

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

JANUARY 19, 2016

SEA BRIGHT, NEW JERSEY

Mayor Long called the meeting to order at 7:00 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 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."

PRESENT: Mayor Dina Long
Councilmember's Peggy Bills, William J. Keeler, Brian P. Kelly,
John M. Lamia, Jr., Marc A. Leckstein, Charles H. Rooney

OTHERS: Attorney Roger J. McLaughlin, Engineer Jaclyn Flor, CFO Michael Bascom,
Administrator Joseph L. Verruni, Clerk Christine Pfeiffer

POLICE DEPARTMENT PROMOTIONS AND OATHS

EMPLOYEE

**Brett Friedman
Kevin Lovgren
John Arias
James McCue**

NEW APPOINTMENT

**Captain
Lieutenant
Sergeant
Corporal**

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.

Christine Sinnott, 20 Center Street, stated she has issues with the bulkheads and doesn't understand why they are being built - just because the Borough received funds. Councilman Kelly and Mayor Long explained the Borough's strategy and steps of our hazard mitigation plan - the bulkheads being phase I. Ms. Sinnott also asked for a timeframe of when all the construction is going to be done. Borough Engineer Flor provided an overview of the schedule and explained 1) how the pump stations work to drain water, and 2) the pump station malfunction that occurred in last week's flooding event.

Courtney Davis, 24 Beach Street, questioned whether the Borough is sure that the bulkheads are going to be continuous at some point because, if not, it will create a major public hazard. Ms. Davis stated the bulkheads are a bad idea and should be halted until the borough has a better plan. Ms. Davis is very upset about the aesthetics of the town with the chain like fences and the new bulkheads - not charming - does not encourage visitors.

Eric Lynn, 24 Beach Street, asked if the Borough has a funding plan if the grants to continue building bulkheads throughout town don't come through.

Jack Sanders, 12 Center Street, spoke about the recent flooding event and mentioned the diesel fuel spill in the water which created a public danger to homes, soil, animals, humans, etc. Mayor Long responded that Borough Police and County Hazmat responded to investigate the spill and we are awaiting their report. Mr. Sanders asked if the Borough had more efficient pumps would there be a need for the bulkheads and said until the bulkhead is continuous, it presents a serious safety issue.

Kevin Birdsall, 9 New Street, asked if the Borough has researched the dredging and sand flow in the river. Administrator Verruni responded that the water company completed a survey recently, and the river is actually deeper than it was prior to Sandy.

Vince LePore, Long Branch, commented on Ordinance No. 01-2016 and urged Council not to introduce.

MaryAnne KcKenzie, 612 Ocean Avenue, believes that it is bad public relations and public policy for the town to vacate the property on Bellevue Place. She strongly disagrees with this specific Borough Council because past Council's have not allowed for this.

Tim Parker, 3 Atlantic Way, stated his interest in requesting the vacation is because he wants to build a deck on his property. The benefit to the town is the increase in taxes. The deck is only an additional 6 feet. Mr. Parker said he maintains the property now and would continue to do so. He explained he simply just wants to build a deck. He would greatly appreciate it if the town would vacate the property and allow him to take on full responsibility of the property and bulkhead.

Mr. Welty, 49 Bellevue Place, is Tim Parker's neighbor and he expressed his support for the vacation of the property on Bellevue Place.

Mike Crower, 7 Atlantic Way, explained that no one ever uses the property on Bellevue and he also supports Tim Parker's request for the vacation.

Joe Allocca, 2 Atlantic Way, a neighbor of Tim Parker and stated he has no objection to turning the property over to Mr. Parker.

Vince LePore, Long Branch, believes it should have been the Borough's public works department maintaining the property on Bellevue Place. He raised concern on what other properties are Borough owned that are not being maintained by the DPW. He then again requested council not introduce Ordinance No 01-2016.

Steve Gardella, Shrewsbury, questioned if the Streetscape is a done deal as he is concerned about the bump outs and the diagonal parking. Mayor Long explained where we stand with the project.

Brett Banks, 1144 Ocean Avenue, shared his concern about the recent flooding event. He suggested that the police drive around and alert neighborhoods since there is no longer an alarm. He thinks that there should be something in the mail from the Borough to sign up for Nixle since not all residents have email. Mr. Banks also expressed concern about the sewers overflowing during flood events.

EXECUTIVE SESSION

Councilmember Leckstein offered a motion to revise the agenda to enter into Executive Session at this time; seconded by Councilmember Bills:

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. Personnel
3. It is anticipated at this time that the subject matters will be made public, if and when confidentiality is no longer needed. Action may be taken.
4. This Resolution shall take effect immediately

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

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

Councilmember Leckstein offered a motion to go back into Regular Session; seconded by Councilmember Bills:

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

CONSENT AGENDA

Councilmember Leckstein offered a motion to approve the items that are considered routine in nature under the consent agenda (with the removal of Resolution No. 37-2015); seconded by Councilmember Lamia:

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

Resolutions:

No. 29-2016 Zero Cost - Change Order No. 2, Reconstruction of Six Bulkheads and New Stormwater Pump Station, R. Kremer & Son Marine Contractors, LLC

RESOLUTION NO. 29-2016
Zero Cost - Change Order No. 2
Reconstruction of Six Bulkheads and New Stormwater Pump Station
R. Kremer & Son Marine Contractors, LLC

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

WHEREAS, on April 21, 2015, the Borough Council of the Borough of Sea Bright awarded a contract to R. Kremer & Son Marine Contractors, LLC of Brick, New Jersey for the Reconstruction of Six Bulkheads and New Stormwater Pump Station in the contract amount \$1,199,880.00; and

WHEREAS, on October 20, 2015, Resolution #101-2015 authorized the re-consideration to the base bid, to include Alternate A1, A2, A3 & A4 as submitted in the original bid package that awarded a contract to the lowest responsible bidder, R. Kremer & Son Marine Contractors, LLC of Brick, New Jersey for the Reconstruction of Six Bulkheads and New Stormwater Pump Station in an new contract amount of \$1,525,705.00; and

WHEREAS, the Borough Engineer, Jaclyn Flor, submitted Change Order No. 1 dated October 13, 2015, identifying two unforeseen issues with the bulkhead and storm drain installation on South Street resulting in an increase of \$41,517.25 and various items were reduced to reflect current as-built quantities resulting in a decrease of \$41,520.00 resulting in a net decrease of \$2.75 to the total contract amount; and

WHEREAS, the Borough Engineer, Jaclyn Flor, submitted Change Order No. 2 dated January 5, 2016, identifying a reduction of \$4,080.00 in Items #27, #30 and #A1-15 to reflect the current as-built quantities and Item #10 increased \$4,080.00 to reflect current as-built quantities, resulting in a zero cost change; and

WHEREAS, as per T&M Associates, the Municipal Engineer, the contract completion date has been extended to May 1, 2016.

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 it does hereby approve Change Order No. 2 resulting in a zero cost change for the Reconstruction of Six Bulkheads and New Stormwater Pump Station.

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

- 1. Finance Manager
- 2. Public Works
- 3. Borough Engineer
- 4. R. Kremer & Son Marine Contractors LLC

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

No. 30-2016 Volunteer Firefighter Appointments - Sean Marelli and Zachary Covert

RESOLUTION NO. 30-2016
VOLUNTEER FIREFIGHTER
BOROUGH OF SEA BRIGHT FIRE DEPARTMENT

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

WHEREAS, Chapter 20, Section 20.4 of the General Code, Fire Department membership requires any person desiring membership in a volunteer fire department, shall complete an application; may be required to have a pre-appointment physical by a physician; and the Borough Council shall order a criminal background check be conducted by the Chief of Police, and

WHEREAS, the Administrative Chief of the Sea Bright Fire/Rescue Department, Chad Murphy submitted to the Borough Council two (2) N.J. State Firemen’s Association Membership Applications for new members to serve as volunteer firefighters on the Sea Bright Fire/Rescue Department from:

Sean H. Marelli
Zachary Covert

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, do hereby accept and approve the applications as submitted from Sean H. Marelli and Zachary Covert to serve on the Sea Bright Fire/Rescue Department in the Borough of Sea Bright.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to send a copy of this resolution, certified to be a true copy, be forwarded to the following:

- 1. Borough of Sea Bright Fire Chief
- 2. Individual Appointees

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

No. 31-2016 2016 Software/Hardware Agreement with Edmunds & Associates, Inc.

RESOLUTION NO. 31-2016
BOROUGH OF SEA BRIGHT
2016 SOFTWARE/HARDWARE AGREEMENT
WITH EDMUNDS & ASSOCIATES, INC.

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

WHEREAS, the Borough of Sea Bright wishes to maintain a software and hardware support agreement for the Sea Bright Administrative Offices from Edmunds & Associates, Inc. for CY 2016 as follows:

2016 SOFTWARE SUPPORT

Tax Collections	\$2,205.00
Financial Accounting	\$3,308.00
Utility Billing	\$2,316.00
MCSJ WIPP Tax Annual Fee	\$1,200.00
MCSJ WIPP Utility Annual Fee	\$1,200.00
SS Escrow Accounting	<u>\$ 945.00</u>
Sub-Total SOFTWARE SUPPORT	\$11,174.00

2016 HARDWARE SUPPORT

Maintenance H/W Pervasive SQLI	\$ 180.00
TOTAL	\$11,354.00

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Public Contracts Laws, N.J.S.40A:11-12; and

WHEREAS, the actual cost for the computer support agreements listed herein shall be \$11,354.00 for calendar year 2016.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright that the support agreements for computer software and hardware are authorized as described for the calendar year 2016.

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 2016 Temporary Budget for Tax Other Expense; Finance Other Expense; and Sewer Other Expense appropriations for the purpose stated in this resolution.


MICHAEL J. BASCOM, CFO

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

- 1. Edmunds & Associates, Inc.
- 2. Chief Financial Officer
- 3. Tax Collector
- 4. Finance Manager

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

No. 32-2016 Office Of Emergency Management - "Municipal Emergency Management Coordinator"

RESOLUTION No. 32-2016
OFFICE OF EMERGENCY MANAGEMENT
"MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR"
N.J.S.A. App.A:9-40.1

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

WHEREAS, the Borough Council of the Borough of Sea Bright, County of Monmouth of the State of New Jersey that the State of New Jersey Office of Emergency Management requires each municipal to appoint an "Emergency Management Coordinator", and

WHEREAS, the Municipal Emergency Management Coordinator, Office of Emergency Management for the Borough shall serve a term of three years, and

WHEREAS, the Municipal Emergency Management Coordinator is responsible for the planning, activating, coordinating and the conduct of Emergency Management operations with the municipality; and

WHEREAS, it is the intention of the Borough Council of the Borough of Sea Bright to comply with the requirements set forth under the provision of N.J.S.A. App.A:9-40.1 of the State Disaster Control Act, and

WHEREAS, the Borough Council wishes to appoint Dina Long, Mayor of the Borough of Sea Bright as the Municipal Emergency Management Coordinator, and

WHEREAS, there is a \$3000.00 stipend for serving in this capacity which is being waived by Mayor Dina Long at this time.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright in the County of Monmouth, does hereby appoint DINA LONG as the "MUNICIPAL EMERGENCY MANAGEMENT COORDINATOR" to serve a term of three (3) years effective January 1, 2016 through December 31, 2018.

BE IT RESOLVED that the Borough Clerk is hereby authorized to forward a certified copy of this resolution to the following:

- 1. Monmouth County Sheriff's Office of Emergency Management
- 2. Borough of Sea Bright Office of Emergency Management
- 3. Chief of Police
- 4. Finance Manager

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

Further, the Clerk is hereby directed and authorized to send copies of this Resolution to the members of the New Jersey Legislature. And, be it further resolved that a copy of this Resolution shall be forwarded to the Jersey Shore Partnership and to Governor Chris Christie.

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

No. 35-2016 Hiring Borough Alternate Attorney - Vito A. Gagliardi Jr.

RESOLUTION NO. 35-2016
BOROUGH ALTERNATE ATTORNEY
Vito A. Gagliardi Jr.

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

WHEREAS, the Borough Council of the Borough of Sea Bright solicited under a fair and open process proposals for Borough Alternate Attorney’s, and

WHEREAS, the Borough Council approved Resolution 3-2016 dated January 2, 2016 appointing various Borough Alternate Attorney’s which included the firm of Porzio, Bromberg & Newman, P.C.; and

WHEREAS, the Borough Council is desirous to hire Vito Gagliardi, Jr. of Porzio, Bromberg & Newman, P.C. of Morristown, NJ to represent the Borough to appeal Shore Regional School Board’s decision to deny Sea Bright’s request for a referendum to change the tax allocation method of the Shore Regional High School District; and

CERTIFICATION OF FUNDS:

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds are subject to the availability of appropriations for the purpose stated herein.



MICHAEL J. BASCOM, CFO

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright hereby authorize the Mayor and Borough Clerk to execute a contract with Vito Gagliardi, Jr. of Porzio, Bromberg & Newman, P.C., 100 Southgate Parkway, Morristown, New Jersey as the Borough Alternate Attorney to represent the Borough in the matter stated above.

BE IT FURTHER RESOLVED that a notice of this action shall be printed one time in the “Asbury Park Press” newspaper and the Borough Clerk is hereby authorized to forward a certified copy of this Resolution to the following:

- 1. Vito Gagliardi, Jr., of Porzio Bromberg & Newman P.C.
- 2. Roger McLaughlin, of McLaughlin Stauffer & Shaklee P.C.
- 3. Finance Manager

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

No. 36-2016 Hiring Part-Time Building Inspector and Assistant Building Sub-Code Official

RESOLUTION NO. 36-2016
HIRING PART-TIME BUILDING INSPECTOR AND
ASSISTANT BUILDING SUB-CODE OFFICIAL

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

WHEREAS, there exists a need to hire personnel in the Building Department in the Borough of Sea Bright, County of Monmouth, New Jersey, and

WHEREAS, the Building Sub-Code official for the Borough of Sea Bright has interviewed and recommends the hiring of JEFFREY LoSACCO as Part-Time Building Inspector and Assistant Building Sub-Code Official.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Building Department - Salaries & Wages for the purposes stated herein.



MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that Jeffrey LoSacco be hired and receive the rate of pay as specified in Ordinance No. 06-2013.

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

1. Finance Manager
2. Building Department
3. Jeffrey LoSacco

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

No. 37-2016 Authorizing Sale Of Borough Surplus Property Through Govdeals.Com

No. 38-2016 Authorizing Participation In Section 1033 Program For Procurement Of Federal Surplus Property From The Department Of Defense And Delegating Authority For Local Administration Of Participation In The Program

RESOLUTION NO. 38-2016

**AUTHORIZING PARTICIPATION IN SECTION 1033 PROGRAM FOR
 PROCUREMENT OF FEDERAL SURPLUS PROPERTY FROM THE
 DEPARTMENT OF DEFENSE AND DELEGATING AUTHORITY FOR LOCAL
 ADMINISTRATION OF PARTICIPATION IN THE PROGRAM**

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

WHEREAS, federal law permits the Department of Defense to transfer to federal agencies personal property of the Department that it determines is suitable for use by agencies in law enforcement activities, including counterdrug and counterterrorism activities and is excess to the needs of the Department; and

WHEREAS, this program is generally known as the "1033 program," that allows local law enforcement agencies to obtain, at little or no cost surplus federal property; and

WHEREAS, on March 16, 2015, Governor Christie signed Senate Bill No. 2364 (P.L. 2015, c.23), which now establishes, in the absence of federal requirements, as system of local oversight over local law enforcement agencies that participate in and acquire equipment through the 1033 program ; and

WHEREAS, pursuant to N.J.S.A. 40A:5-30.2a, municipal governing bodies must now authorize participation in the 1033 program by a "resolution adopted by a majority of the full membership of the governing body of a local unit prior to transmittal of any such application to the State Coordinator of" the program; and

WHEREAS, pursuant to N.J.S.A. 40A:5-30.2b, the acquisition of any property by a local law enforcement agency shall be approved by a "resolution adopted by a majority of the full majority of the full membership of the governing body".

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Sea Bright in the County of Monmouth, State of New Jersey that:

1. Pursuant to N.J.S.A. 40A:5-30.2a, the governing body hereby authorizes and directs the Chief of Police to designate a qualified individual to file the necessary application materials for continued participation in the 1033 program.

2. Pursuant to N.J.S.A. 40A:5-30.2b, the governing body hereby authorizes and directs the Chief of Police to designate a qualified individual to maintain an inventory of surplus property obtained under the 1033, subject to the following conditions:

- a. Within thirty (30) days of its acquisition, all property obtained under the program shall be subject to review by the governing body to determine whether any such property obtained should be rejected and removed from the Borough's inventory; and

b. If after appropriate notice to the governing body, no action to reject the property obtained is taken within thirty (30) days of its acquisition, it shall hereby be deemed accepted by the governing body and put into service or otherwise disposed of as necessary.

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

ORDINANCE(s):

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE #01-2016
AN ORDINANCE AUTHORIZING THE
VACATION OF A PORTION OF BELLEVUE PLACE
BOROUGH OF SEA BRIGHT

Councilmember Leckstein offered a motion to introduce Ordinance #01-2016 with the amendments noted for a public hearing to be held on February 2, 2016 and advertise according to law; seconded by Councilmember Keeler:

WHEREAS, the property owner at 3 Atlantic Way, Lot 10 in Block 29 on the tax assessment map, has requested that the Borough vacate a portion of Bellevue Place adjacent to his property; and

WHEREAS, the Borough of Sea Bright had vacated another portion of Bellevue Place in 1997 which was adjacent to 1 Atlantic Way; and

WHEREAS, the property known as Bellevue Place has never been utilized by the Borough for a public street and therefore pursuant to N.J.S.A.40:67-19 the Mayor and Council have determined that the public interest will be better served by releasing these lands and extinguishing the public right to this property in that, among other things, it will increase the tax base for the Borough and will not vacate or eliminate the end of street public access; and

WHEREAS, the Borough Attorney has advised the Mayor and Council that it is not able to legally sell the property, leaving vacation as the only option with regard to disposing of the property; and

WHEREAS, pursuant to N.J.S.A. 40:49-6, after introduction and passage on first reading, notice of this ordinance shall be published at least once, not less than 10 days prior to the hearing when the ordinance shall be considered for final passage and at least one week prior to consideration for final passage a copy of the ordinance and notice of introduction shall be mailed to every party whose lands are affected by this ordinance; and

WHEREAS, it is the intent of the Ordinance to vacate a portion of the right of way known as Bellevue Place, as set forth in the metes and bounds description in this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sea Bright, as follows:

SECTION ONE:

Pursuant to the authority granted by N.J.S.A.40:67-19, the following portion of Bellevue Place in the Borough of Sea Bright is hereby vacated:

METES AND BOUNDS DESCRIPTION OF
A PORTION OF BELLEVUE PLACE,
A MUNICIPAL RIGHT OF WAY TO BE VACATED
BOROUGH OF SEA BRIGHT, MONMOUTH COUNTY, NEW JERSEY

Commencing at a point on the northerly line of Atlantic Way, said point being distant 402.97 feet westerly measured along the northerly line of Atlantic Way from the westerly line of Ocean Avenue which is the true point and place of beginning thence;

- 1) N 83° 15' 00" W a distance of 34.60 feet to a point thence;
- 2) Northerly along the bulkhead N 03° 43' 14" E a distance of 37.55 feet to a point thence;
- 3) S 83° 15' 00" E a distance of 36.60 feet to a point thence;
- 4) S 06° 45' 00" W a distance of 37.50 Feet to the true point and place of beginning.

Containing 1,334.13 S.F. or 0.030 Acres

SECTION TWO:

All costs and expenses incidental to the preparation, introduction, passage, publication and recording of this ordinance, including preparation and mailing of any and all notices related to the Ordinance upon property owners whose property is affected by the proposed vacated Bellevue Place and publication of shall be borne and paid for by Timothy J. Parker.

SECTION THREE:

This Ordinance shall be recorded in the office of the Monmouth County Clerk after its passage. Upon filing with the Monmouth County Clerk, title to the vacated portion of Bellevue Place shall merge with and become part of Lot 10 in Block 29.

SECTION FOUR:

This Ordinance shall be subject to the following:

1. In the event the utilities, if any, presently located under the right of way being vacated hereunder, are not moved to another location, an easement in perpetuity is reserved for the benefit of the Borough of Sea Bright and all public utility companies, including any cable television company as defined in the "Cable Television Act" (N.J.S.A. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this vacation ordinance.

SECTION FIVE:

If any section, paragraph provision of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining sections, paragraphs or provisions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION SIX:

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

SECTION SEVEN:

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

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 January 19, 2016 and will be further considered after a Public Hearing held on February 2, 2016 at the Municipal Building at 7:00 pm.

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

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE #02-2016
AN ORDINANCE AMENDING CHAPTER 130, "LAND USE" OF THE CODE OF THE BOROUGH OF SEA BRIGHT, SECTION 130-50, "LOT AND BUILDING REQUIREMENTS" AND SECTION 130-72, "PERMITTED SIGNS AND AWNINGS IN SPECIFIC ZONES."

Councilmember Leckstein offered a motion to introduce Ordinance #02-2016 for a public hearing to be held on February 2, 2016 and advertise according to law; seconded by Councilmember Bills:

BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright, as follows:

SECTION ONE: Chapter 130, "Land Use", of the Code of the Borough of Sea Bright, Section 130-50, "Lot and Building Requirements", subsection 130-50B, "Permitted Yard Modifications", be and the same is hereby amended by the deletion therefrom of subparagraph 130-50B(2) pertaining to "Rear and Side Yards".

SECTION TWO: Chapter 130, "Land Use" of the Code of the Borough of Sea Bright, Section 130-72, "Permitted Signs and Awnings in Specific Zones", subsection 130-72D, "Awnings", be and the same is hereby amended and supplemented by the deletion therefrom of subparagraph 130-72D(1)(g) and the substitution therefor of the following:

"(g) Neon color awnings shall be prohibited."

SECTION THREE: All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION FOUR: If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION FIVE: This Ordinance shall take effect immediately upon its passage and publication according to law and upon filing with the Monmouth County Planning Board.

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 January 19, 2016 and will be further considered after a Public Hearing held on February 2, 2016 at the Municipal Building at 7:00 pm.

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

INDIVIDUAL ACTION/New Business:

Resolutions:

RESOLUTION NO. 37-2016
AUTHORIZING SALE OF BOROUGH
SURPLUS PROPERTY THROUGH GOVDEALS.COM
Sale will be conducted pursuant to Local Finance Notice 2008-9

Councilmember Lamia introduced and offered for adoption the following Resolution with one amendment noted below under #4 - Minimum Bid*; seconded by Councilmember Bills:

WHEREAS, the Borough of Sea Bright is the owner of surplus property which is no longer needed for public use; and

WHEREAS, the Borough Council is desirous of selling said surplus property in an "as is" condition without express or implied warranties, as follows:

- 1. **2013 Harley FLH** Minimum Bid: **\$10,000.00**
VIN#1HD1FHM13DB635159
- 2. **2007 Dodge Durango** Minimum Bid: **\$2,500.00**
VIN#1D8HB38P67F539537
- 3. **Savin Copier** Minimum Bid: **\$100.00**
Model #C5050, Serial #V1395401045
- 4. **Two portable 2007 Godwin sound** Minimum Bid: **\$1000.00***
attenuated pumps with John Deere motors
on trailer - Model CD150
a) Model B07 1100509 - VIN#16MPF09117D048644
b) Model B07 1100569 - VIN#16MPF09127D048913

WHEREAS, the Borough Clerk of the Borough of Sea Bright will provide Specifications of equipment for the proposed sale; and

WHEREAS, the Borough of Sea Bright would like to sell aforesaid items on GovDeals.com, an online government service auction program, pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the Borough Clerk to sell the aforesaid items as per the guidelines set by Govdeals.com.

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

- 1. Finance Manager
- 2. Chief of Police
- 3. Public Works
- 4. Govdeals.com

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

Vouchers: \$865,494.45

Councilmember Keeler offered a motion to approve the Voucher List dated January 19, 2016 as submitted by the Finance Manager, seconded by Councilmember Leckstein:

BILL LIST JAN. 19, 2016

12/2/2015 15-01306	All Hands Fire Equipment Fire Dept:Seminar Fees	\$50.00
1/12/2016 15-01110	Atlantic Tomorrows 3&4/Q 2015-Copy/Click Charges	\$1,363.55
1/15/2016 16-00049	Avaya Police:Phone System-Dec. 2015	\$290.58
1/11/2016 16-00022	Bahrle, David Call Out-Reimb. Travel Costs	\$55.75
1/14/2016 15-01300	C & L Sweeper DPW: Nov. 2015	\$760.00
12/3/2015 15-00904-01	Church's Garden Center & Farm Cape Variety Dune Grass	\$5,000.00
1/15/2016 16-00050	C.I.T. Technology Police:Copier Lease-Jan. 2016	\$157.00
1/15/2016 16-00045	Cooperative Industries Natural Gas;Nov. & Dec. 2015	\$685.70
1/11/2016 16-000015	Dogs & Cats, Inc. Beach:Lease Agreement-Jan. 2016	\$1,333.33
12/7/2015 16-01330	Draeger Safety Diagnostics Police:Maintenance of Equipment	\$169.00
1/12/2016 16-00026	Edmunds & Associates Multi Dept-Software Fees/Mntnc-2016	\$11,354.00
1/14/2016 16-00040	Farmer,Jane Library:Reimb. Supplies-Nov. 2015	\$329.90
10/29/2015 15-01172	Firefighter One Fire Dept:Swift Water Rescue Package	\$5,085.00
12/4/2015 15-01320	Firefighter One Fire Dept:Rescue Equipment	\$2,652.20
12/11/2015 15-01355	Firefighter One Fire Dept:Swiftwater Rope Equipment	\$2,445.75
1/11/2016 16-00016	First United Methodist Church Library:Lease Agreement-Jan. 2016	\$1,000.00
1/13/2016 16-00031	Gannett Legal Ads:Dec. 2015 & Jan. 2016	\$380.50
1/13/2016 16-00029	Jesse A. Howland & Sons Fire Dept:Bldg. Lease-Jan. 2016	\$3,750.00
1/14/2016 16-00037	Johnny On The Spot Rentals:Dec. 2015 & Jan. 2016	\$391.00
12/2/2015 15-01304	Johnny On The Spot Rentals:Dune Grass Planting on 12/4/15	\$333.00
1/14/2016 16-00035	Ketcham,Michelle Clerk:Reimb. Notary Application Fee	\$30.00
1/11/2016 16-00019	M & S Waste Disposal Dumpster Fees:Dec. 2015	\$307.19

1/11/2016 16-00020	M & S Waste Disposal Brush Collection Fee:Dec. 2015	\$358.00
1/11/2016 16-00021	M & S Waste Disposal Tipping Fees/Recycling Tax:Dec. 2015	\$6,944.32
1/11/2016 15-00116-12	M & S Waste Disposal Trash & Recycling Pkup:Dec. 2015	\$9,541.63
9/30/2015 15-01054	Matthews,William d/b/a Lok Doc Police:Locksmith Service	\$325.00
12/10/2015 15-01350	MGL Forms-Systems Tax, Sewer & Finance Forms	\$1,065.00
1/15/2016 16-00044	Mod Space Police:Trailer Rentals-2015	\$13,435.25
1/12/2016 16-00027	Monmouth Municipal Joint Insurance Fund 2016 Assessment-50% Installment	\$93,609.30
12/3/2015 15-01313	Monmouth Sprinkler Bldgs & Grds:Winterize Sprinkler System	\$160.00
1/15/2016 16-00046	Monmouth Telecom Boro:Voice/Phone Service Nov&Dec. 2015	\$1,051.71
1/15/2016 16-00051	Municipal Capital Corp. Boro:Copier Lease-Jan. 2016	\$224.73
1/12/2016 15-00023	New Jersey American Water Multi Dept/Water Utility:Nov.&Dec. 2015	\$620.36
1/11/2016 16-00018	Ocean Twp. Fire District 1/Q 2016 Shared Srvc-Fire Marshall & Veh.	\$225.00
1/11/2016 16-00017	Oceanport Court Shared Services:Jan. 2016	\$6,125.00
1/15/2016 16-00045	Once Call Concepts A&E:Call Before You Dig-Dec. 2015	\$146.32
1/12/2016 16-00024	R.Kremer & Son Marine Contractors Bulkhead/Stromwater Project-Pymnt. No. 5	\$168,300.54
1/14/2016 16-00038	Scarinci & Hollenbeck Legal Services:Nov. 2015	\$4,186.58
1/12/2016 16-00025	Sea Bright Senior Citizens Club Donation from Mayor's Wedding Ceremony Acct.	\$900.00
12/11/2015 15-01356	Sea Bright Service Center Police:Veh. Maintenance-Dec. 2015	\$194.85
12/31/2014 14-01472	Sea Coast Chevrolet Police:Marked Unit Pkg-2016 Impala	\$10,000.00
12/8/2015 15-01331	Sea Coast Chevrolet Police:Marked Unit Pkg-2016 Impala	\$10,000.00
12/10/2015 15-01348	Signs By Tomorrow Recreation:Flyers	\$33.00
12/8/2015 15-01333	Staples Advantage Fire Dept: Supplies/Wireless Projector	\$609.95
11/19/2015 15-01261	Staples Advantage Multi Dept:Office Supplies	\$174.04
11/30/2015 15-01297	Staples Advantage DPW:Office Supplies	\$71.87
9/30/2015 16-00036	Stavola Contracting DPW:Asphalt	\$141.59

1/15/2016 16-00047	Suburban Propane Fire Dept:Delivery-Nov. & Dec. 2105	\$171.95
7/9/2015 15-00579	Taylor Fence Dune Grass Fencing	\$1,199.85
12/9/2015 15-01341	The Home Depot Bldgs & grds:Supplies	\$208.05
10/27/2015 15-01162	Timothy Hill Electric Bldgs & Grds:Install LED Wall Pack/Boro Hall	\$365.00
12/30/2015 14-00492-17	T & M Associates Engineering:Sanitary Sewer Project	\$880.29
1/14/2016 16-00041	VonZiegesar,Elizabeth Library:Reimb. Supplies	\$489.94
1/14/2016 16-00034	Zumu Software Boro Web Hosting:2016	\$1,700.00
		\$371,382.57

MANUAL CHECKS

1/8/2016 16-00011	A.T. & T. Mobility DPW:Cell Phone-Nov&Dec. 2015	\$456.24
1/8/2016 16-00009	Comcast Multi Dept-Dec. 2015 Billing	\$601.98
1/14/2016 16-00042	David Hoder & Assoc. Engineer:Escrow Acct Fees	\$850.00
1/14/2016 16-00033	Depository Trust Co. Redemption Acct-Debt Payment/WIRE	\$208,975.00
1/15/2016 16-00048	Leon S. Avakian Engineer:Escrow Acct Fees	\$1,350.00
1/5/2016 16-00004	Oceanport Board of Education School Tax - Jan. 2016	\$64,450.00
1/13/2016 16-00030	Public Storage Police:Rental for Dec. 2015 & Jan. 2016	\$686.80
1/5/2016 16-00003	Shore Regional High School School Tax - Jan. 2016	\$179,415.00
1/13/2016 16-00032	T & M Associates Escrow:Northwinds	\$1,146.00
12/29/2015 16-00010	Treasurer State of New Jersey CAFRA Permits/Emerg. Srvc Bldg.	\$30,000.00
1/6/2016 16-00006	United States Postal Service Postage/Sewer Billing	\$227.15
1/8/2016 16-00012	Verizon Communications Police:Fios-Nov&Dec. 2015	\$309.97
1/8/2016 16-00013	Verizon Wireless Multi Dept:Cells & MDTs-Nov&Dec. 2015	\$2,245.21
1/8/2016 16-00014	Verizon Mulit Dept:Local & Long Distance-Nov&Dec.2015	\$3,398.53
		\$494,111.88

GRAND TOTAL: \$865,494.45

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

MAYOR DINA LONG – Reports and Communications

Mayor Long advised those present about winter storm Jonas - a strong nor'easter heading our way which is anticipated to produce a significant flood event in Sea Bright. The Office of Emergency Management committee is meeting tomorrow and she encourages elected officials to join. Tomorrow's forecast will predict how much precipitation/snow the Borough should expect. The Borough will begin storm preparations and property owners who are under construction need to begin to prepare and secure their properties.

Councilwoman Bills recognized Mayor Long for being chosen by the Eastern Monmouth Area Chamber of Commerce to receive the Spinnaker Award which is a very prestigious award. The awards dinner is scheduled for January 28th at 7pm.

ADJOURNMENT

Councilmember Leckstein offered a motion to adjourn the meeting; seconded by Councilmember Kelly:

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