

**AGENDA  
SPECIAL MEETING  
BOROUGH OF SEA BRIGHT**

**AUGUST 11, 2016 (Thursday)**

**SEA BRIGHT, NEW JERSEY**

**CALL MEETING TO ORDER: 8:30 AM**

**PLEDGE OF ALLEGIANCE**

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

Good Morning Ladies And Gentlemen,

**48 Hour Notice Requirement:**

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 the 48 hour notice requirement for this meeting has been met. A copy of the agenda was sent to the Asbury Park Press and other local newspapers on August 8, 2016 and posted on the bulletin board in the Borough office. 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.

**RESOLUTIONS:**

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

No. 130-2016            Authorizing Display of Fireworks at Sands Beach Club on  
August 16, 2016

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

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

No. 131-2016            Amending Resolution 129-2016 By Including Omitted Flood  
Insurance Proceeds in the Table Showing Projected Costs in the  
Interpretive Statement for the Referendum To The Voters Of  
The Borough Of Sea Bright At A Special Election To Be Held On  
September 27, 2016

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

**ADJOURNMENT:**

Councilmember  
by Councilmember

offered a motion to Adjourn the Special meeting; second  
:

**Vote:** Bills\_\_\_\_ Keeler\_\_\_\_ Kelly\_\_\_\_ Lamia \_\_\_\_ Leckstein\_\_\_\_ Rooney\_\_\_\_

**RESOLUTION NO. 130-2016**  
**AUTHORIZING DISPLAY OF FIREWORKS**  
**AT SANDS BEACH CLUB- AUGUST 16, 2016**

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

**WHEREAS**, N.J.S.A. 21:3-3 permits the governing body of a municipality to "grant a permit" for the public display of fireworks after application has been made in writing; and

**WHEREAS**, Sands Beach Club, 825 Ocean Avenue (Block 23; Lot 13) has submitted an application to the Special Events Committee of the Borough of Sea Bright requesting permission for a display of fireworks at Sands Beach Club on June 27, 2016 with rain date(s) of June 28 or 29, 2016; and

**WHEREAS**, such display shall be of such a character, and so located, discharged, or fired, as in the opinion of the Chief of Police and Fire Marshall, after proper inspection, shall not be hazardous to property or endanger any persons or species; and

**WHEREAS**, such requests need to be approved by the Chief of Police, Fire Marshall and Special Events Committee of the Borough of Sea Bright and the US Fish and Wildlife Service; and

**WHEREAS**, on June 1, 2016, the Borough Council approved Resolution 98-2016 authorizing the display of fireworks to be held on June 27, 2016 with rain date(s) of June 28 or 29, 2016 at Sands Beach Club pending the approval of the above mentioned officials; and

**WHEREAS**, US Fish and Wildlife Service notified the Borough in an email dated June 3, 2016 that an active nest of the federally listed piping plover had been documented approximately 200 meters north of the Sands Beach Club which was within the 3/4 mile minimum buffer between nests of listed species and fireworks displays; and

**WHEREAS**, based on monitoring and the expected fledge date of piping plover chicks, the US Fish and Wildlife notified the Borough in an email dated July 12, 2016, that a fireworks display at Sands Beach Club would be permitted after August 9, 2016

**WHEREAS**, Sands Beach Club, 825 Ocean Avenue (Block 23; Lot 13) submitted a new application to the Borough of Sea Bright requesting permission for a display of fireworks at Sands Beach Club on August 16, 2016 with rain date(s) of August 17 or 18, 2016; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the display of fireworks is hereby authorized to be held on August 16, 2016 with rain date(s) of August 17 or 18, 2016 pending the approval of the above mentioned officials; and

**BE IT FURTHER RESOLVED** that the Fire Official and Borough Clerk shall insure that all applicable regulations are enforced, all required permits are obtained and all necessary insurance documents filed; and

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

1. Sands Beach Club
2. Fire Official
3. Borough Police Chief
4. Special Events Committee
5. U.S. Fish and Wildlife Services

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

August 11, 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 August 11, 2016.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 131-2016**  
**AMENDING RESOLUTION 129-2016 BY INCLUDING OMITTED FLOOD INSURANCE**  
**PROCEEDS IN THE TABLE SHOWING PROJECTED COSTS IN THE INTERPRETIVE**  
**STATEMENT FOR THE REFERENDUM TO THE VOTERS OF THE BOROUGH OF SEA**  
**BRIGHT AT A SPECIAL ELECTION TO BE HELD ON SEPTEMBER 27, 2016**

Councilmember            offered the following Resolution and moved its adoption with the amendment updating the table showing the projected costs and funding sources below; seconded by Councilmember            :

**WHEREAS**, on June 1, 2016, the Borough Council of the Borough of Sea Bright finally adopted Bond Ordinances No. 15-2016, 16-2016 and 17-2016 entitled:

**Bond Ordinance No. 15-2016**

Bond Ordinance Providing An Appropriation Of \$1,400,000 For Construction Of The Community Center For And By The Borough Of Sea Bright In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$332,500 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation.

**Bond Ordinance No. 16-2016**

Bond Ordinance Providing An Appropriation Of \$7,900,000 For Construction Of Municipal Complex For And By The Borough Of Sea Bright In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$3,942,500 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation.

**Bond Ordinance No. 17-2016**

Bond Ordinance Providing An Appropriation Of \$3,600,000 For Construction Of Building For The Beach Utility For And By The Borough Of Sea Bright In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$1,486,750 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation.

**WHEREAS**, the Ordinances would establish funding for the construction of a Community Center and Municipal Complex in the Borough of Sea Bright; and

**WHEREAS**, on June 24, 2016, the Borough received petitions requesting that the aforementioned ordinances be put to referendum; and

**WHEREAS**, in accordance with N.J.S.A. 40:49-27, the petitions were reviewed by the Borough Clerk, certified and presented to the Mayor and Borough Council; and

**WHEREAS**, N.J.S.A. 40:49-10 provides that a referendum shall be held at the next general election occurring at least thirty days after the filing of the petitions, or, at the option of the governing body, at a special election called for that purpose; and

**WHEREAS**, the Borough wishes to call a special election for referendum on the aforementioned Ordinances so that the will of the voters may be ascertained as soon as possible.

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

Section One: The recitals hereto are hereby incorporated herein as if set forth at length.

Section Two: A special election of the legal voters of the Borough of Sea Bright shall be held on Tuesday, September 27, 2016 from 6:00 am to 8:00 pm at the established polling location.

Section Three: Said election is to be held for a referendum on the Ordinances. In accordance with N.J.S.A. 40:49-10, the questions shall be put to the voters as follows:

### **Public Questions**

"To vote upon the public questions printed below, if in favor thereof, mark a cross (X) or plus (+) in the square at the left of the word YES; if opposed thereto, mark a cross (X) or plus (+) in the square at the left of the word NO.

#### **Question No. 1**

YES      Shall the ordinance of the Borough Council of the Borough of Sea Bright finally adopted on June 1, 2016, entitled:

NO

##### **Bond Ordinance No. 15-2016**

Bond Ordinance Providing An Appropriation Of \$1,400,000 For Construction Of The Community Center For And By The Borough Of Sea Bright In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$332,500 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation.

be ratified?"

#### **Question No. 2**

YES      Shall the ordinance of the Borough Council of the Borough of Sea Bright finally adopted on June 1, 2016, entitled:

NO

##### **Bond Ordinance No. 17-2016**

Bond Ordinance Providing An Appropriation Of \$3,600,000 For Construction Of Building For The Beach Utility For And By The Borough Of Sea Bright In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$1,486,750 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation.

be ratified?"

#### **Question No. 3**

YES      Shall the ordinance of the Borough Council of the Borough of Sea Bright finally adopted on June 1, 2016, entitled:

NO

##### **Bond Ordinance No. 16-2016**

Bond Ordinance Providing An Appropriation Of \$7,900,000 For Construction Of Municipal Complex For And By The Borough Of Sea Bright In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$3,942,500 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation.

be ratified?"

### **Interpretive Statement**

The three (3) questions address three (3) separate bond ordinances that provide funding for the construction of two (2) new Borough Buildings.

#### **Question No. 1 and Question No. 2**

Ordinance 15-2016 (construction of "Community Center") and Ordinance 17-2016 (construction of "building for the Beach Utility") relate to the construction of a single 8,609 square foot structure (1) to replace the library and beach buildings destroyed as a result of Superstorm Sandy, and (2) to construct new, additional space (a) for storage of Police, Fire and Public Works equipment, and (b) a second level to provide space for Borough Council, Planning Board and other meetings, which shall also be available for event rental by the public and include an ocean front deck. The borrowing for Ordinance 15-2016 is to be repaid from taxes and the borrowing for Ordinance 17-2016 is anticipated to be fully repaid by revenues of the Beach Utility from beach user fees.

**It is necessary for both Ordinances 15-2016 and 17-2016 to be approved in order to build this Community Center/Beach Utility structure.**

**Question No. 3**

Ordinance 16-2016 (construction of "Municipal Complex") relates to the construction of a single 14,187 square foot structure (1) to replace the fire house and the police/first aid buildings destroyed as a result of Superstorm Sandy, and (2) to construct new, additional space (a) for an extra bay for equipment storage, and (b) for the relocation of all Borough administration functions and records storage. The borrowing for Ordinance 16-2016 is to be repaid from taxes.

The following table shows the projected costs related to the two buildings and the funding sources and bonds (borrowed) amounts for each Bond Ordinance:

<u>Project</u>	<u>Total Projected Cost</u>	<u>Insurance Payments</u>	<u>Beach Settlement*</u>	<u>FEMA Share</u>	<u>Down Payment</u>	<u>Maximum Amount to be Bonded (Borrowed)</u>
Library	\$4,875,248.00	\$160,000.00		\$900,000.00	\$17,500.00	\$332,500.00
Beach		\$410,000.00	\$400,000.00	\$1,450,000.00	\$78,250.00	\$1,486,750.00
Municipal Building	\$7,851,721.00	\$1,000,000.00		\$2,750,000.00	\$207,500.00	\$3,942,500.00

\* "Beach Settlement" is cash already in the Borough's account that can only be used for beach amenities.

Section Four: The Clerk is hereby authorized and directed to cause notice of said election to be published in accordance with N.J.S.A. 40:49-27c in the Asbury Park Press at least ten (10) days prior to the date of the election.

Section Five: The Clerk is hereby authorized to coordinate the necessary efforts for holding a special election with the Monmouth County Clerk, the Monmouth County Commissioner of Registration and the Monmouth County Board of Elections.

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

August 11, 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 August 11, 2016.

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