#### MINUTES REGULAR MEETING BOROUGH OF SEA BRIGHT

#### **FEBRUARY 16, 2016**

**SEA BRIGHT, NEW JERSEY** 

<u>Mayor Long</u> called the meeting to order at 7:05 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, Brian P. Kelly,

John M. Lamia, Jr., Marc A. Leckstein, Charles H. Rooney

**ABSENT:** Councilmember Keeler

**OTHERS:** Attorney Roger J. McLaughlin, CFO Michael Bascom,

Administrator Joseph L. Verruni, Clerk Christine Pfeiffer

#### **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.

No one wished to be heard.

#### **CONSENT AGENDA**

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

#### **Minutes**

01/14/2016	Workshop Meeting
01/14/2016	Workshop Executive Session
01/19/2016	Regular Meeting
01/19/2016	Regular Executive Session

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

#### **Resolutions:**

No. 43-2016 Person-to-Person Transfer of Liquor License #1343-33-002-009

Something Fishy, LLC to Lillian & George Smith 140 Ocean Avenue, Sea Bright, New Jersey

#### **RESOLUTION No. 43-2016**

Person-to-Person Transfer of Liquor License #1343-33-002-009 Something Fishy, LLC to Smith, George & Lillian 140 Ocean Avenue, Sea Bright, New Jersey

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

**WHEREAS**, an application has been filed for a person-to-person transfer of Plenary Retail Consumption Liquor License, Number 1343-33-002-009, heretofore issued to Something Fishy, LLC t/a Something Fishy, Sea Bright, New Jersey; and

**WHEREAS**, the submitted application form is complete in all respects, all appropriate State and Township fees have been paid, and the license has been renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statues, regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed, and the issuing authority has reviewed, the source of all funds used in the purchase of said liquor license and the licensed business and all additional financing obtained in connection with the licensed business;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby approve, that the person-to-person transfer of the aforesaid Plenary Retail Consumption License, Number 1343-33-002-009, to Smith, George & Lillian, (Inactive License); and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Smith, George & Lillian, effective nunc pro tunc to June 30, 2015; and

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

- 1. Chief of Police
- 2. State of New Jersey, Division of ABC
- 3. Lillian & George Smith

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

No. 44-2016 Donation of 2016 Beach Badges

# RESOLUTION NO. 44-2016 DONATION 2016 BEACH BADGES BOROUGH OF SEA BRIGHT

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

**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:

- Monmouth County Chamber of Commerce/Young Professional Group 2 Badges Caring with Karaoke Benefit on March 22, 2016
- 2. Middletown Village Elementary School, Middletown, NJ **2 Badges**Annual Gift Auction Fundraiser on March 11, 2016
- 3. Bayview Elementary School, Belford, NJ
  Bayview Gift Auction on March 11, 2016

**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 Yes absent Yes Yes Yes Yes

No. 45-2016

Place-to-Place/Extension of Premises Transfer Liquor License #1343-33-001-002 Shrewsbury River Inc. t/a McLoone's Rum Runner

RESOLUTION No. 45-2016
Place-to-Place/Extension of Premises Transfer

Liquor License #1343-33-001-002 Shrewsbury River Inc. t/a McLoone's Rum Runner

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

**WHEREAS**, an application has been filed for a Place-to-Place Transfer (Expansion of Premises) of Plenary Retail Consumption License Number 1343-33-001-002, issued to Shrewsbury River Inc. for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized; and

**WHEREAS**, the submitted application form is complete in all respects, all appropriate State and Township fees have been paid, and the license has been properly renewed for the current license term; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth does hereby approve, effective February 16, 2016, the expansion of the aforesaid Plenary Retail Consumption licensed premises located 816 Ocean Avenue, Sea Bright, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

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

- 1. Chief of Police
- 2. State of New Jersey, Division of ABC
- 3. Shrewsbury River Inc.

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

**No. 46-2016** Award Of A Fair And Open Contract - Special Tax Appeal Attorney Martin Allen, Esquire

RESOLUTION NO. 46-2016

AWARD OF A FAIR AND OPEN CONTRACT

SPECIAL TAX APPEAL ATTORNEY

MARTIN ALLEN, ESQUIRE

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

**WHEREAS,** request for proposals for professional services for a Borough Tax Appeal Attorney in a fair and open contract were advertised on January 12, 2016 to be received by January 26, 2016; and,

**WHEREAS,** the Chief Financial Officer has determined and certified in writing that the value of the acquisition is expected to exceed \$17,500; and,

**WHEREAS**, the term of this contract is for one year commencing January 1, 2016 through December 31, 2016; and

**WHEREAS,** Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available for the purpose stated herein.

MICHAEL J. BASCOM, CFO

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright authorizes the Mayor to enter into a contract with **MARTIN ALLEN, ESQUIRE** of the firm of **DEFRANCESCO, BATEMAN, KUNZMAN, DAVIS, LEHRER & FLAUM, P.C.** as described herein; 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 a certified copy of this Resolution be forwarded to the following:

#### 1. MARTIN ALLEN, ESQUIRE

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

No. 47-2016 Award Of A Fair And Open Contract - Borough Tax Appeal Attorney

Salvatore Alfieri, Esquire

RESOLUTION NO. 47-2016
AWARD OF A FAIR AND OPEN CONTRACT
BOROUGH TAX APPEAL ATTORNEY
SALVATORE ALFIERI, ESQUIRE

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

**WHEREAS,** request for proposals for professional services for a Borough Tax Appeal Attorney in a fair and open contract were advertised on January 12, 2016 to be received by January 26, 2016; and,

**WHEREAS,** the Chief Financial Officer has determined and certified in writing that the value of the acquisition is expected to exceed \$17,500; and,

**WHEREAS**, the term of this contract is for one year commencing January 1, 2016 through December 31, 2016; and

**WHEREAS,** Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available for the purpose stated herein.

MICHAEL J. BASCOM, CFO

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright authorizes the Mayor to enter into a contract with **SALVATORE ALFIERI, ESQUIRE** of the firm of **CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC** as described herein; 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 a certified copy of this Resolution be forwarded to the following:

#### 1. SALVATORE ALFIERI, ESQUIRE

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

**No. 48-2016** 2015/16 Annual Renewal Liquor License

Smith, George & Lillian

RESOLUTION No. 48-2016
2015/16 Annual Renewal Liquor License
Smith, George & Lillian

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

**WHEREAS**, an application was made to the Division of Alcoholic Beverage Control of the State of New Jersey by Smith, George & Lillian, for a one-year special ruling to permit the renewal of inactive license No.1343-33-002-009:

**WHEREAS,** in connection therewith, the owner of said license filed the necessary annual renewal application for a Class C License and has paid all the required fees to renew their 2015-2016 Plenary Retail Consumption License;

**WHEREAS**, on October 1, 2015, the Borough of Sea Bright received a copy of a letter from the Division of Alcoholic Beverage Control signed by Chris Margounakis, Executive Assistant of the Regulatory Bureau, enclosing a Special Ruling permitting the filing and consideration of a annual renewal application for the above reference inactive license for the 2015–2016 license terms pursuant to N.J.S.A. 33:1-12.39. This Ruling merely determined that good cause exists for the issuing authority to consider the application for renewal.

**WHEREAS,** it is within the purview of the local issuing authority to either grant or deny an application for renewal in the reasonable exercise of its discretion; and

WHEREAS, the Mayor and Borough Council has considered the foregoing.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Sea Bright in the County of Monmouth that the following Class C Plenary Retail Consumption License be renewed for a one-year license term, 2015-2016 effective retroactive to July 1, 2015 as follows:

License No. 1343-33-002-009 Licensee: Smith, George & Lillian

Borough of Sea Bright, Monmouth County, New Jersey

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

- 1. Division of Alcoholic Beverage Control
- 2. Department of Police
- 3. George & Lillian Smith

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

No. 49-2016

Authorizing The Payment Of A Placement Fee To Jersey Professional Management And Appointing The Borough Administrator

### RESOLUTION NO. 49-2016 E PAYMENT OF A PLACEMENT FE

## AUTHORIZING THE PAYMENT OF A PLACEMENT FEE TO JERSEY PROFESSIONAL MANAGEMENT AND APPOINTING THE BOROUGH ADMINISTRATOR

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

**WHEREAS**, on December 4, 2012, the Borough Council authorized the appointment of Joseph L. Verruni as Temporary Acting Administrator/Management Specialist/Temporary Acting Borough Clerk, pursuant to an agreement between the Borough and Jersey Professional Management; and

**WHEREAS,** the Borough Council wishes to retain the services of Joseph L. Verruni as Borough Administrator as a direct employee of the Borough; and

**WHEREAS**, the aforesaid agreement between the Borough and Jersey Professional Management provides that, should the Borough decide to hire the company's associate as a regular employee, a placement fee of \$9,500 will be due and payable; and

**WHEREAS**, the Borough Council finds that the hiring of Joseph L. Verruni as a direct employee of the Borough will result in a cost savings to the Borough which exceeds the amount of the placement fee required to be paid to Jersey Professional Management;

**WHEREAS,** Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available for the purpose stated herein.

MICHAEL J. BASCOM, CFO

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright that the payment of a placement fee in the amount of \$9,500 to Jersey Professional Management be and the same is hereby authorized.

**BE IT FURTHER RESOLVED** that Joseph L. Verruni be and is hereby appointed as Borough Administrator.

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

- 1. Joseph L. Verruni
- 2. Jersey Professional Management
- 3. Finance

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

No. 50-2016 Change Order No. 3 - Reconstruction of Six Bulkheads and New

Stormwater Pump Station - R. Kremer & Son Marine Contractors, LLC

#### **RESOLUTION NO. 50-2016**

Change Order No. 3

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 Kelly:

**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 asbuilt 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,** the Borough Engineer, Jaclyn Flor, submitted Change Order No. 3 dated February 16, 2016, increasing items No. 8, 9 and 24 which include additional paving, drainage items and adding an inlet necessary to avoid an existing unforeseen sanitary lateral at the end of Osborne Place in an amount not to exceed \$26,750.00; and

**CERTIFICATION OF FUNDS:** I, Michael Bascom, Chief Financial Officer, certified that funds are available to pay the aforesaid contractor an additional amount of \$26,750.00 from Bond Ordinance 10-2012.

MICHAEL J. BASCOM, CFO

**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. 3 resulting in a net increase of the contract of \$26,750.00 for an amended contract price of \$1,552,452.25 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:

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

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney Yes absent Yes Yes Yes Yes No. 51-2016

Authorizing T&M Associates to Prepare the NJDEP Flood Hazard Risk Reduction and Resiliency Grant Application for the Outfall and Bulkhead Improvements Along the Shrewsbury River

#### **RESOLUTION NO. 51-2016**

Authorizing T & M Associates to prepare the NJDEP Flood Hazard Risk Reduction and Resiliency Grant Application for the Outfall and Bulkhead Improvements along the Shrewsbury River

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

**WHEREAS,** the Borough Council of the Borough of Sea Bright is desirous of building a more resilient community by providing a contiguous bulkhead bordering the Shrewsbury River and installing Tideflex Backflow Preventer Valves on each of the Borough's sixty-six (66) stormwater outfalls that discharge to the Shrewsbury River; and

**WHEREAS,** T & M Associates, Borough Engineer Jaclyn Flor, submitted a proposal, dated February 16, 2016, for the preparation and submission of an application for the NJDEP Flood Hazard Risk Reduction and Resiliency Grant to fund the outfall and bulkhead improvements along the Shrewsbury River; and

**WHEREAS**, the tasks to be performed by T&M Associates are as follows: **Task No. 1** – 60% Construction Plan Preparation in the amount of \$6,950.00; **Task No. 2** - Hydraulic & Hydrologic (H&H) Study in the amount of \$7,450.00; **Task No. 3** – Benefit/Cost Analysis (BCA) in the amount of \$5,550.00; and **Task No. 4** - Grant Application Preparation and Submittal in the amount of \$6,350.00; total Schedule of Fees \$26,300.00; and

**WHEREAS,** I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, does hereby certify that funds are available in Bond Ordinance 20-2007 for the purposes stated herein.

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 T & M Associates to prepare and submit an application for the NJDEP Flood Hazard Risk Reduction and Resiliency Grant as referenced above.

**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, Lamia, Leckstein, Rooney

Yes absent Yes Yes Yes Yes

#### **ORDINANCE(s):**

**Introduction:** Mayor Long to read the ordinance by title:

#### **ORDINANCE No. 03-2016**

AN ORDINANCE AMENDING CHAPTER 182, "STREETS AND SIDEWALKS, ARTICE V OF THE BOROUGH OF SEA BRIGHT PERTAINING TO THE TIME PERIOD FOR REMOVAL OF SNOW AND ICE ON SIDEWALKS

Councilmember Leckstein offered a motion to introduce Ordinance #03-2016 for a public hearing to be held on March 1, 2016 and advertise according to law; seconded by Councilmember Kelly:

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

**SECTION ONE:** Chapter 182, "Streets and Sidewalks", Article V Snow and Ice Removal of the Code of the Borough of Sea Bright, be and the same is hereby amended and supplemented to read, in full, as follows:

"182-32. Snow and Ice Removal.

- A. With the exception of those undeveloped private lots abutting the sea wall on the eastern side of Ocean Avenue, the owner or tenant of land abutting upon the sidewalk of any other street or avenue shall remove all snow and ice from each sidewalk within 48 hours after same have formed or fallen thereon.
- B. If the event which caused the accumulation of snow and ice was so extraordinary that it would be a hardship to require owners or tenants to meet the 48 hour period set forth in subparagraph A herein, the Mayor shall notify the Borough Clerk, in writing, that the 48 hour period has been extended for a designated period of time, which shall not be more than an additional 48 hours. Only one such extension shall be permitted."

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

**SECTION THREE:** 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 FOUR:** This Ordinance shall take effect after second reading and publication as required by law.

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 February 16, 2016 and will be further considered after a Public Hearing held on March 1, 2016 at the Municipal Building at 7 pm.

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

Yes absent Yes Yes Yes Yes

**Introduction:** Mayor Long to read the ordinance by title:

## ORDINANCE NO. 04-2016 AN ORDINANCE CREATING CHAPTER 37, GREEN INITIATIVES OF THE CODE OF THE BOROUGH OF SEA BRIGHT

Councilmember Leckstein offered a motion to introduce Ordinance #04-2016 for a public hearing to be held on March 1, 2016 and advertise according to law; seconded by Councilmember Bills:

**WHEREAS**, the Mayor and Council of the Borough of Sea Bright strives to save tax dollars, assure clean air and water, protect ecological resources, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which will thrive well into the new century; and

**WHEREAS**, the Mayor and Council of the Borough of Sea Bright wish to build a model of government which benefits our residents and business community now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

**WHEREAS**, in an attempt to focus attention on such "Green" issues, the Mayor and Council of the Borough of Sea Bright previously enacted Resolution # 43-2015 which created a Green Team for the Borough known as "Sustainable Sea Bright"; and

**WHEREAS**, the Mayor and Council of the Borough of Sea Bright now wish to make its "Sustainable Sea Bright" Green Team a permanent advisory committee on sustainable practices for the Borough; and

**NOW, THEREFORE BE IT ORDAINED,** by the Mayor and Council of the Borough of Sea Bright that the Code of the Borough of Sea Bright shall be amended so as to create a new Chapter 37 which shall be titled "Green Initiatives" and read as follows:

#### **SECTION ONE:**

#### § 37-1 Establishment:

"Sustainable Sea Bright" is hereby established as a permanent advisory committee to the Mayor and Borough Council of the Borough of Sea Bright.

#### § 37-2 Purpose:

The general purpose of the permanent Sustainable Sea Bright advisory committee shall include but not be limited to advising and making recommendations to the Mayor and Borough Council of the Borough of Sea Bright as to improved municipal operations by way of "green" initiatives which are economically and environmentally sound as demonstrated through research and evaluation.

#### § 37-3 Definitions

All references to "committee" within Chapter 37, unless otherwise stated, shall refer to the permanent "Sustainable Sea Bright" advisory committee.

#### § 37-4 Powers and Duties:

The powers and duties of the committee shall be:

- (A) Collaborate with Borough employees, service providers and other governmental agencies to share resource information and ideas consistent with the purpose of the committee;
- (B) Encourage participation of all borough employees, borough residents and borough businesses toward the solicitation of ideas for and engagement in projects working toward green initiatives
- (C) Research and analyze green initiatives which make practical and environmental and financial sense;
- (D) Manage Sea Bright's participation in the Sustainable Jersey program and facilitate the Borough's path toward full certification from that organization;
- (E) Make all information of the committee available to the public by way of keeping minutes of all committee meetings and maintaining records of all committee activities:
- (F) Advise and make recommendations to the Mayor and Borough Council on matters affecting "green" initiatives;
- (G) Develop strategies for sustainable "green" initiatives in municipal operations;
- (H) Seek to coordinate, assist, and unify the efforts of private groups, institutions, and individuals within the Borough of Sea Bright in accord with the purposes of this chapter;
- (I) Maintain a liaison and communication with the public, private agencies and organizations of local, state, and national scope, whose programs and activities have an impact on "green" initiatives;
- (J) Leverage the skills and expertise of committee members to develop plans, implement programs, and assist with educational opportunities that support the creation of a sustainable community;
- (K) Carry out such other duties as may be assigned to the committee from time to time by the Mayor and Borough Council.

#### § 37-5 Membership and Term of Office:

- (A) The Membership of the Committee shall be appointed annually and initially consist of the following eleven (11) individuals:
  - (i) The Borough Clerk, who shall act as the Chairman of the Committee
  - (ii) The Mayor of the Borough of Sea Bright
  - (iii) A Borough Council Member to be chosen by the Council
  - (iv) A second Borough Council Member to be chosen by the Council
  - (v) A member of the Borough Planning Board to be chosen by the Planning Board
  - (vi) The Superintendent of Public Works
  - (vii) The Borough's Public Safety Director
  - (viii) The Borough's Elected Representative on the Regional Board of Education
  - (ix) A citizen of the Borough of Sea Bright to be chosen by the Mayor
  - (x) A representative of a business located within the Borough of Sea Bright to be chosen by the Mayor
  - (xi) An individual of the Mayor's choosing, who will best serve to effectuate the goals of this Ordinance.
- (B) The eleven members of the committee stated in paragraph (A) of this section may be changed by a Resolution of the Borough Council, however under no circumstances may that membership fall below the number of eleven (11) or consist of an even number.

#### § 37-6 Meetings:

The committee shall meet monthly. Additional meetings of the committee may be scheduled by the Chair at his/her discretion. Minutes of all meetings shall be kept by the committee's secretary who may or may not be a member of the committee. All minutes shall be kept on file in the Borough Clerk's office.

A quorum at any meeting of the committee shall be reached with the attendance of at least five (5) members of the committee.

The committee may also establish such other rules and procedures as may be necessary for its proper functioning, including, but certainly not limited to, the creation and disbanding of such subcommittees as it deems appropriate.

#### § 37-7 Annual report:

The committee shall be required to file an annual report of its activities and achievements with the Mayor and Borough Council. The annual report may also include recommendations to the Mayor and Borough Council as may be necessary to fulfill the purposes of this Ordinance.

#### § 37-8 Severability:

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

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

**SECTION THREE:** This Ordinance shall take effect after second reading and publication as required by law.

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 February 16, 2016 and will be further considered after a Public Hearing held on March 1, 2016 at the Municipal Building at 7 pm.

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

#### Councilman Keeler joined the Meeting @ 7:10 pm

**Introduction:** Mayor Long to read the ordinance by title:

#### **ORDINANCE No. 05-2016**

AN ORDINANCE AMENDING CHAPTER 140, ENTITLED "MERCANTILE LICENSES" ARTICLE II "GENERAL LICENSES", SECTION 140-6, "TERM OF LICENSE; EXPIRATION; TRANSFER" AND SECTION 140-10, "LICENSE FEES," "C. DUE DATE" OF THE GENERAL CODE OF THE BOROUGH OF SEA BRIGHT

Councilmember Leckstein offered a motion to introduce Ordinance #05-2016 for a public hearing to be held on March 1, 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 140, entitled "Mercantile Licenses", Article II "General Licenses," Section 140-6, of the Code of the Borough of Sea Bright, be and the same is hereby amended to read in full, as follows:

#### "140-6 Term of License; expiration; transfer.

All licenses shall commence July 1 and expire June 30 of the following year. On transfer of location of a licensed business to a new location within the Borough or upon the sale of an active business remaining in the Borough, licenses may be transferred, provided that the annual license fee for the year has been paid and a transfer fee of \$10 is paid to the Borough Clerk. All business operations commencing between July 1 and December 31 of any year shall be subject to the full amount of the annual license fee and all operations commencing between January 1 and June 30 of any year shall be subject to 1/2 of the annual license fee. Applications for renewal or transfer of a license shall be governed by the same procedures applicable to an original application."

**SECTION TWO:** Chapter 140, entitled "Mercantile Licenses," Article II "General Licenses," Subsection 140-10C, "Due Date," of the Code of the Borough of Sea Bright, be and the same is hereby amended to read in full, as follows:

"C. Due date. The due date is July 1 of every year."

**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 after second reading and publication as required by law.

**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 February 16, 2016 and will be further considered after a Public Hearing held on March 1, 2016 at the Municipal Building at 7 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 No. 06-2016 AN ORDINANCE AMENDING CHAPTER 182, "STREETS AND SIDEWALKS", OF THE CODE OF THE BOROUGH OF SEA BRIGHT, PERTAINING TO STREET OPENINGS FOR NEW CONSTRUCTION

Councilmember Leckstein offered a motion to introduce Ordinance #06-2016 for a public hearing to be held on March 1, 2016 and advertise according to law; seconded by Councilmember Kelly:

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

SECTION ONE: Chapter 182, "Streets and Sidewalks", of the Code of the Borough of Sea Bright, Article I, "Excavations", § 182-11.26, "Opening newly paved streets restricted." be and the same is hereby amended and supplemented to read, in full, as follows:

"§ 182-11.26. Opening newly paved streets restricted, Restoration.

No permit shall be issued by the Borough Clerk of the Borough of Sea Bright which would allow an excavation or opening of a paved or improved street surface less than five years old unless:

- A. The applicant can clearly demonstrate that public health or safety requires that the proposed work be permitted or unless an emergency condition exists; or
- B. The excavation or opening is for the purpose of providing utility services to a new residential or commercial structure constructed on a vacant lot or after the complete demolition of an existing structure. In such cases, restoration shall be accomplished utilizing infrared technology, as approved by the Borough Engineer."

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

SECTION THREE: 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 THREE: 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 February 16, 2016 and will be further considered after a Public Hearing held on March 1, 2016 at the Municipal Building at 7 pm.

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

#### **INDIVIDUAL ACTION/New Business:**

#### **Vouchers:** \$975,324.87

Councilmember Leckstein offered a motion to approve the <u>Voucher List</u> dated February 16, 2016 as submitted by the Finance Manager, seconded by Councilmember Keeler:

#### BILL LIST FEBRUARY 16, 2016

2/8/2016 16-00142	A.M.G. Marine Contracting DPW:Snow Removal Service 1/23-1/26/16	\$7,600.00
2/12/2016 16-00191	America Water Usage Data:11/15 - 1/16	\$942.55
2/12/2016 16-00195	A.T.&T. Mobility DPW:Cell Phones-Jan. 2016	\$355.03
1/28/2016 16-00101	Attilio's Restaurant & Pizza OEM:Subs & Soda/Storm Call Out	\$36.69
2/11/2016 16-00166	Borough of Oceanport Court:Shared Services-Feb. 2016	\$6,125.00
2/11/2006 16-00175	Borough of Sea Bright Municipal Court Court:Reimb. Credit Card Fees-Jan. 2016	\$149.63
1/22/2016 16-00080	Bullet Lock & Safe Co. Bldgs. & Grounds:Locksmith Service	\$55.00
2/11/2016 16-00050-2	C.I.T. Technogology Police:Copier Lease - Feb. 2016	\$157.00

2/12/2016 16-00196	C & L Sweeper DPW:Sweeper Service-Dec. 2015	\$1,520.00
2/12/2016 16-00192	Cooperative Industries Natural Gas Service:Jan. 2016 Billing	\$664.52
11/10/2015 15-01220	Custom Bandag DPW:Vehicle Parts-Front End Loader	\$3,395.00
2/10/2016 16-00159	Dogs & Cats Beach:Office Lease-Feb. 2016	\$1,333.33
2/11/2016 14-00613	Eagle Point Gun Police:Ammunition	\$3,684.30
1/21/2016 16-00061	Emergency Manager Project OEM:Training Course-D. Chernavsky	\$500.00
1/21/2016 16-00065	Emergency Reporting Fire Dept:CAD Interface	\$100.00
2/11/2016 16-00163	First United Methodist Church Library:Lease Agreement-Feb. 2016	\$1,000.00
2/11/2016 15-00615	Gall's Police:Uniform/Equipment -2015	\$693.64
2/11/2016 16-00170	Gannett Press Planning Board:Legal Notices-Dec. 2015	\$109.00
1/28/2016 16-00110	Garaventa, Deborah (D.G. Computer Solutions) A&E:Computer Maintenace/Boro Hall	\$515.00
12/4/2015 15-01321	GTBM Inc. Fire Dept:Equipment	\$2,618.65
2/12/2016 16-00186	JCP & L Electric Service:Multi Bldg/Sewer/St. Lghts	\$7,331.27
2/12/2016 16-00187	JCP & L Holiday Lighting:Dec. 2015/Jan. 2016	\$355.74
2/12/2016 16-00188	JCP & L Electric Service:Anchorage&Boro Lot	\$26.67
2/11/2016 16-00029-02	Jesse A. Howland & Sons Temp Fire House:Lease-Fen. 2016	\$3,750.00
1/26/2016 16-00086	Jersey Cape Diagonostic Center Beach:2016 Season Badges	\$780.00
1/22/2016 16-00077	K-Mart Fire Dept:Air Mattresses for Storm Prep.	\$700.00
1/21/2016 16-00072	Lanigan Associates Fire Dept:Captain's Badge	\$55.00
2/9/2016 16-00150	Lawrence,Frank A&E:Reimb. Travel/DEP Mngmnt. Meeting	\$69.00
2/11/2016 16-00176	McLaughlin, Stauffer & Shaklee A&E: Legal Services-Jan. 2016	\$2,222.80
2/10/2016 16-00158	Modular Space Beach:Trailer/Restroom Rental 5/15-8/15	\$6,500.00
2/10/2016 16-01170-2	Modular Space Police:Trailer Rental 9/15 & 10/15	\$4,350.00
2/10/2016	Modular Space	\$240.00
16-00158 2/12/2016	Police:Trailer Rental 2/1-2/29/16  M & S Waste Service	\$375.00

16-00182	Brush Collection:Jan. 2016	
2/12/2016	M & S Waste Service	\$1,607.04
16-00181	Dumpster/Disposal:Jan. 2016	¥1,007.0 <del>4</del>
2/12/2016 16-00180-1	M & S Waste Service Trash & Recycling:Jan. 2016	\$9,916.66
2/12/2016 16-00183	M & S Waste Service Landfill Tipping & Recycling Tax:Jan. 2016	\$5,756.70
1/27/2016 16-00090	Monmouth County Equipment Acquisition DPW:Equipment/Parts	\$465.00
2/11/2016 16-00051-2	Municipal Captial Corp.  A&E:Copier Lease/Boro Hall-Feb. 2016	\$224.73
10/29/2015 15-01175	Navesink Marina Fire Dept:Boat Repair	\$92.72
2/11/2016 16-00177	NJ American Water Water Utility:Jan. 2016	\$182.92
2/12/2016 16-00194	NJ American Water Hydrant Service	\$2,113.61
2/9/2016 16-00152	NJ Dept of Community Affairs Bldg. Dept:4/Q 2015 Permit Fees	\$2,772.00
2/9/2016 16-00155	NJ Dept of Community Affairs Bldg. Dept:Renewal/NJ Uniform Code	\$50.00
1/28/2016 16-00105	NJRHS Commercial Services Bldgs. & Grounds:Inspect Heating/DPW Garage	\$199.00
2/11/2016 16-00164	Oceanport Board of Education Grade School Tax-Feb. 2016	\$64,450.00
1/28/2016 16-00107	Perry's Trophy Co. A&E:Name Plate/Boro Attorney	\$14.00
2/11/2016 16-00172-1	Pitney Bowes A&E:Postage Meter Lease-1/Q 2016	\$360.00
2/11/2016 16-00173	Pitney Bowes A&E:Postage Meter Lease-4/Q 2015	\$360.00
1/2/2016 16-00169	Realty Appraisal 2016 Revaluations	\$27,000.00
11/30/2015 15-01294	Rubin, Ira Fire Dept:Helmet Shields	\$330.00
1/28/2016 16-00104	Rutger's University Clerk:2016 Supplement/Clerk's Guide	\$35.00
2/11/2016 16-00178	Seaboard Welding Supply, Inc. DPW:Cylinder Rentals	\$43.50
1/21/2016 16-00060	Sea Bright Service Center OEM:Vehicle Repairs	\$950.00
2/11/2016 16-00165	Shore Regional High School High School Tax:Feb. 2016	\$179,415.00
1/21/2016 16-00064	Signs & Letters Unlimited Police:Vehicle Lettering	\$325.00
2/12/2016 15-00517-10	T & M Associates Engineer:Seawall Rehab Phase 1	\$69,166.76
1/22/2016	The Home Depot Bldgs. & Grounds:Carpet for DPW	\$129.35
16-00081	Garage	

1/26/2016 16-00088	Timothy Hill Electric Co. Bldgs. & Grounds:Electrical/DPW Garage	\$1,475.00
2/10/2016 16-00161	Treasurer County of Monmouth 1/Q - Open Spaces Tax	\$23,924.92
2/10/2016 16-00160	Treasurer County of Monmouth 1/Q - Library Taxes	\$28,606.49
2/10/2016 16-00162	Treasurer County of Monmouth 1/Q - County Taxes	\$434,008.44
2/11/2016 16-00171	Wex Bank Gasoline:Feb. 2016	\$2,614.24
2/12/2016 16-00189	Verizon Wireless Police:Cells & MDT-Wireless-Jan. 2016	\$911.40
2/12/2016 16-00190	Verizon Communications Phone:Local & Long Distance-Jan. 2016	\$1,770.98
2/11/2016 16-00167	William E. Antonides & Co. Fiscal Officer Services:Dec. 2015	\$935.00
2/11/2016	William E. Antonides & Co.	\$3,025.00
16-00168	Fiscal Officer Services:Jan. 2016	\$921,540.28
Manual Checks		
2/9/2016 16-00156	NJ State Health Benefits Program Active & Retired:Feb. 2016	\$51,996.59
2/11/2016 16-00174	Pitney Bowes A&E:Postage Meter Refill	\$1,500.00
2/12/2016 16-00185	Public Storage Police:Rental Unit-Feb. 2016	\$288.00
		\$53,784.59

TOTAL: \$975,324.87

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

Councilman Keeler asked for clarification on a couple of points in Ordinance No. 03-2016 1) is a tenant responsible for sidewalk snow removal vs. the owner of the building; 2) questioned if the wording "removal of 'all' snow" meant the entire sidewalk or if shoveling a path would be sufficient? Borough Administrator responded that Code Enforcement and Police would have to use discretion as to whether or not the sidewalk was passable. Mayor Long commented that the snow piling issue still needs to be resolved.

#### **COUNCIL COMMITTEE REPORTS:**

#### **BEACH / PUBLIC RELATIONS / GRANTS:**

Committee Chair Lamia reported on the **Beach**: overall looks okay considering the pounding we have been taking since the Fall. Councilman Lamia has been taking pictures along the length of the beach to compare before and after, but basically the better the dune, the more resilient. He has met with the Chief and the Beach Manager and they are working to improve the Sea Bright experience by adding amenities for Beach-goers. Ideas will be forwarded to Council for consideration. Dune Committee: Councilman Lamia provided an update of their recent meeting on February 6 and reported they have seven dune sponsors and are planning to continue improvements to the dunes and cross-overs with the help and coordination of Public Works. **Public Relations:** Councilman Lamia provided a list of the Borough Activities that are either under way or planned for this and future years and asked that there be regular updates to share through and with the PR committee so we can make sure the information is received by all. **Grants:** Councilman Lamia reported Administrator Verruni has committed that the team will work with our CFO to develop a monthly status Register for tracking status of Grants.

#### **FINANCE / INSURANCE / COURT / VOLUNTEERS:**

Committee Chair Keeler reported that the budget hearings were held and the CFO will be scheduling a budget workshop. Councilman Keeler will ask the JIF to hold an elected officials meeting at Borough Hall to make it easier for all to attend and receive the \$250 JIF credit. Councilman Keeler reported Freeholder Curley is holding a seminar for elected officials at Brookdale on February 27th. Councilman Keeler reported he has a meeting this coming week regarding the Public Defender matter and will update Council. A date was agreed upon to hold the budget workshop meeting - Saturday, March 5th at 10 am.

#### **PERSONNEL/LIBRARY / RECREATION:**

Committee Chair Bills reported a resolution was passed on tonight's consent agenda hiring Joseph Verruni as a Borough employee as a cost saving effort. Councilwoman Bills reviewed upcoming Recreation programs/events and noted the Easter Egg Hunt on March 26 at 11 am will be held in a new location this year - on the public beach behind Borough Hall. Councilman Rooney announced that the library holds organ recitals one Saturday every month and encourages everyone to stop in. The next recital is scheduled on March 5 - George Murphy will be playing.

#### **PUBLIC SAFETY / EDUCATION:**

Committee Chair Rooney reported that Sergeant Richard Jacobs is retiring May 1. Sergeant Jacobs has been on the police force since he was 22 years old and Councilman Rooney would like the Borough to acknowledge his outstanding service upon his retirement. Councilman Rooney reviewed the police statistics for the past month. Concerning education, Councilman Rooney reported the Borough filed a petition with the Commissioner of Education asking him to take a look at the fact that Shore denied the Borough's request for a referendum. Councilman Rooney stated, "we are going to be a little more aggressive than we have in the past when it comes to education and hopefully it will get us the results we want."

## <u>PUBLIC WORKS / BUILDING DEPARTMENT / CODE ENFORCEMENT / SEA BRIGHT 365 & CULTURAL ARTS:</u>

Committee Chair Leckstein reported Council introduced the Green Initiatives Ordinance tonight which will codify the "Green Team" as a permanent structure in the town. In addition, an Ordinance was introduced giving the Mayor additional powers to extend the snow removal time frame. Councilman Leckstein reported he will be attending a convention in Atlantic City for special event vendors with Recreation Director Kathy Morris and Councilwoman Bills. Reported progress on all other matters.

#### SEA BRIGHT RECOVERY / CAPITAL PLAN / FLOOD CONTROL/BEAUTIFICATION:

Committee Chair Kelly reported the Borough authorized applying for a HUD grant to build one continuous bulkhead and outfalls. Beautification and Streetscape Committee meetings are scheduled this Thursday. Councilman Kelly provided an update on the Cell Tower, if all approvals are received, construction could begin in the fall. Councilman Kelly reported on the paid parking meetings held last Friday with the five vendors we received RFPs from. It is expected to be a 6-12 week installation process so Council needs to make a decision soon to insure installation by the summer season. Councilman Rooney added that cell service is key in making paid parking work. Councilman Keeler asked if Verizon could bring in a temporary tower if the permanent tower is not built before the paid parking is installed. Councilman Kelly will prepare a summary of the meetings for Council members.

#### **MAYOR DINA LONG - Reports and Communications**

Mayor Long asked Administrator Verruni to provide an update on the status of the temporary seawall project. Mr. Verruni reported he spoke with the NJDEP and there will be easy vehicle access to the beach during and after the project which should last approximately 30 days.

Mayor Long reported that we are still dealing with some "bumps in the road" with the streetscape project and the NJDOTDOT's internal communications in order to get our Highway Occupancy Permit issued. The DOT wants to change the striping plan. The Administrator has arranged a meeting with a consulting engineer to review the plan, as an "extra set of eyes," to make sure we haven't missed anything. Councilman Keeler stated he would like to see hairpin striping for the parking spaces.

Mayor Long complimented all Department Heads for their "forward looking" and cost efficient budget requests for their departments - "everybody did a great job."

Mayor Long reported the passing of Dorothy Secora - Dorothy was part of Sea Bright's extended family and brought drum circle to the beach.

Mayor Long asked Council to consider:

- 1. adopting a Dune (\$500/year to two years), and
- 2. sponsoring a community "Pick Up Litter Day" for Earth Day on Friday, April 22.

#### **MAYOR LONG ALLOWED FOR ADDITIONAL PUBLIC COMMENTS**

Richard Lee, Surfers Environmental Alliance (SEA) in Long Branch, stated that if Council decides to adopt a dune SEA will match whatever the donation. Mr. Lee also asked if SEA could adopt the Tradewinds public access point, they would install bike racks, benches, etc. Mr. Lee asked Councilman Lamia if there could be some surfing rules incorporated at Anchorage Beach.

Gerry Logan, Ocean Avenue, stated he has a building permit to build a new house but has been denied a permit to access natural gas because of the five year street opening moratorium. Mayor Long explained that Council introduced an Ordinance tonight which will allows for road cuts for new construction. The Ordinance is scheduled to be adopted on March 1.

Linda O'Mara, Front Street, stated she is experiencing major problems with the bulkhead that was built on Beach Street which caused the side of her property to collapse; Ms. O'Mara installed a bulkhead and now has a problem from the Stavola property on the other side creating a very unsafe condition - including a big sink hole. Mayor Long will ask the Borough Engineer to go out and take a look to see what our options are.

#### **EXECUTIVE SESSION**

## RESOLUTION EXECUTIVE SESSION

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

**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, Lamia, Leckstein, Rooney Yes Yes Yes Yes Yes Yes

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

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

#### **ADJOURNMENT**

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

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

Respectfully submitted,

Christine Pfeiffer Borough Clerk