</b>		
1-01-31-460-200	Gasoline	2,500.00	
	<b>TOTAL TRANSFERS-From</b>		<u><b>2,500.00</b></u>
	<b>CURRENT FUND- Transfer To (Inside CAPs):</b>		
	Emergency Management Office -		
1-01-25-252-200	O&E	1,000.00	
	<b>CURRENT FUND- Transfer To (Outside CAPs):</b>		
1-01-29-390-200	Library - O&E	1,500.00	
	<b>TOTAL TRANSFERS-To</b>		<u><b>2,500.00</b></u>

Roll Call:	Bills,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	Absent	Absent	Yes	Yes

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on March 15, 2016.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION No. 61-2016**  
**Award of Contract**  
**Ocean Avenue Streetscape Improvements Project**

Councilmember \_\_\_\_\_ offered the following resolution and moved its adoption;  
seconded by Councilmember \_\_\_\_\_ :

**WHEREAS**, on October 15, 2015 the Borough Council of the Borough of Sea Bright authorized the receipt of bids for the Ocean Avenue Streetscape Improvements Project; and

**WHEREAS**, the Borough Clerk did duly advertise on February 19, 2016 to receive bids on March 10, 2016 for the Ocean Avenue Streetscape Improvements Project; and

**WHEREAS**, in connection therewith four (4) bids were received by the Borough Clerk on March 10, 2016 from the following: 1) Precise Construction Incorporated, Freehold, NJ for \$1,118,635.00; 2) LandTec Construction d/b/a United Terrain, Piscataway, NJ for \$1,142,548.00; 3) S. Batata Construction, Inc., Parlin, NJ for \$1,182,208.00; and 4) A-Tech Concrete Co., Edison, NJ for \$1,723,013.00; and

**WHEREAS**, it was determined that the lowest responsible bidder meeting specifications for this bid was Precise Construction Incorporated; and

**WHEREAS**, the Borough Engineer recommends that a contract be awarded to Precise Construction Incorporated of Freehold, New Jersey as per their bid proposal for the Ocean Avenue Streetscape Improvement Project at a cost not to exceed \$1,118,635.00 subject to submission and approval of the required New Jersey Economic Development Authority documentation and approval of the Borough Attorney; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds not to exceed \$1,118,635.00 are available for this contract in the New Jersey Economic Development Authority Streetscape Grant budget.

\_\_\_\_\_  
Michael J. Bascom

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, that the bid proposal for the Ocean Avenue Streetscape Improvements Project set forth in the bid submitted in the amount of \$1,118,635.00 be awarded to Precise Construction Incorporated, 1016 Highway 33, Freehold, NJ 07728; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be printed one time in the "Asbury Park Press" newspaper.

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized to return all bid bonds and/or certified checks received from unsuccessful bidders; and

**BE IT FURTHER RESOLVED** that this award of contract is conditioned upon delivery and execution thereof within ten (10) days from the date of the within Resolution accompanied by such appropriate insurance certificate, affirmative action certificate and performance bonds as may be required by the specifications; and

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

1. All Bidders
2. Borough Engineer
3. Police Chief
4. Public Works Director

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on March 15, 2016.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION No. 62-2016**  
**Authorize the Release of Maintenance Bond for**  
**Edgewater Beach, Inc.**  
**Block 4, Lot 6**

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

**WHEREAS**, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete; and

**WHEREAS**, on January 30, 2014, Edgewater Beach, Inc. has heretofore deposited with the Borough of Sea Bright a maintenance bond (No. PAIFSU0621946) in the amount of 15% (\$28,152.00) of the cost of the improvements on premises known as Block 4, Lot 6 also known as 1465 Ocean Avenue for a two year period; and

**WHEREAS**, Jaclyn J. Flor, P.E., P.P., representing the Borough Engineer, has advised the Borough Clerk by letter dated March 11, 2016, a copy of which is on file in the Office of the Borough Clerk, that the bonded improvements have been satisfactorily completed in accordance with the approved site plan and remain in good condition, therefore recommending the release of the aforementioned maintenance bond.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the maintenance bond in the amount of \$28,152.00 is hereby released, canceled and discharged; and

**BE IT FURTHER RESOLVED** that any outstanding engineering, administrative and planning board escrow balances be refunded; and

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

1. International Fidelity Insurance Company
2. Finance Manager
3. Fiscal Officer
4. Construction Official
5. Edgewater Beach, Inc.

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on March 15, 2016.

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Christine Pfeiffer, Borough Clerk

**ORDINANCE NO. 07-2016**  
**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET**  
**APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**  
**CALENDAR YEAR 2016**  
**(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget; a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Sea Bright in the County of Monmouth finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$136,271.21 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Sea Bright, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Sea Bright shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$136,271.21, and that the CY 2016 municipal budget for the Borough of Sea Bright be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INTRODUCED:                March 1, 2016  
PUBLIC HEARING:        March 15, 2016  
ADOPTION:

**I HEREBY CERTIFY** this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on March 1, 2016 and will be further considered after a Public Hearing held on March 15, 2016 at the Municipal Building at 7 pm.

\_\_\_\_\_  
Christine Pfeiffer  
Borough Clerk

\_\_\_\_\_  
Dina Long  
Mayor, Borough of Sea Bright



**BILL LIST MARCH 15, 2016**Revised

2/18/2016 16-00203	Accurate Waste Systems Sewer:Maintenance & Cleaning	\$2,950.00
3/4/2016 16-00298	Bain's Hardware Multi Dept:Feb. 2016	\$769.52
3/3/2016 16-00295	Benemax Health Benefits:Dental-Jan. 2016	\$336.00
3/4/2016 16-00300	Benemax Health Benefits:Dental-Feb. 2016	\$336.00
1/22/2016 16-00079	CDW Government Inc. Police:Computer Equipment	\$3,998.87
2/29/2016 16-00274	Chesapeake Exterminating Co. Police:Services 12/15 & 1/16	\$60.00
3/11/2016 16-00312	Cleary, Giacobbe, Alfieri & Jacobs Legal Services:Tax Appeals	\$570.00
3/11/2016 16-00313	Comcast Police & Library:Internet Service	\$434.96
3/3/2016 16-00294	Conte's Car Wash 2016 Contract:1/Q Payment	\$508.75
2/24/2016 16-00251	Farmer,Jane Library:Reimb. Supply Costs	\$103.29
1/21/2016 16-00055	Firefighter One DPW:Uniforms	\$243.72
11/30/2015 15-01293	First Priority Emergency Fire:Storage Wells for Trucks	\$672.50
9/15/2015 15-00987	First Priority Emergency Fire:Vehicle Repair-4377	\$5,155.02
1/21/2016 16-00066	Estelle,David Fire Dept:Driver Stipend-2015	\$110.00
1/21/2016 16-00071	Forsman,James Fire Dept:Driver Stipend-2015	\$110.00
2/25/2016 16-00259	Gateway Press Tax & Sewer:Payment Stubs	\$156.00
2/29/2016 16-00276	Gateway Press A&E:Printing of Directories	\$760.00
11/13/2015 15-01246	Gempler's/Ariens Specialty DPW:Ultra Waterproof Gloves	\$221.15

2/18/2016 16-00207	Gempler's/Ariens Specialty DPW:Steel Toe Boots	\$176.90
3/11/2016 16-00314	GenServe Police:Generator Service-2015	\$275.00
3/4/2016 16-00301	Gibbons, P.C. Legal Service:Bond Anticipation Notes	\$1,606.33
2/23/2016 16-00240	Grainger Gov. Call Center Sewer:Supplies	\$413.34
3/11/2016 16-00319	Hubbard/Settembrino Architects Concept Plans:Boro Buildings	\$26,955.00
2/22/2016 16-00229	Jungle Lasers Bldg. Dept:Dec. 2015 Permits	\$750.00
1/21/2016 16-00067	Lang, Steven Fire Dept:Driver Stipend-2015	\$110.00
3/3/2016 16-00289	M & S Waste Services Brush Collection-Feb. 2016	\$375.00
3/3/2016 16-00180-2	M & S Waste Services Trash & Recycling Kpup-Feb. 2016	\$9,916.66
3/3/2016 16-00290	M & S Waste Services Dumpster Fees:Feb. 2016	\$1,014.71
3/3/2016 16-00291	M & S Waste Services Landfill Tipping & Recycling Fee-Feb. 2016	\$6,699.30
3/11/2016 16-00311	McLaughlin, Stauffer & Shaklee Legal Services:Feb. 2016	\$3,556.55
2/29/2016 16-00272	Middlesex County Fire Academy Fire Dept:Training	\$184.00
3/11/2016 15-00302	Modular Space Corp. Beach:Trailer Rentals-2015	\$4,240.00
3/11/2016 16-00309	Modular Space Corp. Police:Step Rentals/Trailer	\$1,515.00
2/18/2016 16-00198	Monmouth County Police Academy Police:SLEO II Training	\$1,440.00
2/29/2016 16-00279	Monmouth County Treasurer Police:911 & Emergency Dispatch-2016	\$82,729.00
3/3/2016 16-00285	Monmouth Municipal Judges Assoc. Court:2016 Membership Dues	\$160.00
2/9/2016 16-00147	Monmouth Truck Equipment DPW:Equipment Repairs	\$190.00

1/21/2016 16-00076	Morphotrak/Safran Police:Maintenace Contract-2016	\$2,633.69
2/18/2016 16-00206	Napa Auto Parts DPW:Vehicle Parts	\$70.79
2/23/2016 16-00233	Navesink Marina Fire Dept:Winterize/Powerwash Boat	\$431.49
3/11/2016 16-00310	NJ Dept of Labor & Workforce Development Interest Payments:2010-2014	\$703.14
3/11/2016 16-00315	NJ League of Municipalities 2016 Membership Dues	\$272.00
2/18/2016 16-00212	NJ State Association of Chiefs Of Police Police:Membership Dues	\$275.00
3/8/2016 16-00305	R. Kremer & Son Marine Contractors Bulkhead/Stormwater Project-Pymnt #6	\$70,280.70
1/28/2016 16-00124	Red The Uniform Tailor Police:Clothing Allowance/Chernavsky	\$429.90
3/3/2016 16-00297	Sea Bright Service Center DPW:Vehicle Repairs	\$75.00
2/22/2016 16-00226	Sea Bright Service Center DPW:Vehicle Repairs	\$612.13
2/18/2016 16-00201	Sea Bright Service Center OEM:Vehicle Repair	\$258.95
3/3/2016 15-01312-3	T & M Associates Engineer:OEM Facility-Project #01720	\$11,009.64
3/3/2016 16-00287	T & M Associates Engineer:General Services-12/15-1/16	\$2,830.71
3/3/2016 16-00288	T & M Associates Engineer:Meeting Attendance-12/15-1/16	\$1,727.88
3/3/2016 16-00296	The Home Depot Bldgs & Grounds:Supplies	\$355.98
3/11/2016 16-00318	Treasurer, County of Monmouth County Tax:2016	\$428.04
3/11/2016 16-00316	Treasurer, County of Monmouth Library Tax:2016	\$28.20
3/11/2016 16-00317	Treasurer, County of Monmouth Open Space Tax:2016	\$23.58
2/18/2016	Weather Works Consulting	\$1,635.00

16-00214	OEM:Renewal-Weather Reporting Srvc.	
3/3/2016	William E. Antonides & Co.	\$6,050.00
	Fiscal Officer:Feb. & Mar.	
16-00292	2016	
		<b>\$259,934.39</b>

**MANUAL CHECKS**

3/8/2016	Hoder, David	\$650.00
16-00306	Engineer:Review Fee-Mad Hatter	
3/1/2016	Max Matern Heating & Cooling	\$3,300.00
16-00280	Tmp. Firehouse:New Furnace	
3/3/2016	T & M Associates	\$1,350.38
16-00286	Engineer Fees:Escrow Accts.	
3/9/2016	Pitney Bowes	\$500.00
16-00320	Postage:Wire Transfer	
		<b>\$5,800.38</b>
	<b>TOTAL:</b>	<b>\$265,734.77</b>

March 15, 2016

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on March 15, 2016.

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Christine Pfeiffer, Borough Clerk