

**AGENDA  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**JULY 11, 2017**

**SEA BRIGHT, NEW JERSEY**

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

**PLEDGE OF ALLEGIANCE**

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

**Good Evening Ladies and Gentlemen. This Meeting Is Now Called To Order: In Line With The Borough Of Sea Bright's Longstanding Policy Of Open Government, And In Compliance With The "Open Public Meetings Act" I Wish To Advise You That Adequate Notice Of This Regularly Scheduled Meeting Was Sent to the Asbury Park Press and other local newspapers on November 15, 2016. In each instance, the Date, Time, And Location Of This Meeting Were Provided In The Notice. This Meeting Is Open To The Public."**

**ROLL CALL:**

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

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

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

**CONSENT AGENDA**

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

**Minutes**

06-15-2017	Workshop Meeting
06-15-2017	Executive Session
06-20-2017	Regular Meeting
06-20-2017	Executive Session

**Resolutions:**

<b>No. 120-2017</b>	Authorizing The Borough Of Sea Bright To Apply For Highway Traffic Safety Mobilization 2017 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Traffic Safety Grant
<b>No. 121-2017</b>	Renewal of the 2017-2018 Liquor License Licensee who has met all Borough and State Requirements and Paid all Applicable Fees
<b>No. 122-2017</b>	Remove S. Kelly Corporation from Resolution No. 132-2017 2017/2018 Annual Renewal Liquor License (12.39 Special Ruling Required)

- No. 123-2017**      Accepting the Performance Guarantee(s) for Block 19, Lot 3  
10 East Ocean Avenue, Kelly Management Corporation (The Madhatter)
- No. 124-2017**      (Rescinding Resolution No. 119-2017 - Change Order No. 5 (Increase)  
Reconstruction of Six Bulkheads and New Stormwater Pump Station  
R. Kremer & Son Marine Contractors, LLC
- No. 125-2017**      Reconstruction of Six Bulkheads and New Stormwater Pump Station  
R. Kremer & Son Marine Contractors, LLC  
Performance Bond Reduction/Maintenance Bond
- No. 126-2017**      Change Order No. 5, (FINAL) Decrease Contract Amount by \$288.00 and  
Extend Contract Completion Date to July 7, 2017 to Allow for LED Message  
Sign - Ocean Avenue Streetscape Improvements Project - LandTek

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

**ORDINANCE(s):**

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

**ORDINANCE NO. 13-2017**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 130 "LAND USE",  
ARTICLE XI, "SIGNS," OF THE CODE OF THE BOROUGH OF SEA BRIGHT,  
SECTION 130-72, "PERMITTED SIGNS AND AWNINGS IN SPECIFIC ZONES"**

Councilmember                      offered a motion to introduce Ordinance No. 13-2017 for a  
public hearing to be held on August 1, 2017 and advertise according to law; seconded by  
Councilmember

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

**INDIVIDUAL ACTION/New Business:**

**Vouchers:      \$326,470.59**

Councilmember                      offered a motion to approve the Voucher List dated  
July 11, 2017 as submitted by the Finance Manager, seconded by Councilmember

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

**COUNCIL COMMITTEE REPORTS:**

**A.      BEACH / GRANTS:**

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

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

- **WILLIAM KEELER, CHAIR**
- Kevin Birdsall
- John Lamia

**C. PERSONNEL/ PUBLIC RELATIONS / RECREATION:**

- **MARC LECKSTEIN, CHAIR**
- Brian Kelly
- Charles Rooney

**D. PUBLIC SAFETY / EDUCATION/ LIBRARY:**

- **CHARLES ROONEY, CHAIR**
- William Keeler
- Kevin Birdsall

**E. PUBLIC WORKS / BUILDING DEPARTMENT/ CODE ENFORCEMENT:**

- **KEVIN BIRDSALL, CHAIR**
- Marc Leckstein
- William Keeler

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

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

**ANNOUNCEMENT: Council is in Receipt of the 2016 Municipal Audit.**

**MAYOR DINA LONG – Reports and Communications**

**EXECUTIVE SESSION**

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

**Resolution to discuss: Litigation**

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

**ADJOURNMENT**

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

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

**RESOLUTION No. 120-2017**  
**AUTHORIZING THE BOROUGH OF SEA BRIGHT TO APPLY FOR  
HIGHWAY TRAFFIC SAFETY MOBILIZATION  
2017 DRIVE SOBER OR GET PULLED OVER STATEWIDE  
LABOR DAY CRACKDOWN TRAFFIC SAFETY GRANT**

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

**WHEREAS**, the safety of all citizens travelling on the roadways in the Borough of Sea Bright and the surrounding roadways is vitally important; and

**WHEREAS**, in 2014, alcohol impaired fatalities accounted for 29% of New Jersey's traffic fatalities; and

**WHEREAS**, the *2017 Drive Sober or Get Pulled Over Grant* provides funding to implement an impaired driving enforcement campaign as part of the *2017 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown* from August 18, 2017 to September 4, 2017; and

**WHEREAS**, grant funds in the amount of \$5,500.00 are available, with no local match, from the National Highway Traffic Safety Administration to reimburse police personnel, on an overtime basis, for special enforcement patrols targeting impaired drivers; and

**WHEREAS**, the deadline to apply for the grant is July 28, 2017; and

**WHEREAS**, the Sea Bright Police Chief has recommended that the Borough apply for said Grant; and

**WHEREAS**, the Governing Body of the Borough of Sea Bright, County of Monmouth wish to apply for the *2017 Drive Sober or Get Pulled Over Grant* from the National Highway Traffic Safety Administration.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the appropriate officials are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the aforementioned grant funds from the National Highway Traffic Safety Administration for the *2017 Drive Sober or Get Pulled Over Grant*; and

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

1. Director of Finance
2. Chief of Police
3. CFO

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

July 11, 2017

**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 July 11, 2017.

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

**RESOLUTION NO. 121-2017**  
**RENEWAL OF THE 2017 -2018 LIQUOR LICENSE  
LICENSEE WHO HAS MET ALL BOROUGH AND STATE  
REQUIREMENTS AND PAID ALL APPLICABLE FEES**

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

**WHEREAS**, the Retail Renewal Application form for the 2017 - 2018 license term has been deemed complete in all respects, the annual fees have been paid to both the Borough of Sea Bright and the State of New Jersey, Division of ABC; and

**WHEREAS**, the Borough Council of the Borough of Sea Bright, County of Monmouth, hereby authorize the renewal of the following Retail Alcoholic Beverage Licenses for the 2017 -2018 license term:

<b><u>RETAIL DISTRIBUTION LICENSES:</u></b>	<b><u>RENEWAL FEE: \$1,670.00</u></b>
1343-44-006-011	Seabreeze Wines & Spirits Inc. t/a Cork and Barrel 1060 Ocean Avenue

**WHEREAS**, Seabreeze Wines & Spirits, Inc. petitioned the Division of Alcoholic Beverage Control for temporary permit to operate pending action by the Municipal issuing authority on June 28, 2017 to operate beyond July 1<sup>st</sup>.

**WHEREAS**, the Alcoholic Beverage Licensee Retail Tax Clearance Certificate pursuant to Chapter 161, Laws of NJ 1995 has been granted by the Division of Taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that authorization is hereby given to renew, effective July 1, 2017, the aforesaid liquor licensee for the license term 2017-2018; and

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

1. Chief of Police
2. Fiscal Officer
3. Division of Alcoholic Beverage Control

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

July 11, 2017

**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 July 11, 2017.

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

**RESOLUTION No. 122-2017**  
**Remove S. Kelly Corporation from Resolution #132-2017**  
**2017/2018 Annual Renewal Liquor License**  
**(12.39 Special Ruling required)**

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

**WHEREAS**, N.J.S.A. 33:1-12.39 "Special Ruling" if a license became inactive on or before June 30, 2015, the local issuing authority does not have the jurisdiction to renew a inactive license for the 2017-2018 license term, until the licensee obtains a "Special Ruling" from the Director of the New Jersey Division of Alcoholic Beverage Control; and

**WHEREAS**, on June 20, 2017, the Governing Body of the Borough of Sea Bright passed a Resolution No. 132-2017 granting S. Kelly Corporation the 2017/18 Annual Renewal Liquor License; and

**WHEREAS**, S. Kelly Corporation has been inactive since December, 2014, therefore, the licensee is required to submit a "Verified Petition" to the Director before the local issuing authority can approve the 2017-2018 Annual Renewal Liquor License to the licensee; and

**WHEREAS**, the Borough Council has considered the foregoing.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright in the County of Monmouth that S. Kelly Corporation doing business as The Madhatter, a Class C Plenary Retail Consumption License #1343-33-011-007 is hereby removed from Resolution No. 132-2017.

**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. S. Kelly Corporation

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

July 11, 2017

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk do hereby certify that this is a true copy of a resolution approved by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on July 11, 2017.

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

**RESOLUTION NO. 123-2017**  
**ACCEPTING THE PERFORMANCE GUARANTEE(S) FOR**  
**BLOCK 19, LOT 3 – 10 EAST OCEAN AVENUE**  
**KELLY MANAGEMENT CORPORATION (THE MADHATTER)**

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

**WHEREAS**, the Borough of Sea Bright has approved a development project on Block 19, Lot 3 also known as Kelly Management Corporation; and

**WHEREAS**, Hoder Associates prepared a performance guarantee estimate dated January 19, 2017 for Kelly Management Corporation; and

**WHEREAS**, in accordance with N.J.S.A. 40:55D-53, Kelly Management Corporation posted a performance guarantee for 120% of the cost of installing improvements in the total amount of \$91,050.00, ten percent (10%) (\$9,105.00) of which was cash and deposited with the Borough and the remaining ninety percent (90%) (\$81,945.00) was in the form of a surety performance bond, and

**WHEREAS**, Kelly Management Corporation posted five percent (5%) engineering inspection fees in the amount of \$3,793.75 and the required certificate of insurance.

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

**BE IT FURTHER RESOLVED** that the performance guarantees are hereby accepted.

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

1. Hoder Associates, Consulting Engineer
2. Construction Official
3. Finance Manager
4. Kelly Management Corporation

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

July 11, 2017

**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 July 11, 2017.

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

**RESOLUTION NO. 124-2017**  
**(RESCINDING RESOLUTION NO. 119-2017)**  
**CHANGE ORDER NO. 5 (INCREASE) RECONSTRUCTION OF**  
**SIX BULKHEADS AND NEW STORMWATER PUMP STATION**  
**R. KREMER & SON MARINE CONTRACTORS, LLC**

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

**WHEREAS**, on June 20, 2017 the Borough Council approved Resolution No. 119-2017 which is hereby rescinded for further clarification; and

**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**, 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

**WHEREAS**, the Borough Engineer, Francis W. Mullan, submitted Change Order No. 4 dated October 17, 2016: Item 41) an increase of \$6,500.00 for additional construction efforts to remediate the Osborne Place ponding issues, Item 37) a decrease of \$6,500.00 due to a revision in the testing requirements for the pump station testing on Osborne Place and identified Item A2-1) an increase in the contract of \$37,400 for Kremer's demobilization and remobilization costs as a result of the postponement of the River Street work until April 1, 2017 in an amount not to exceed \$37,400.00; and



**WHEREAS, Revised Change Order No. 5 dated June 27, 2017,** submitted by the Borough Engineer, Francis W. Mullan, will increase the contract by \$1,093.70. The contract will be reduced by the remaining balance for each of the completed Items #6,8,9,11, 13-18, 27-30 and A1-16 in the amount of \$41,071.80; extra supplementary items indentified as S-7, S-8, S-9 and S-10 necessary to complete the project will increase the contract in the amount of \$23,415.50; supplementary work identified as S-11 necessary to remove concrete around the existing water main on River Street where the water main enters the river is an increase of \$18,750.00; and, supplementary item S-12 to extend the completion date of Alternate A-2 (River Street) 92 days until September 15, 2017 due to the delay of the water main extension by NJAW; the new contracted amount is \$1,590,945.95.

**CERTIFICATION OF FUNDS**

I, Michael Bascom, Chief Financial Officer, certify that funds are available to pay the aforesaid contractor an additional amount of \$1,093.70 from Bond Ordinance 10-2012.

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**Michael J. Bascom**

**NOW THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, that it does hereby approve Change Order No. 5 resulting in an increase to the contract in the amount of \$1,093.70 that amended contract price to \$1,590,945.95 for the Reconstruction of Six Bulkheads and New Stormwater Pump Station; and

**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:** Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney

July 11, 2017

**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 July 11, 2017.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 125-2017**  
**RECONSTRUCTION OF SIX BULKHEADS AND  
NEW STORM WATER PUMP STATION  
R. KREMER & SON MARINE CONTRACTORS, LLC  
PERFORMANCE BOND REDUCTION / MAINTENANCE BOND**

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

**WHEREAS**, the Borough Council awarded a contract to R. Kremer & Son Marine Contractors, LLC of Brick, New Jersey in the amount of \$1,525,705.00 for the Reconstruction of Six Bulkheads and a new Stormwater Pump Station on April 21, 2015; and

**WHEREAS**, R. Kremer & Son Marine Contractors, LLC has requested a reduction of their Performance Bond No. 35583 in the amount of \$1,525,705.00, issued by The Service Insurance Company; and

**WHEREAS**, the Borough Engineer, Francis W. Mullan, P.E. submitted a revised letter to the Borough Administrator dated July 3, 2017 that the Performance Bond may be reduced with respect to approved improvements, with the exception of Bid Items 37 & 38 (\$234,935.00) related to Osborne Street Storm Water Pump Station and Alternate A2 (\$199,870.00) River Street Bulkhead reducing the Performance Bond to \$434,810.00; and

**WHEREAS**, the Borough Engineer in accordance with General Condition 33 – Maintenance Bond of the Contract Documents, recommends a maintenance bond be executed and delivered to the Borough prior to Performance Bond release or reduction. The maintenance bond shall be in an amount equal to 25% of the construction items completed and approved to date, which is \$271,990.24 (25% of \$1,087,960.95).

**WHEREAS**, the Borough Council is willing to reduce the amount of the performance bond as per the Borough Engineer's recommendation.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, that the performance bond for the Reconstruction of Six Bulkheads and new Stormwater Pump Station in the amount of \$1,525,705.00 with R. Kremer & Son Marine Contractors LLC of Brick, New Jersey be reduced to \$434,810.00, subject to the following conditions:

1. Certificate of Insurance be properly filed
2. Issuance of a Rider to reduce the Performance Bond to \$434,810.00
3. Issuance of a Maintenance Bond in the amount of \$271,990.24

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

1. Finance Manager
2. T & M Associates, Borough Engineer
3. The Service Insurance Company
3. R. Kremer & Son Marine Contractors LLC

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

July 11, 2017

**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 July 11, 2017.

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

**RESOLUTION No. 126-2017**

**Change Order #5, (FINAL) Decrease Contract Amount by \$288.00 and  
Extend Contract Completion Date to July 7, 2017 to Allow for LED Message Sign  
Ocean Avenue Streetscape Improvements Project - LandTek Construction**

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

**WHEREAS**, on October 4, 2016, the Borough Council of the Borough of Sea Bright awarded a contract to LandTek Construction d/b/a/ United Terrain Group of Piscataway, New Jersey for the Ocean Avenue Streetscape Improvements Project in the contract amount of \$1,108,996.00; and

**WHEREAS**, on March 7, 2017, Resolution No. 52-2017 authorized Change Order No. 1, to extend the contract completion date from March 29, 2017 to April 13, 2017, Extra: Item 17 – increased to reflect as-built quantities for the project and Supplementary Item S1 - Police Traffic Directors increase in rate in the amount of \$11,317.50 due to current rate change used for Police Traffic Directors in the Borough of Sea Bright increasing the original contracted amount from \$1,108,996.00 to \$1,120,313.50; and

**WHEREAS**, the Borough Council approved Resolution #67-2017 for Change Order No. 2 dated March 21, 2017, to extend the contract completion date for the work between New Street and Church Street from April 13, 2017 to May 4, 2017; Reductions: Item 9 was reduced \$30,000.00 to reflect the upgrade from stamped concrete to pavers at the sidewalk border; Extra: Items 7 and 16 were increased \$12,300.00 to reflect work proposed between Church Street and New Street; Supplementary: Increase of \$81,808.75 as follows - Item S2 was introduced to reflect the upgrade to decorative pavers in the border area of the sidewalk and Items S3 through S11 were introduced to reflect the additional work required between Church Street and New Street for a net increase in the revised contract amount from \$1,120,313.50 to \$1,184,422.25; and

**WHEREAS**, the Borough Council approved Resolution #84-2017 for Change Order No. 3 dated April 12, 2017, which includes reductions for as-built quantities and additional items for work added to the contract due to field conditions and changes; Reductions of \$80,844.00 for Items 8, 10, 11,13,15,29, 40, 42,48-51, 59, A2-1 and A3-2 were reduced to reflect as-built quantities; Extra: increased the amount by \$4,214.00 for Items 38, 39 and A3-3 that were increased to reflect as-built quantities; and Supplementary: An increase amount of \$29,380.00 for Items S12 through S23 that were introduced to reflect additional various work items required due to field conditions and changes for a net decrease in the amount of \$47,250.00 changing the revised contract amount from \$1,184,422.25 to \$1,137,172.25.

**WHEREAS**, the Borough Council approved Resolution #101-2017 for Change Order No. 4 dated May 16, 2017, to extend the contract to June 23, 2017 to allow for the installation of Item S70-LED Message Sign; Reductions: Items 4-8, 12, 15, 16, 18, 27-29, 41, 44, 47, 50, 56, 57, 58, 60, A2-2, A2-3, A2-6, A2-7, A2-8, A2-9, A2-10 and S5 were reduced by \$119,801.40 to reflect as-built quantities for the project; Extra: increased the amount by \$11,967.00 for Items 2, 13, 30, 38, 39, 40, A3-2 and S1 that were increased to reflect as-built quantities for the project; Supplementary: increased the amount of the project by \$180,999.65 for Items S24 through S72 introduced to reflect the additional various landscaping and work items required due to field conditions and changes for a net increase in the amount of \$73,165.25 changing the revised contract amount from \$1,137,172.25 to \$1,210,337.50.

**WHEREAS**, the Borough Engineer, Francis W. Mullan, submitted Change Order No. 5 dated July 7, 2017, to extend the contract to July 7, 2017 to allow for the installation of Item S70-LED Message Sign and Items 40 and 41 were reduced by \$288.00 to reflect as-built quantities for the project changing the revised contract amount from \$1,210,337.50 to \$1,210,049.50.

**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 Final Change Order No. 5 that decreases the amended contract amount from \$1,210,337.50 to a new revised contract amount of \$1,210,049.50 and extends the contract completion date to July 7, 2017 for the Ocean Avenue Streetscape Improvements Project awarded to LandTek Construction.

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

1. Finance Manager
2. T & M Associates, Borough Engineer
3. Landtek Construction

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

July 11, 2017

**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 July 11, 2017.

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Christine Pfeiffer, Borough Clerk

**ORDINANCE NO. 13-2017**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 130 "LAND USE",  
ARTICLE XI, "SIGNS," OF THE CODE OF THE BOROUGH OF SEA BRIGHT,  
SECTION 130-72, "PERMITTED SIGNS AND AWNINGS IN SPECIFIC ZONES"**

**WHEREAS**, the New Jersey Department of Environmental Protection requires all communities that contain tidal waters to provide for public access; and

**WHEREAS**, existing and future signage for public access is required at all public access locations identified in the Municipal Public Access Plan; and

**WHEREAS**, installation and maintenance of signage is a requirement of N.J.A.C. 7:7E-8.11(t).

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey that Chapter 130, "Land Use," of the Code of the Borough of Sea Bright, shall be amended as follows:

**SECTION ONE:** Section 130-72, "Permitted signs and awnings in specific zones" be and the same is hereby amended and supplemented to add the following subparagraph with all other sections not listed to remain the same:

**D. Public Access Signs**

(1) "Public Access Signs" shall be a posted sign depicting the public access point to, from and along tidal waterways and their shores within the Borough of Sea Bright. Public Access Signs shall list the name of the access point as well as any restrictions.

(2) All public access signs shall be installed at the entrance of the public designated access points as outlined in the Municipal Public Access Plan.

(3) All public access signs shall be maintained by the Department of Public Works.

**E. Awnings** (note the re-numbering of "Awnings" - language in this section to remain the same)

**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 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 July 11, 2017 and will be further considered after a Public Hearing held on August 1, 2017 at the Municipal Building at 7:00 pm.

INTRODUCED:                      July 11, 2017  
PUBLIC HEARING:                 August 1, 2017  
ADOPTED:

Witness

BOROUGH OF SEA BRIGHT,

CHRISTINE PFEIFFER, CLERK

DINA LONG, MAYOR

**VOUCHER LIST  
JULY 11, 2017  
BOROUGH OF SEA BRIGHT**

02260	ADT SECURITY SERVICES		
17-00780	06/19/17 LIBRARY	Open	39.99
2418	ANDREW K. KNOX & COMPANY		
17-00805	06/28/17 LEGAL	Open	6,250.26
01983	ATHLETES' ALLEY		
17-00696	06/05/17 BEACH	Open	2,375.00
17-00697	06/05/17 JR. LIEFGUARD	Open	1,003.75
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			3,378.75
01241	BAIN'S HARDWARE, INC.		
17-00832	07/07/17 HARDWARE	Open	993.79
01565	BOROUGH OF SEA BRIGHT		
17-00829	07/06/17 SPECIAL DUTY	Open	7,747.50
00063	CHESAPEAKE EXTERMINATING CO.		
17-00791	06/22/17 BUILDING & GROUNDS	Open	30.00
00886	CHESSMAN, SHARON		
17-00699	06/05/17 RECREATION	Open	425.00
00198	COMCAST		
17-00786	06/21/17 LIBRARY	Open	214.22
01493	COOPERATIVE INDUSTRIES, L.L.C.		
17-00821	07/05/17 NATURAL GAS	Open	417.65
2390	COSTA, VALERIA		
17-00807	06/29/17 BUILDING & GROUNDS	Open	750.00
01320	DEMAIO, R.N.		
17-00787	06/22/17 BEACH	Open	609.53
2400	DIEGNAN & BROPHY, LLC		
17-00782	06/21/17 COURT	Open	700.00
00419	DRAGER SAFETY DIAGNOSTICS, INC		
17-00693	06/05/17 POLICE	Open	179.00
2419	ENGINEERED TEXTILE PRODUCTS		
17-00809	06/29/17 RECREATION	Open	1,374.00
02101	GANNETT NJ		
17-00794	06/22/17 LEGAL AD	Open	69.10
02181	GATEWAY PRESS		
17-00616	05/15/17 POLICE	Open	226.00
17-00712	06/12/17 A&E	Open	146.00
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			372.00
00079	GEMPLER'S		
17-00694	06/05/17 DPW	Open	397.95
02219	Goodyear Auto Service Center		
17-00781	06/20/17 POLICE	Open	953.44

2281	GRAINGER		
	17-00220 02/14/17 SEWER	Open	80.30
	17-00221 02/14/17 DPW	Open	300.00
	17-00660 05/30/17 DPW	Open	1,200.00
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			1,580.30
01685	HILSEN TERMITE & PEST		
	17-00790 06/22/17 BUILDINGS AND GROUNDS	Open	330.00
2297	INTEGRATED TECHNICAL SYSTEMS		
	17-00798 06/28/17 PARKING KIOSKS	Open	770.00
01526	JCP & L		
	17-00831 07/07/17 ELECTRIC	Open	5,881.49
00895	JOHNNY ON THE SPOT, INC.		
	17-00792 06/22/17 BEACH	Open	109.20
	17-00799 06/28/17 BEACH	Open	593.60
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			702.80
00202	KAY PRINTING & ENVELOPE CO, INC		
	17-00713 06/12/17 BUILDING DEPT	Open	169.68
00167	KEEP IT SAFE		
	17-00833 07/07/17 LIVE VAULT	Open	210.35
02110	KLEIN, DON		
	17-00800 06/28/17 BEACH	Open	168.69
	17-00835 07/07/17 JR. GUARDS	Open	427.46
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			596.15
2378	LANDTEK CONSTRUCTION		
	17-00598 05/11/17 STREETSCAPE	Open	28,020.32
	17-00838 07/07/17 STREETSCAPE	Open	36,944.75
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			64,965.07
00275	M & S WASTE SERVICES, INC.		
	17-00184 02/02/17 TRASH PICK UP	Open	10,070.25
	17-00816 07/05/17 DUMPSTERS	Open	5,257.40
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			15,327.65
2415	MARKERS, INC.		
	17-00700 06/05/17 STREETSCAPE	Open	668.88
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
	17-00828 07/06/17 LEGAL SERVICES	Open	7,964.81
00176	MODULAR SPACE CORPORATION		
	17-00808 06/29/17 POLICE	Open	3,030.00
00457	MONMOUTH COUNTY ASSESSORS ASSN		
	17-00802 06/28/17 TAX ASSESSOR	Open	150.00
00688	MONMOUTH COUNTY POLICE ACADEMY		
	17-00718 06/13/17 POLICE	Open	55.00
02256	MONMOUTH TELECOM		
	17-00823 07/05/17 PHONE	Open	1,233.95
2382	MORGAN, MICHAEL		
	17-00098 01/23/17 CLOTHING ALLOWANCE	Open	399.00

00283	MUNICIPAL EMERGENCY SERV, INC. 16-01428 11/16/16 OEM:CLOTHING	Open	1,500.60
00019	NJ AMERICAN WATER 17-00775 06/19/17 WATER	Open	687.29
	17-00797 06/28/17 HYDRANTS	Open	2,435.40
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			3,122.69
00617	NJ E-Z PASS 17-00711 06/12/17 POLICE	Open	100.00
00046	ONE CALL CONCEPTS, INC. 17-00814 07/05/17 CALL BEFORE YOU DIG	Open	25.00
01662	ORIENTAL TRADING COMPANY 17-00592 05/09/17 RECREATION	Open	239.91
00163	OSWALD ENTERPRISES, INC. 17-00788 06/22/17 SEWER	Open	600.00
01737	PENGUIN MANAGEMENT, INC. 17-00714 06/12/17 FIRE DEPT	Open	1,074.00
01022	PITNEY BOWES SUPPLY LINE 17-00789 06/22/17 POLICE	Open	38.97
01554	SEA BRIGHT SERVICE CENTER 17-00783 06/21/17 POLICE	Open	965.15
2247	STAPLES ADVANTAGE 17-00740 06/15/17 OFFICE SUPPLIES	Open	260.61
	17-00812 06/30/17 OFFICE SUPPLIES	Open	259.43
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			520.04
01285	THE HOME DEPOT 17-00702 06/05/17 BUILDINGS & GROUNDS	Open	89.96
01243	TREASURER, STATE OF NEW JERSEY 17-00804 06/28/17 CLERK	Open	50.00
01403	TREASURER, STATE OF NEW JERSEY 17-00830 07/07/17 MARRIAGE LICENSE FEES	Open	125.00
02114	TWO RIVERS WATER RECLAMATION 17-00779 06/19/17 WATER RECLAMATION	Open	126,366.75
02061	VERIZON WIRELESS 17-00806 06/28/17 POLICE	Open	1,018.28
	17-00810 06/29/17 FIRE DEPT	Open	36.98
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			1,055.26
01164	WATCHUNG SPRING WATER CO, INC. 17-00822 07/05/17 SPRING WATER	Open	374.43
00077	WEX BANK 17-00837 07/07/17 GASOLINE	Open	4,360.24

**TOTAL: 269,545.31**



**BILL LIST JULY 11, 2017-MANUAL CHECKS**

7/6/2017 17-00826	David Hoder Associates Engineer:Review/Escrow Accts.	\$2,665.00
6/22/2017 17-00793	Gannett NJ Legal Ad:Escrow Acct/ Review	\$52.60
7/6/2017 17-00827	McKenna,Dupon,Higgins & Stone Legal Service:Planning Board/Escrow	\$2,160.00
7/7/2017 17-00834	NJSHBP Health Ins/Active&Retired-July 2017	\$52,047.68
		\$56,925.28

**GRAND TOTAL: \$326,470.59**