

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

AUGUST 1, 2017

SEA BRIGHT, NEW JERSEY

Council President Keeler called the meeting to order at 7:00 pm and requested those present to join him in the Pledge of Allegiance.

Councilman Keeler read the following Compliance Statement:

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."

PRESENT: Councilmember's Kevin Birdsall, William J. Keeler, Brian P. Kelly, John M. Lamia, Jr., Marc A. Leckstein, Charles H. Rooney

ABSENT: Mayor Dina Long

OTHERS: Attorney Roger J. McLaughlin, Engineers Fran Mullan and Claire Petruzzella, CFO Michael J. Bascom, Administrator Joseph L. Verruni, Clerk Christine Pfeiffer

MOMENT OF SILENCE: For The Following Sea Bright Residents Who Passed Away: **Ralph Clauer and Linda Gaffney**

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 remove Resolution No. 138-2017 and to approve the remaining items that are considered routine in nature under the consent agenda; seconded by Councilmember Birdsall:

Minutes

07-11-2017	Regular Meeting
07-11-2017	Executive Session
07-13-2017	Workshop Meeting
07-13-2017	Executive Session

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

Resolutions:

No. 128-2017 Authorizing Settlement with and Final Payment to Andrew K. Knox and Company, Public Insurance Adjusters

RESOLUTION NO. 128-2017

**AUTHORIZING SETTLEMENT WITH AND FINAL PAYMENT TO
ANDREW K. KNOX AND COMPANY, PUBLIC INSURANCE ADJUSTERS**

Councilmember Leckstein introduced and offered for adoption the following Resolution, seconded by Councilmember Birdsall:

WHEREAS, the Borough retained the services of Andrew K. Knox and Company to appeal the denial of claimed losses for damage to public structures during Hurricane Sandy; and

WHEREAS, subsequent to the date the aforesaid contract was executed, the Borough received additional funds in the amount of \$37,502.68 from the insurance company representing additional compensation for damages to the Borough firehouse; and

WHEREAS, a dispute has arisen with respect to the interpretation of the contract between the Borough and Andrew K. Knox and Company regarding the total compensation to be paid to the company for its services; and

WHEREAS, the Borough and Andrew K. Knox and Company have agreed to resolve that dispute for the total payment of \$6,250.26 representing ten (10) percent of the aforesaid sum recovered from the insurance company together with an additional \$2,500;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough Council of the Borough of Sea Bright that the appropriate Borough officials be and are hereby authorized and directed to issue payment to Andrew K. Knox and Company in the amount of \$6,250.26 in full and final payment of all sums due the company under the contract dated on or about August 28, 2014.

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

- 1. Borough Administrator
- 2. Chief Financial Officer
- 3. Borough Attorney

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

No. 129-2017 Compliance with Promulgation of Local Finance Board of the State of New Jersey accepting the Borough of Sea Bright 2016 Annual Audit

RESOLUTION NO. 129-2017

Compliance with Promulgation of Local Finance Board of the State of New Jersey accepting the Borough of Sea Bright 2016 Annual Audit

Councilmember Leckstein introduced and offered for adoption the following Resolution, seconded by Councilmember Birdsall:

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Borough of Sea Bright pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "**COMMENTS and RECOMMENDATIONS**"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "**COMMENTS and RECOMMENDATIONS**" as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright in the County of Monmouth, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

No. 130-2017 Authorizing The Borough of Sea Bright To Enter into a Cooperative Pricing Agreement with the Educational Services Commission of New Jersey (65mcscpps)

RESOLUTION NO. 130-2017
AUTHORIZING THE BOROUGH OF SEA BRIGHT TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (65MCESCCPS)

Councilmember Leckstein introduced and offered for adoption the following Resolution, seconded by Councilmember Birdsall:

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Educational Services Commission of New Jersey, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on August 1, 2017 the governing body of the Borough of Sea Bright, County of Monmouth, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE: This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Sea Bright.

AUTHORITY: Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor of the Borough of Sea Bright is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT: The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE: This resolution shall take effect immediately upon passage.

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

No. 131-2017 Authorizing the Release of Maintenance Guarantee for 1050 Ocean Avenue - Balfour Corp.

RESOLUTION No. 131-2017
Authorize the Release of Maintenance Guarantee for 1050 Ocean Avenue - Balfour Corp.

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body for a period not to exceed two years after final acceptance of improvements when said improvements have been certified as complete; and

WHEREAS, Balfour Corporation has heretofore deposited with the Borough of Sea Bright a cash maintenance guarantee in the amount of \$1,000.00 on April 29, 2014 for a street opening permit (#27-2014) on the premises known as Block 16, Lot 9 also known as 1050 Ocean Avenue - Peninsula Avenue sidewalk; and

WHEREAS, David Bahrle, Director of the Department of Public Works has advised the Office of the Borough Clerk that the improvements associated with the street opening have been substantially maintained and recommends the release of the aforementioned cash maintenance guarantee.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted and the maintenance guarantee in the amount of \$1,000.00 is hereby released, canceled and discharged; and

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

- 1. Finance Manager
- 2. Borough Clerk
- 3. Balfour Corp.

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

No. 132-2017 Authorizing the Release of Maintenance Guarantee for 1066 Ocean Avenue - Young's Water & Sewer, Inc.

RESOLUTION No. 132-2017

Authorize the Release of Maintenance Guarantee for 1066 Ocean Avenue - Young's Water & Sewer, Inc.

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body for a period not to exceed two years after final acceptance of improvements when said improvements have been certified as complete; and

WHEREAS, Young's Water & Sewer, Inc. has heretofore deposited with the Borough of Sea Bright a maintenance bond (#LSM0766161) in the amount of \$1,000.00 on July 29, 2015 for a street opening permit (#43-2015) for the premises known as Block 16, Lot 4 also known as 1066 Ocean Avenue; and

WHEREAS, David Bahrle, Director of the Department of Public Works has advised the Office of the Borough Clerk that the improvements associated with the street opening have been substantially maintained and recommends the release of the aforementioned maintenance bond.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted and the maintenance guarantee in the amount of \$1,000.00 is hereby released, canceled and discharged; and

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

- 1. Finance Manager
- 2. Borough Clerk
- 3. Young's Water & Sewer, Inc.

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

No. 133-2017 Authorizing Display of Fireworks at Sands Beach Club - **August 30, 2017**

RESOLUTION NO. 133-2017

AUTHORIZING DISPLAY OF FIREWORKS AT SANDS BEACH CLUB- AUGUST 30, 2017

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

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

WHEREAS, Sands Beach Club, 825 Ocean Avenue (Block 23; Lot 13) submitted an application dated April 20, 2017, which was approved by the Special Events Committee of the Borough of Sea Bright on May 10, 2017, requesting permission for a display of fireworks at Sands Beach Club on June 27, 2017 with rain date(s) of June 28 or 29, 2017; and

WHEREAS, the Borough Council approved Resolution No. 108-2017 on June 5, 2017 authorizing a display of fireworks to be held at Sands Beach Club, 825 Ocean Avenue (Block 23; Lot 13) on June 27, 2017 with rain date(s) of June 28 or 29, 2017; and

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

WHEREAS, the US Fish and Wildlife did not approve the fireworks display on the above mentioned dates due to the close proximity to an endangered species of birds nesting on the beach; and

WHEREAS, Sands Beach Club, 825 Ocean Avenue (Block 23; Lot 13) has submitted alternate dates to the Borough for a display of fireworks on August 30, 2017 with rain date(s) of August 31 or September 1, 2017; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the display of fireworks is hereby authorized to be held on August 30, 2017 with rain date(s) of August 31 or September 1, 2017 at Sands Beach Club pending the approval of the above mentioned officials; and

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

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

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

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

No. 134-2017 Authorizing Release of Performance Guarantees - LPB Corporation d/b/a Donovan's Reef - 1171 Ocean Avenue - Beach Structures

RESOLUTION NO. 134-2017
Authorizing Release of Performance Guarantees
LBP Corporation d/b/a Donovan's Reef
1171 Ocean Avenue - Beach Structures - East of Seawall

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Borough of Sea Bright to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Consulting Engineer; and

WHEREAS, LBP Corporation d/b/a/ Donovan's Reef on December 6, 2016 has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$16,680.00 (Performance Bond #B 1183730 in the amount of \$15,012.00 & cash in the amount of \$1,668.00) to guarantee the completion of all improvements on premises known as Block 7, Lot 9 also known as 1171 Ocean Avenue; and

WHEREAS, David J. Hoder, P.E., P.P., Consulting Engineer, has advised the Borough Council by letter dated July 5, 2017, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Consulting Engineer recommends the acceptance of same and the release of the aforementioned performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$2,085.00) of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of David J. Hoder, Consulting Engineer and the performance guarantees totaling \$16,680.00 are hereby released, canceled and discharged; and that any payment of any outstanding engineering and administrative fees must be paid to date.

BE IT FURTHER RESOLVED by the Borough Council that this resolution shall not become effective until the Borough of Sea Bright is furnished with the posting of a two year maintenance guarantee in the amount of 15% (\$2,085.00) of the cost of the improvements along with a \$500 inspection escrow for the release of maintenance; and

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

- 1. David Hoder, Consulting Engineer
- 2. Selective Insurance of America
- 3. Finance Manager
- 4. Construction Official
- 5. LBP Corporation

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

No. 135-2017 Authorizing Release of Performance Guarantees - LPB Corporation d/b/a Donovan's Reef - 1171 Ocean Avenue

RESOLUTION NO. 135-2017
Authorizing Release of Performance Guarantees
LBP Corporation d/b/a Donovan's Reef
1171 Ocean Avenue

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Borough of Sea Bright to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Consulting Engineer; and

WHEREAS, LBP Corporation d/b/a/ Donovan's Reef on March 2, 2016 has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$312,411.00 (Performance Bond #B 1169926 in the amount of \$281,169.00 & cash in the amount of \$31,241.00) to guarantee the completion of all improvements on premises known as Block 7, Lot 9 also known as 1171 Ocean Avenue; and

WHEREAS, David J. Hoder, P.E., P.P., Consulting Engineer, has advised the Borough Council by letter dated July 5, 2017, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Consulting Engineer recommends the acceptance of same and the release of the aforementioned performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$39,051.25) of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of David J. Hoder, Consulting Engineer and the performance guarantees totaling \$312,411.00 are hereby released, canceled and discharged; and that any payment of any outstanding engineering and administrative fees must be paid to date.

BE IT FURTHER RESOLVED by the Borough Council that this resolution shall not become effective until the Borough of Sea Bright is furnished with the posting of a two year maintenance guarantee in the amount of 15% (\$39,051.25) of the cost of the improvements along with a \$500 inspection escrow for the release of maintenance; and

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

- 1. David Hoder, Consulting Engineer
- 2. Selective Insurance of America
- 3. Finance Manager
- 4. Construction Official
- 5. LBP Corporation

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

No. 136-2017 A Resolution Pertaining to Project Closeout and Final Payment on Anchorage Lot Ramp and Restroom Building Project

RESOLUTION NO. 136-2017
A RESOLUTION PERTAINING TO PROJECT CLOSEOUT AND FINAL PAYMENT ON
ANCHORAGE LOT RAMP AND RESTROOM BUILDING PROJECT

Councilmember Leckstein introduced and offered for adoption the following Resolution, seconded by Councilmember Birdsall:

WHEREAS, the Borough has previously entered into a contract with Jamali Developers LLC and issued a notice to proceed on or about February 19, 2014 in connection with the Anchorage lot ramp and restroom building project; and

WHEREAS, as set forth in a letter from the Borough Engineer dated May 25, 2017, a copy of which is annexed hereto, substantial delays were experienced in the completion of the project;

WHEREAS, the Borough of Sea Bright has incurred additional expenditures in the amount of \$35,097.30 as set forth in the attached letter for the reasons set forth therein; and

WHEREAS, the Agreement between the Borough and the Contractor provides that the aforesaid additional costs may be deducted from the payments due to the Contractor; and

WHEREAS, the Contractor has submitted a final payment request in the amount of \$40,500.60; and

WHEREAS, the Borough accepts the recommendations of the Borough Engineer with respect to the distribution of final payment;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough Council of the Borough of Sea Bright that final payment be and the same is hereby approved on the aforesaid contract in the amount of \$40,500.60 and that the final payment shall be distributed as follows:

To the Borough of Sea Bright:	\$ 1,830.00
To T&M Associates (including Sonnenfeld & Troccia Architects)	\$33,267.30
To Jamali Developers:	\$ 5,403.30
Total:	\$40,500.60

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

1. Jamali Developers
2. Borough Engineer
3. Finance Manager
4. Borough Attorney

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

No. 137-2017 Ocean Avenue Streetscape Improvements Project - Acceptance of a Maintenance Guarantee

RESOLUTION No. 137-2017
Ocean Avenue Streetscape Improvements Project
Acceptance of a Maintenance Guarantee

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

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, Piscataway, NJ in the amount of \$1,108,996.00 for the Ocean Avenue Streetscape Improvement Project; and

WHEREAS, over the course of the project the Borough Council approved Change Orders 1-5 at the recommendation of the Borough Engineer that changed the original contracted amount of \$1,108,996.00 to a final adjusted contract amount of \$1,210,049.50; and

WHEREAS, Francis Mullan, P.E., P.P., Borough Engineer, has advised the Borough Council by letter dated July 7, 2017, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements have been substantially completed and recommends the acceptance of said improvements and recommends the release of the aforementioned performance guarantee subject to the posting of a maintenance guarantee equal to 25% of the final adjusted contract amount.

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 #B 1174001 in the amount of \$1,108,996.00 be release to LandTek Construction d/b/a United Terrain of Piscataway, 875 River Road, New Jersey 08854 for the Ocean Avenue Streetscape Improvements Project; and

BE IT FURTHER RESOLVED by the Borough Council that this resolution shall not become effective until the Borough Clerk is furnished with a two year maintenance guarantee in the amount of 25% (\$302,512.38) of the cost of the improvements along with the Affidavit of Compliance, Monthly Project Manning Reports and Payroll Records. The bond shall remain in full force and effect for a period of no less than two years from the date of July 7, 2017.

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

- 1. Landtek Construction, LLC
- 2. Selective Insurance Company of America
- 3. Borough Engineer

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

No. 139-2017 Authorizing Mailing of Estimated Third Quarter 2017 Tax Bills

RESOLUTION NO. 139-2017
AUTHORIZING MAILING OF ESTIMATED 3RD
QUARTER 2017 TAX BILLS

Councilmember Leckstein introduced and offered for adoption the following Resolution, seconded by Councilmember Birdsall:

WHEREAS, the State has not certified or forwarded 2017 state aid figures or certified the State budget and the tax collector will be unable to mail the Borough's 2017 tax bills on a timely basis;

WHEREAS, the Borough of Sea Bright Tax Collector in consultation with the Borough of Sea Bright Chief Financial Officer has computed an estimated tax levy in accordance with NJSA 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Borough Mayor and Council shall not need the approval from the Director of the Division of Local Government Services since the estimated tax levy will not exceed 105% maximum allowed. Approval will enable the Borough to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, on the 11th day of August as follows:

- 1. The Borough of Sea Bright Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2017 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by L 1994, c. 72 (NJSA 54:4-66.2 and 54:4-66.3).
- 2. The entire estimated tax levy including local, library, school, County, County and Municipal Open Space for 2017 is hereby set at \$ 10,000,000.00.
- 3. In accordance with the law the third installment of 2017 taxes shall not be subject to interest until the twenty-fifth calendar day after the date the estimated tax bills are mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.
- 4. The Tax Collector may rescind this resolution in the event the State budget is adopted and the County of Monmouth releases a tax rate for the Borough of Sea Bright.

Interpretative Statement
Due to the possible delay of the State budget adoption and possible delay of the State aid notification, the Borough will not be able to print and release tax bills, and may experience cash flow difficulties. This resolution authorizes the collector to prepare and deliver estimated third quarter 2017 bills based on an estimated levy in the event of further delays. This levy amount is only estimated and cannot be finalized until the Monmouth County Tax Board strikes the rate. The Tax Collector may rescind this resolution in the event the rate is struck by the County and the state aid figures are released in a timely basis.
 Michael Bascom, CFO
 Patricia Spahr, Tax Collector

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

INDIVIDUAL ACTION/RESOLUTIONS:

No. 138-2017 Authorizing Release of Performance Guarantees - Rooney Plaza, LLC Block 11, Lot 21-21, 1136 Ocean Avenue/4&6 Surf Street

RESOLUTION NO. 138-2017
Authorizing Release of Performance Guarantees
Rooney Plaza, LLC - Block 11, Lot 21 - 23
1136 Ocean Avenue / 4 & 6 Surf Street

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Borough of Sea Bright to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Borough Engineer; and

WHEREAS, Rooney Plaza, LLC on May 18, 2015 has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$63,760.00 (90% Performance Bond #B 1160388 in the amount of \$57,384.00 & 10% cash in the amount of \$6,376.00) to guarantee the completion of all improvements on premises known as Block 11, Lot 21 - 23 also known as 1136 Ocean Avenue / 4 & 6 Surf Street; and

WHEREAS, Francis Mullan, P.E., P.P., Borough Engineer, has advised the Borough Council by letter dated July 26, 2017, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements have been substantially completed and said representative of the Borough Engineer recommends the acceptance of same and the release of the aforementioned performance guarantee subject to the posting of a 15% maintenance guarantee in the amount of (\$9,564.00) of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of Francis Mullan, P.E., P.P., Borough Engineer and the performance guarantees totaling \$63,760.00 are hereby released, canceled and discharged; and that any payment of any outstanding engineering and administrative fees must be paid to date.

BE IT FURTHER RESOLVED by the Borough Council that this resolution shall not become effective until the Borough of Sea Bright is furnished with the posting of a two year maintenance guarantee in the amount of 15% (\$9,564.00) of the cost of the improvements along with a \$500 inspection escrow for the release of maintenance; and

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

- 1. Francis W. Mullan, Borough Engineer
- 2. Selective Insurance Company of America
- 3. Finance Manager
- 4. Construction Official
- 5. Lou Rafetto, Rooney Plaza, LLC

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

ORDINANCE(s):

Public Hearing: Council President Keeler 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"

**Monmouth County Planning Board Acknowledgement Received 7/12/17
Borough of Sea Bright Planning Board Acknowledgement Received 7/20/17**

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 13-2017, seconded by Councilmember Birdsall:

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

Public Hearing (Ord. 13-2017)

Janet Hentschel, E. Church Street, asked what this ordinance changes. Administrator Verruni responded that our Municipal Public Access Plan requires an ordinance permitting signage to be placed along the beach at public access areas - this ordinance only deals with public access points.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 13-2017, seconded by Councilmember Birdsall:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 13-2017 and advertise according to law, seconded by Councilmember Birdsall:

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

Introduction: Council President Keeler to read the ordinance by title:

BOND ORDINANCE NO. 14-2017
BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$150,000 FOR ACQUISITION OF VARIOUS CAPITAL ITEMS FOR AND BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

Councilmember Leckstein offered a motion to introduce Bond Ordinance No. 14-2017 for a public hearing to be held on September 5, 2017 and advertise according to law; seconded by Councilmember Birdsall:

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

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Sea Bright, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$150,000, such sum includes the sum of \$7,500 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$142,500 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$142,500 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
1. Acquisition of pick-up truck with plow for the Department of Public Works.	\$34,000	\$32,300	5 Years
2. Acquisition of a front end loader for the Department of Public Works.	116,000	110,200	15 Years
TOTAL ALL PURPOSES	\$150,000	\$142,500	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$142,500.

(c) The estimated cost of the Improvements is \$150,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 12.73 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$142,500 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such

expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$142,500.

SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduction: Council President Keeler to read the ordinance by title:

BOND ORDINANCE NO. 15-2017

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$400,000 FOR SEWER UTILITY IMPROVEMENTS FOR AND BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$380,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

Councilmember Birdsall offered a motion to introduce Bond Ordinance No. 15-2017 for a public hearing to be held on September 5, 2017 and advertise according to law; seconded by Councilmember Leckstein:

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

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Sea Bright, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$400,000, such sum includes the sum of \$20,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$380,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$380,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for rehabilitation of the sanitary sewer system to include Ocean Avenue sewer main replacement project and an infiltration and inflow study and other necessary improvements to Sanitary Sewer System facilities, including all work and materials necessary therefor and incidental thereto, and as shown on and in accordance with the plans and specifications on file with the Borough Clerk.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$380,000.

(c) The estimated cost of the Improvements is \$400,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall

mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 35.31 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$380,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance (funding is expected to be received from the Federal Emergency Management Agency) shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$380,000.

SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INDIVIDUAL ACTION/New Business:

Vouchers: \$1,283,705.25

Councilmember Keeler offered a motion to approve the Voucher List dated August 1, 2017 as submitted by the Finance Manager, seconded by Councilmember Leckstein:

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

**VOUCHER LIST
 BOROUGH OF SEA BRIGHT
 AUGUST 1, 2017**

02260	ADT SECURITY SERVICES		
17-00889	07/20/17 LIBRARY	Open	39.99
02113	AMERICAN WATER		
17-00892	07/20/17 WATER	Open	321.04
00820	APOLLO SEWER & PLUMBING, INC.		
17-00847	07/11/17 BEACH	Open	145.00
17-00854	07/11/17 SEWER	Open	370.00

			515.00
01042	ATLANTIC TOMORROWS OFFICE		
17-00882	07/20/17 COPY CLICK	Open	843.84
01984	AVAYA FINANCIAL SERVICES		
17-00929	07/26/17 POLICE	Open	145.29
00631	BARG'S LAWN & GARDEN SHOP, INC		
17-00853	07/11/17 BUILDINGS & GROUNDS	Open	106.81
01631	BOROUGH OF OCEANPORT		
17-00017	01/18/17 COURT	Open	6,247.50
01546	C.I.T. TECHNOLOGY FIN SERV, INC		
17-00021	01/18/17 COPIER	Open	157.00
01731	CAESARS ATLANTIC CITY		
17-00811	06/29/17 DPW	Open	314.00
17-00891	07/20/17 PLANNING BOARD	Open	314.00

			628.00
01614	CENTRAL JERSEY REGISTRARS ASSN		
17-00905	07/21/17 CLERK	Open	30.00
01594	CHERNAVSKY, DANIEL		
17-00867	07/18/17 OEM	Open	170.00
2424	CHILD, BRAD		
17-00894	07/20/17 FIRE MARSHAL	Open	140.00
00256	CLEARY, GIACOBBE, ALFIERI &		
17-00868	07/18/17 LEGAL SERVICES	Open	60.00
00198	COMCAST		
17-00901	07/21/17 LIBRARY	Open	211.56
01745	CONTE'S CAR WASH		
17-00935	07/27/17 VEHICLE MAINTENANCE	Open	508.72
2390	COSTA, VALERIA		
17-00932	07/27/17 BUILDINGS & GROUNDS	Open	600.00

REGULAR MEETING

AUGUST 1, 2017

2386	CRANEY INTERPRETING SERVICE 17-00911 07/24/17 COURT	Open	110.00
01320	DEMAIO, R.N. 17-00877 07/19/17 BEACH	Open	328.10
2400	DIEGNAN & BROPHY, LLC 17-00852 07/11/17 COURT	Open	350.00
2286	DIFRANCESCO, BATEMENT, KUNZMAN 17-00912 07/24/17 LEGAL SERVICES	Open	2,044.88
01992	DOGS AND CATS, INC. 17-00900 07/20/17 BEACH	Open	1,541.67
2422	EMSLIE, KAREN 17-00863 07/18/17 LIBRARY	Open	100.00
00952	FIRST PRIORITY EMERGENCY 17-00846 07/11/17 FIRE DEPT	Open	5,441.53
00288	FIRST UNITED METHODIST CHURCH 17-00899 07/20/17 LIBRARY	Open	1,000.00
02101	GANNETT NJ 17-00893 07/20/17 LEGAL ADS	Open	308.55
00333	GARAVENTA-WORTH, DEBORAH 17-00864 07/18/17 IT SERVICES	Open	530.00
01887	HEIM ELECTRONICS, INC. 17-00890 07/20/17 ALARMS	Open	314.25
01838	HOLMAN, FRENIA, ALLISON, P.C. 17-00898 07/20/17 AUDIT 17-00904 07/21/17 FINANCE	Open Open	5,000.00 4,042.50
			----- 9,042.50
2297	INTEGRATED TECHNICAL SYSTEMS 17-00921 07/25/17 PARKING KIOSKS	Open	385.00
2294	IRENE, JR. MICHAEL 17-00933 07/27/17 LEGAL SERVICES	Open	3,757.60
01419	J. SWANTON FUEL OIL CO., INC. 17-00934 07/27/17 FUEL DELIVERY	Open	368.82
01526	JCP & L 17-00895 07/20/17 ELECTRIC	Open	1,335.34
01043	JERSEY PROFESSIONAL 17-00908 07/24/17 DEPUTY CLERK	Open	4,702.50
00297	JESSE A. HOWLAND & SONS, INC. 17-00754 06/16/17 PARKING LOT 17-00755 06/16/17 BUILDING LEASE 17-00756 06/16/17 BUILDING LEASE	Open Open Open	750.00 1,705.00 3,845.00
			----- 6,300.00
00895	JOHNNY ON THE SPOT, INC. 17-00913 07/24/17 BEACH	Open	593.60
01784	JUNGLE LASERS, LLC 17-00903 07/21/17 BUILDING DEPT	Open	1,040.00
2416	KELSO CONSTRUCTION CO, INC. 17-00918 07/25/17 BEACH PAVILION	Open	157,382.12
00971	LANG, STEVEN 17-00845 07/11/17 I.T. WORK 17-00858 07/18/17 IT SERVICES	Open Open	350.00 350.00
			----- 700.00
00337	MARINE RESCUE PRODUCTS, INC. 17-00825 07/06/17 BEACH	Open	1,124.00
2417	MARLIN BUSINESS BANK 17-00930 07/26/17 POSTAGE MACHINE	Open	47.00
2278	MCLAUGHLIN, STAUFFER & SHAKLEE 17-00923 07/25/17 LEGAL SERVICES	Open	6,969.19
00176	MODULAR SPACE CORPORATION 17-00897 07/20/17 TRAILER RENTAL 17-00942 07/28/17 POLICE	Open Open	385.00 3,030.00
			----- 3,415.00
00110	MONM CNTY REGIONAL HEALTH 17-00115 01/30/17 HEALTH FEES	Open	14,671.75

REGULAR MEETING**AUGUST 1, 2017**

00688	MONMOUTH COUNTY POLICE ACADEMY		
	17-00784 06/21/17 POLICE	Open	250.00
	17-00818 07/05/17 POLICE	Open	25.00
	17-00819 07/05/17 POLICE	Open	25.00

			300.00
02045	MONMOUTH COUNTY SPCA		
	17-00785 06/21/17 ANIMAL CONTROL	Open	250.00
2298	MR. KEYS		
	17-00824 07/05/17 BEACH	Open	445.00
00137	MUNICIPAL CAPITAL CORPORATION		
	17-00022 01/18/17 COPIER	Open	224.73
00339	NAPA AUTO PARTS		
	17-00801 06/28/17 DPW	Open	434.00
00019	NJ AMERICAN WATER		
	17-00902 07/21/17 WATER	Open	612.63
00311	NJ DIVISION OF ABC		
	17-00928 07/26/17 STATE LICENSE	Open	54.00
00113	NJ NATURAL GAS COMPANY		
	17-00916 07/24/17 NATURAL GAS	Open	725.00
02094	NJ OFFICE WEIGHTS & MEASURES		
	17-00075 01/23/17 POLICE	Open	80.00
01309	OCEANPORT BOARD OF EDUCATION		
	17-00723 06/13/17 GRADE SCHOOL TAX	Open	53,581.17
2290	PORZIO,BROMBERG & NEWMAN		
	17-00869 07/18/17 LEGAL SERVICES	Open	796.00
01250	R. KREMER & SON MARINE		
	17-00931 07/26/17 BULKHEAD PROJECT	Open	22,947.19
2330	RAW POWER GENERATOR SERVICE		
	17-00371 03/21/17 GENERATOR MAINTENANCE	Open	951.00
	17-00637 05/19/17 BUILDINGS & GROUNDS	Open	1,204.00

			2,155.00
2421	RED WING OF EATONTOWN		
	17-00861 07/18/17 DPW	Open	585.09
00463	RUTGERS, THE STATE UNIVERSITY		
	17-00859 07/18/17 DPW	Open	2,202.00
01088	RYSER'S LANDSCAPE SUP YARD, INC		
	17-00939 07/27/17 BUILDINGS & GROUNDS	Open	428.37
00788	SCARINCI & HOLLENBECK, LLC		
	17-00910 07/24/17 LEGAL SERVICES	Open	250.00
01554	SEA BRIGHT SERVICE CENTER		
	17-00803 06/28/17 POLICE	Open	276.79
	17-00848 07/11/17 FIRE DEPT	Open	1,265.91
	17-00862 07/18/17 POLICE	Open	887.94

			2,430.64
00027	SEABOARD WELDING SUPPLY, INC.		
	17-00936 07/27/17 DPW	Open	14.50
00024	SHERWIN WILLIAMS, INC.		
	17-00856 07/14/17	Open	590.25
00053	SHORE REGIONAL HIGH SCHOOL		
	17-00762 06/16/17 HIGH SCHOOL TAX	Open	344,285.00
01603	SIGNS BY TOMORROW		
	17-00844 07/11/17 SIGNS	Open	225.00
02225	STAPLES ADVANTAGE		
	17-00817 07/05/17 POLICE	Open	173.24
2247	STAPLES ADVANTAGE		
	17-00840 07/11/17 OFFICE SUPPLIES	Open	353.65
01905	SWANK MOTION PICTURES, INC.		
	17-00896 07/20/17 RECREATION	Open	1,139.00
01285	THE HOME DEPOT		
	17-00587 05/08/17 BEACH	Open	2,134.29
	17-00850 07/11/17 BUILDINGS & GROUNDS	Open	75.00
	17-00917 07/25/17 BUILDING & GROUNDS	Open	848.00

			3,057.29

REGULAR MEETING**AUGUST 1, 2017**

00223	TREASURER, COUNTY OF MONMOUTH		
17-00776	06/19/17 COUNTY TAX	Open	458,656.49
00439	TREASURER, COUNTY OF MONMOUTH		
17-00777	06/19/17 COUNTY LIBRARY TAX	Open	32,736.84
00523	TREASURER, COUNTY OF MONMOUTH		
17-00778	06/19/17 OPEN SPACE TAX	Open	27,492.35
01960	VERIZON		
17-00884	07/20/17 POLICE	Open	516.95
17-00886	07/20/17 BEACH	Open	192.55

			709.50
2394	VERIZON BUSINESS		
17-00883	07/20/17 POLICE	Open	127.50
02061	VERIZON WIRELESS		
17-00885	07/20/17 DPW	Open	187.81
17-00887	07/20/17 FIRE DEPT	Open	154.04
17-00888	07/20/17 POLICE	Open	54.55
17-00914	07/24/17 POLICE	Open	1,019.20
17-00915	07/24/17 FIRE DEPT	Open	38.01

			1,453.61
00519	WILLIAM E. ANTONIDES & CO.		
17-00872	07/18/17 FISCAL OFFICER	Open	3,312.50

TOTAL: \$1,197,455.69**BILL LIST AUGUST 1, 2017 - MANUAL CHECKS**

7/18/2017	David Hoder Assoc.	\$2,600.00
17-00870	Engineer:Review/Inspection-Escrow Accts.	
7/20/2017	Finegan,George	\$426.00
17-00881	Reimb. Purchase/Feral Cat Program	
7/24/2017	Gannett NJ	\$49.85
17-00879	Plan. Brd/Legal Ad/Escrow Acct.	
7/27/2017	Gannett NJ	\$49.85
17-00937	Plan. Brd/Legal Ad/Escrow Acct.	
	Monmouth County	
7/18/2017	Treasurer	\$82,729.00
17-00857	Police:Shared Service/Dispatch & 911	
7/21/2017	NJ Dept. of Health	\$15.00
17-00906	Monthly Dog Report	
7/25/2017	NJ State Dept. of Labor & Workforce Dvlpmnt.	\$157.50
	Unemployment-Annual	
17-00922	Assessment Fee	
7/18/2017	United States Postal Service	\$222.36
17-00866	Sewer:2/Q Billing	

TOTAL MANUALS: \$86,249.56**GRAND TOTAL: \$1,283,705.25**

Administrator Verruni reported he has one item for Council's consideration concerning the NJDEP's request to begin the Sea Wall Dewatering Plan on the beach behind Wayne Street as discussed at the July 13 workshop meeting. The contractor J. Fletch Creamer is willing to cut the number of well points in half, will have JCPL hook ups which will eliminate the need for generators and would like to start August 14. One of the volleyball courts will have to be re-located and they will sift the sand at the new location. Administrator Verruni said the NJDEP is preparing a letter to notify residents. Council approved.

EXECUTIVE SESSION

Councilmember Leckstein offered a motion to enter into Closed Session; seconded by Councilmember Birdsall:

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

There being no further business to discuss a motion to go back into the regular meeting was made by Councilman Leckstein and seconded by Councilman Kelly with unanimous voice vote approval.

ADJOURNMENT

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

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

Respectfully submitted,

Christine Pfeiffer
Borough Clerk