

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

SEPTEMBER 5, 2017

SEA BRIGHT, NEW JERSEY

Mayor Long called the meeting to order at 7:00 pm and requested those present to join her in the Pledge of Allegiance.

Mayor Long read the following Compliance Statement:

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: Mayor Dina Long

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

ABSENT: Councilmember Brian P. Kelly

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

REMARKS FROM THE AUDIENCE (limited to 3 minutes)

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

Chris Doxey, 9 Church Street, asked the governing body to consider extending resident-only permit parking on the side streets year-round as many parking spots were lost due to houses being raised with garages and driveways and AA members not parking in the municipal lot. Councilman Rooney and Chief Sorrentino will follow up.

Tony Caldarella, 22 Longview Way, asked if anything was being done about the tax increase. Mayor Long explained that the major increase was driven by the regional school tax which went up 55%. Sea Bright filed a petition with the commissioner of education and has been mitigating this issue for over a year. We are hoping to put pressure on the representatives from Trenton to see what can be done on their side. There will be a public meeting with our CFO and the lawyer who is representing us the first week of October.

Tom Sakariassen, 32 Normandie Place, questioned if anyone was aware of the light at Rumson Road and Ocean Avenue when traveling from north beach - the light stays red longer (50 seconds) than it stays green (15 seconds). Chief Sorrentino will look into.

Chris Doxey, 9 Church Street, requested a status update on the old school building. Administrator Verruni reported we are currently in litigation with the property owner to secure the building and make repairs to the windows and roof - a decision will be made on October 5th. There was a structural engineer there today who will be giving a report back to the court. Ms. Doxey questioned if the Borough would consider condemnation. Mayor Long hopes to work with the property owner to encourage him to fix his own property.

Chris Capillo, inquired about the tax increase. Administrator Verruni stated that there will be a public meeting during the first week of October to discuss the tax increase with our CFO and the attorneys that are representing the Borough.

CONSENT AGENDA

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

Minutes

08-01-2017	Regular Meeting
08-01-2017	Executive Session
08-10-2017	Workshop Meeting
08-10-2017	Executive Session

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

Resolutions:

No. 140-2017 Person-to-Person Transfer of Liquor License #1343-36-010-008
Seabright Hospitality Group LLC t/a Beachwalk Resort, Beachwalk BBQ
and Beachwalk Bar

RESOLUTION No. 140-2017

**Person-to-Person Transfer of Liquor License #1343-36-010-008
Seabright Hospitality Group LLC
t/a Beachwalk Resort, Beachwalk BBQ and Beachwalk Bar**

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

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Distribution Liquor License, Number 1343-36-010-008, heretofore issued to Oceanfront Restaurant, LLC for premises located at 344 Ocean Avenue, Sea Bright, New Jersey; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby approve, effective September 5, 2017, the transfer of the aforesaid Plenary Retail Consumption License to Seabright Hospitality Group, LLC t/a Beachwalk Resort, Beachwalk BBQ and Beachwalk Bar; and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows:

"This license, subject to all its terms and conditions, is hereby transferred to Seabright Hospitality Group, LLC t/a Beachwalk Resort, Beachwalk BBQ and Beachwalk, 344 Ocean Avenue, Sea Bright, New Jersey, effective September 5, 2017."

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

1. Chief of Police
2. State of New Jersey, Division of ABC
3. Seabright Hospitality Group, LLC
4. Jason Ross, Attorney for the Seller

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

No. 142-2017 CHAPTER 159 BUDGET AMENDMENT - National Highway Traffic Safety Administration - 2017 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Traffic Safety Grant

RESOLUTION NO. 142-2017

**CHAPTER 159 BUDGET AMENDMENT
National Highway Traffic Safety Administration
2017 Drive Sober or Get Pulled Over Statewide
Labor Day Crackdown Traffic Safety Grant**

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Sea Bright Police Department was awarded funding of \$5,500.00 under the 2017 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Traffic Safety Grant and wish to amend its 2017 Budget to include this amount as a revenue, and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright in the County of Monmouth, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$5,500.00 which is now available as a revenue from:

Drive Sober or Get Pulled Over Statewide Labor day Crackdown Traffic Safety Grant

BE IT FURTHER RESOLVED that a like sum of \$5,500.00 be and the same is hereby appropriated under the caption of:

Drive Sober or Get Pulled Over Statewide Labor day Crackdown Traffic Safety Grant

BE IT FURTHER RESOLVED that the Clerk forward two copies of this Resolution along with the appropriate application to the Director of Local Government Services.

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

No. 143-2017 CHAPTER 159 BUDGET AMENDMENT - National Highway Traffic Safety Administration - Drive Sober or Get Pulled Over Year-End Holiday Crackdown Traffic Safety Grant

RESOLUTION NO. 143-2017

CHAPTER 159 BUDGET AMENDMENT

National Highway Traffic Safety Administration

Drive Sober or Get Pulled Over Year-End

Holiday Crackdown Traffic Safety Grant

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Sea Bright Police Department has received funding of \$5,000.00 under the 2016 Drive Sober or Get Pulled Over Year-End Holiday Crackdown Traffic Safety Grant and wish to amend its 2017 Budget to include this amount as a revenue, and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright in the County of Monmouth, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$5,000.00 which is now available as a revenue from:

Drive Sober or Get Pulled Over Year-End Holiday Crackdown Traffic Safety Grant

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 be and the same is hereby appropriated under the caption of:

Drive Sober or Get Pulled Over Year-End Holiday Crackdown Traffic Safety Grant

BE IT FURTHER RESOLVED that the Clerk forward two copies of this Resolution along with the appropriate application to the Director of Local Government Services.

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

No. 144-2017 Resolution in Support of the United States Coast Guard's Proposed Amendment to Title 33 of the Code of Federal Regulations (CFR) §117.755 Regarding the Draw Span Opening Schedule for Monmouth County Bridge S-32 on County Route 520 Over the Shrewsbury River in the Boroughs of Rumson and Sea Bright

RESOLUTION No. 144-2017**RESOLUTION IN SUPPORT OF THE UNITED STATES COAST GUARD'S PROPOSED AMENDMENT TO TITLE 33 OF THE CODE OF FEDERAL REGULATIONS (CFR) §117.755 REGARDING THE DRAW SPAN OPENING SCHEDULE FOR MONMOUTH COUNTY BRIDGE S-32 ON COUNTY ROUTE 520 OVER THE SHREWSBURY RIVER IN THE BOROUGH OF RUMSON AND SEA BRIGHT**

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

WHEREAS, Monmouth County Bridge S-32 on County Route 520 (CR 520) over the Shrewsbury River in the Boroughs of Rumson and Sea Bright is a movable drawbridge with its operating regulations under the control of the United States Coast Guard (USCG); and

WHEREAS, the current demands of roadway/vehicular and waterways/marine traffic at Bridge S-32 are significant, particularly during peak summer seasons; and

WHEREAS, vehicular delays during peak seasons have become extraordinary, due in part to the frequent interruption to the vehicular traffic flow from the numerous scheduled bridge openings for boat passage under Bridge S-32; and

WHEREAS, the USCG regulates the schedule of drawbridge openings for bridges spanning navigable waterways; and

WHEREAS, the current schedule of drawbridge openings at Bridge S-32 as codified in Title 33 CFR §117.755 – Shrewsbury River requires opening on signal at all times; except that, from May 15 through September 30, on Saturday, Sunday, and holidays, between 9 a.m. and 7 p.m., the draw need open only on the hour and half hour; and

WHEREAS, the frequency of these scheduled openings is found to be a major contributor to the vehicular traffic delays in both the Boroughs of Rumson and Sea Bright during these peak travel times; and

WHEREAS, the Office of the Monmouth County Engineer presented its findings to the USCG with the request to reduce scheduled bridge openings from on the hour and half hour to only on the hour and include Fridays within the seasonal weekend operating schedule to reduce existing vehicular congestion during peak summer seasons; and

WHEREAS, the USCG published the Notice of Proposed Rulemaking in the July 18, 2017 Federal Register (Docket No. USCG-2017-0460) to amend the existing Title 33 CFR §117.755 – Shrewsbury River to the above requested reduced scheduled opening for only on the hour from May 15 through September 30, on Friday, Saturday, Sunday and holidays, between 9 a.m. and 7 p.m., with a public comment period until September 18, 2017; and

WHEREAS, the Board of Chosen Freeholders of the County of Monmouth has considered this matter and is in support of the USCG's proposed Bridge S-32 openings seasonal schedule amendment as published in the July 18, 2017 Federal Register (Docket No. USCG-2017-0460).

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby affirm its support for the United States Coast Guard's proposed rulemaking, as published in the July 18, 2017 Federal Register (Docket No. USCG-2017-0460), to amend the existing Title 33 CFR §117.755 – Shrewsbury River to the bridge opening: on signal at all times, except that, from May 15 through September 30, on Fridays, Saturdays, Sundays and holidays, between 9 a.m. and 7 p.m., the draw need open only on the hour.

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

1. The United States Coast Guard
2. The Borough of Rumson

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

No. 145-2017 E-JIF \$10,000 Grant - Removal of Underground Storage Tanks

RESOLUTION NO. 145-2017**E-JIF \$10,000 Grant****REMOVAL OF UNDERGROUND STORAGE TANKS**

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

WHEREAS, during ongoing improvements within the Borough two underground storage tanks were found buried in the right of way along Surf Street and Ocean Avenue a/k/a Route 36; and

WHEREAS, on March 12, 2017, Herbert Lutz & Company, Inc. of Linden, NJ was contracted to conduct the removal and dispose of residual waste of all hazardous materials and to backfill with clean fill materials associated with the two abandoned underground storage tanks; and

WHEREAS, Herbert Lutz & Company, Inc. submitted an invoice #7538 in the amount of \$8,850.00 for the work; and

WHEREAS, it was determined that the contamination was cleaned and a Remedial Action was filed with the Borough’s Building Department; and

WHEREAS, the Borough Clerk forwarded the invoice to our insurance company, Brown & Brown Public Risk Advisors of NJ; and

WHEREAS, Peter J. King, a representative of the Environmental Joint Insurance Fund (E-JIF) has indicated that the Borough of Sea Bright is entitled to a one time grant of up to \$10,000 for the claim pending approval by the E-JIF Fund Commissioners for the clean-up and removal of actual contamination at the site caused by the underground storage tanks; and

WHEREAS, in order to receive the grant, a release must be executed and forwarded to the Environmental Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of Jersey hereby authorize Mayor Long to execute the release with Municipal Clerk, Christine Pfeiffer to attest for an E-JIF Grant for the removal and clean-up of contaminations from the underground storage tanks located in the right of way along Surf Street and Ocean Avenue a/k/a Route 36.

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

- 1. Dominick S. Cinelli, Brown & Brown Public Risk Advisors of NJ
- 2. K. DiBerardino, Building Department

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

No. 146-2017 Authorizing a Specific Business to Operate on the Municipal Beach in September and October, 2017

RESOLUTION NO. 146-2017

AUTHORIZING A SPECIFIC BUSINESS TO OPERATE ON THE MUNICIPAL BEACH IN SEPTEMBER AND OCTOBER, 2017

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

WHEREAS, the Special Events Committee of the Borough of Sea Bright is in receipt of an application from an organization requesting permission to run a business on the municipal beach during September and October of 2017 as follows:

Yoga/Fitness Classes, GYMGUYZ - Allen Meretsky
9/1/2017 - 10/31/2017 - Daily

WHEREAS, such requests need to be approved by the Special Events Committee, the Beach Manager and the Borough Council; and

WHEREAS, the Special Events Committee at their meeting of August 9, 2017 voted to approve this business on the condition of approval of the Beach Manager, Public Safety Director and further referred the application to the Borough Council for their approval; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the aforementioned business is hereby approved to operate on the municipal beach, on the condition that the Beach Manager, and Public Safety Director review and approve the location so as not to be hazardous to property or endanger any person or persons, during September and October of 2017; and

BE IT FURTHER RESOLVED that the Special Events Secretary and Borough Clerk shall insure that all required permits are obtained and all necessary insurance documents are filed with the Borough; and

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

- 1. Special Events Secretary
- 2. Individual Business
- 3. Borough Police Chief

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

No. 147-2017 Borough of Sea Bright Awarding Raises for Non-Union Employees
RESOLUTION NO. 147-2017
BOROUGH OF SEA BRIGHT
AWARDING RAISES FOR NON-UNION EMPLOYEES

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

WHEREAS, the Borough of Sea Bright is a municipal employer with full time and part time staff; and

WHEREAS, the governing body has, in its adopted 2017 budget, provided for an increase in salary and wages; and

WHEREAS, the Personnel Committee has reviewed the salaries for certain non-contracted employees and recommends a 2% salary increase; and

WHEREAS, the governing body recognizes these employees are good and loyal and deserving of an increase.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright in the County of Monmouth, hereby authorize the 2017 annual salary increase of 2% for non-union employees, retroactive to January 1, 2017; and

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

- 1. Finance Manager
- 2. CFO
- 3. Borough Administrator

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

No. 148-2017 Authorizing the Release of Escrow Funds Pertaining to the Tradewinds Development
RESOLUTION NO. 148-2017
AUTHORIZING THE RELEASE OF ESCROW FUNDS
PERTAINING TO THE TRADEWINDS DEVELOPMENT

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

WHEREAS, the developer of the Tradewinds community, Kara at the Tradewinds, LLC, has previously entered into bankruptcy and defaulted in its obligation to complete public improvements required within the aforesaid development; and

WHEREAS, the Borough has previously reached agreement with the developer’s bonding company pertaining to the use of bond funds to complete certain improvements; and

WHEREAS, the Borough has previously declared the developer to be in default and there remains on deposit with the Borough the sum of \$10,117.52 in an escrow account to guaranty completion of required improvements within the development; and

WHEREAS, the Borough and the Tradewinds Homeowner’s Association, Inc. have agreed that the Borough will release the aforesaid funds to the Association so that they may be utilized toward the cost of completion or repair of required improvements; and

WHEREAS, the Tradewinds Homeowner's Association has provided a release to the Borough in a form approved by the Borough Administrator and Borough Attorney;

NOW, THEREFORE, BE IT RESOLVED by the Borough Counsel of the Borough of Sea Bright that the appropriate Borough officials be and are hereby authorized to issue a check in the amount of \$10,117.52 payable to the Tradewinds Homeowner's Association, Inc. from the aforesaid escrow account.

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

1. Borough Administrator
2. Borough Attorney
3. Borough CFO

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

No. 149-2017 Authorizing The Mayor To Sign Jurisdictional Agreement Route 36 Streetscape (Mp 8.94 To Mp 9.37) Borough Of Sea Bright, Monmouth County

RESOLUTION NO. 149-2017

**AUTHORIZING THE MAYOR TO SIGN JURISDICTIONAL AGREEMENT
ROUTE 36 STREETScape (MP 8.94 TO MP 9.37)
BOROUGH OF SEA BRIGHT, MONMOUTH COUNTY**

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

WHEREAS, the Borough of Sea Bright has constructed sidewalk and streetscape improvements along Route 36 (Ocean Avenue) extending from Center Street to Rumson Road (the Shrewsbury Bridge).

WHEREAS, the Borough replaced the curb and sidewalks at select locations, installed curb bump outs, handicap ramps, street ramps, street trees, trash receptacles, bike racks, benches, brick pavers and decorative pedestrian lights, including conduit; and

WHEREAS, said improvements were along State Highway Route 36; and

WHEREAS, said improvements were granted approval through Highway Occupancy Permit No. M-36-C-6107-2015; and

WHEREAS, in order to prevent future legal or maintenance issues regarding the proposed improvements referenced above, it is necessary that the Borough of Sea Bright and the New Jersey Department of Transportation (State) assign jurisdiction for highway maintenance and highway control in an equitable manner pursuant to *N.J.S.A. 27:7-1, et.seq.*;

WHEREAS, the Borough and the State mutually agree with the covenants contained in the Jurisdictional Agreement for the Route 36 Streetscape (MP 8.94 to MP 9.37) project, attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of Jersey hereby authorize Mayor Long to execute the Jurisdictional Agreement with the New Jersey Department of Transportation for Route 36 Streetscape (Mp 8.94 To Mp 9.37), Borough Of Sea Bright, Monmouth County; and

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

1. New Jersey Department of Transportation
2. Borough Engineer
3. Borough Administrator
4. Borough Attorney
5. Borough Public Works Director

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

No. 150-2017 Change Order #1, Decrease Contract Amount By \$7,865.98 Construction of Beach Access Ramp and Public Restroom at the Anchorage Beach

RESOLUTION No. 150-2017

**CHANGE ORDER #1, DECREASE CONTRACT AMOUNT BY \$7,865.98
CONSTRUCTION OF BEACH ACCESS RAMP AND
PUBLIC RESTROOM AT THE ANCHORAGE BEACH**

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

WHEREAS, on December 17, 2013, the Borough Council of the Borough of Sea Bright awarded a contract to Jamali Developers, LLC of Monroe, NJ for the construction of the Beach Access Ramp and Public Restroom at the Anchorage Beach in the contract amount of \$396,398.00; and

WHEREAS, the Borough Engineer submitted Change Order No. 1 dated March 28, 2017, which includes reductions in the amount of \$15,419.50 as follows: 1) various items (#1, 3, 9, 13, S2, S5, S8a, S8b) are reduced \$13,513.48 to reflect as-built quantities, and 2) a reduction of \$1,906 due to the installation of a lesser model baby-changing table than specified, and an increase in the contract amount of \$7,553.52: 1) item (#S8c) increased to reflect as-built quantities, resulting in a net decrease to the original contracted amount by \$7,865.98 from \$396,398.00 to \$388,532.02.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that it does hereby approve Change Order No. 1 decreasing the original contracted amount from \$396,398.00 to \$388,532.021 for construction of the Beach Access Ramp and Public Restroom at Anchorage Beach that was awarded to Jamali Developers, LLC; and

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

- 1. Jamali Developers, LLC
- 2. Finance Manager
- 3. T & M Associates

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

No. 151-2017 Noise Waiver - Seawall Repair and Construction Project

RESOLUTION NO. 151-2017

NOISE WAIVER

SEAWALL REPAIR AND CONSTRUCTION PROJECT

BOROUGH OF SEA BRIGHT

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

WHEREAS, a request has been received from the New Jersey Department of Environmental Protection, Division of Coastal Engineering to waive the 7:00 A.M. construction noise restriction defined in Chapter 146, Nuisances, Article II: Noise Nuisances, Section 7G, to allow for construction work to begin at 6 A.M. for the seawall repair and construction project in the Borough of Sea Bright.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that permission is granted for a waiver to allow the New Jersey Department of Environmental Protection, Division of Coastal Engineering to commence seawall repairs construction at 6:00 A.M.

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

- 1. Chief of Police
- 2. Public Works Director

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

ORDINANCE(s):**Public Hearing:** Mayor Long 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 Birdsall offered a motion to open the public hearing on Bond Ordinance No. 14-2017, seconded by Councilmember Leckstein:

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

Public Hearing (Bond Ord. 14 -2017)

No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Bond Ordinance No. 14-2017, seconded by Councilmember Birdsall:

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

Councilmember Birdsall offered a motion to adopt Bond Ordinance No. 14-2017 and advertise according to law, seconded by Councilmember Keeler:

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

Public Hearing: Mayor Long 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 Leckstein offered a motion to open the public hearing on Bond Ordinance No. 15-2017, seconded by Councilmember Birdsall:

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

Public Hearing (Bond Ord. 15 -2017)

No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Bond Ordinance No. 15-2017, seconded by Councilmember Birdsall:

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

Councilmember Birdsall offered a motion to adopt Bond Ordinance No. 15-2017 and advertise according to law, seconded by Councilmember Keeler:

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

INDIVIDUAL ACTION/New Business:**Vouchers: \$1,306,744.55**

REGULAR MEETING**SEPTEMBER 5, 2017**

Councilmember Keeler offered a motion to approve the Voucher List dated September 5, 2017 as submitted by the Finance Manager, seconded by Councilmember Leckstein:

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

VOUCHER LIST

02260	ADT SECURITY SERVICES		
17-00997	08/21/17 LIBRARY	Open	39.99
2385	AGNOLI ENGINEERING		
17-00171	02/01/17 ENGINEER	Open	1,775.44
2420	ALL CLEAR ORGANIC CARPET CLEAN		
17-00820	07/05/17 POLICE	Open	100.00
02113	AMERICAN WATER		
17-01026	08/29/17 WATER USAGE	Open	319.00
02246	ASSOC OF FLOODPLAIN MANAGERS		
17-00841	07/11/17 ZONING OFFICER	Open	425.00
01494	ATLANTIC TACTICAL, INC.		
17-00875	07/19/17 POLICE	Open	720.00
01984	AVAYA FINANCIAL SERVICES		
17-01012	08/28/17 POLICE	Open	145.29
01241	BAIN'S HARDWARE, INC.		
17-00987	08/18/17 BAIN'S	Open	675.73
01631	BOROUGH OF OCEANPORT		
17-00017	01/18/17 COURT	Open	6,247.50
01974	BOROUGH OF SEA BRIGHT COURT		
17-01043	08/31/17 COURT	Open	133.09
01546	C.I.T. TECHNOLOGY FIN SERV, INC		
17-00021	01/18/17 COPIER	Open	157.00
01766	CENTRAL JERSEY EQUIPMENT, LLC		
17-00948	08/07/17	Open	914.04
17-00954	08/11/17 BUILDINGS & GROUNDS	Open	1,264.80

			2,178.84
00063	CHESAPEAKE EXTERMINATING CO.		
17-01011	08/28/17 BUILDINGS & GROUNDS	Open	90.00
00886	CHESSMAN, SHARON		
17-00976	08/16/17 RECREATION	Open	425.00
00256	CLEARY, GIACOBBE, ALFIERI &		
17-01039	08/30/17 LEGAL SERVICES	Open	30.00
00198	COMCAST		
17-01046	08/31/17 INTERNET	Open	468.37
01318	CONOVER BEYER ASSOCIATES, INC.		
17-01051	08/31/17 INSURANCE	Open	1,738.00
01493	COOPERATIVE INDUSTRIES, L.L.C.		
17-01045	08/31/17 NATURAL GAS	Open	287.65
02231	COUSINS LANDSCAPING		
17-00955	08/11/17 BUILDINGS & GROUNDS	Open	705.00
2386	CRANEY INTERPRETING SERVICE		
17-01014	08/28/17 COURT	Open	100.00
2324	DAFIN SURFING PRODUCTS		
16-01088	08/25/16 FIRE:EQUIPMENT	Open	251.85
17-00753	06/16/17 BEACH	Open	491.22

			743.07
01320	DEMAIO, R.N.		
17-00938	07/27/17 BEACH	Open	1,377.41
2286	DIFRANCESCO, BATEMENT, KUNZMAN		
17-01025	08/29/17 LEGAL SERVICES	Open	3,296.37
01992	DOGS AND CATS, INC.		
17-00980	08/16/17 BEACH	Open	1,541.67
01754	EDMUNDS & ASSOCIATES, INC.		
17-00962	08/15/17 TAX COLLECTOR	Open	375.55
02168	EVOQUA WATER TECHNOLOGIES, LLC		
17-00871	07/18/17 SEWER	Open	2,508.00

REGULAR MEETING

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01720	FIREFIGHTER ONE, LLC		
17-00985	08/17/17 FIRE DEPT	Open	830.56
00288	FIRST UNITED METHODIST CHURCH		
17-00981	08/16/17 LIBRARY	Open	1,000.00
2423	FOREMOST PROMOTIONS		
17-00880	07/19/17 FIRE DEPT	Open	418.30
00257	FOSTER AND COMPANY, INC.		
17-00874	07/18/17 DPW	Open	419.49
2406	FP MAILING SOLUTIONS		
17-01053	08/31/17 A&E LEASE	Open	126.00
02101	GANNETT NJ		
17-00972	08/15/17 LEGAL ADS	Open	94.60
02181	GATEWAY PRESS		
17-00952	08/11/17 POLICE	Open	116.00
2403	GIGI'S NEW YORK STYLE PIZZA		
17-00533	04/26/17 DPW	Open	141.00
17-00977	08/16/17 BEACH	Open	168.00

			309.00
01194	GLENCO SUPPLY, INC.		
17-00873	07/18/17 DPW	Open	300.00
2281	GRAINGER		
17-00843	07/11/17 DPW	Open	176.70
01838	HOLMAN, FRENIA, ALLISON, P.C.		
17-01049	08/31/17 FINANCE	Open	375.00
00557	INSTITUTE FOR PROFESSIONAL DEV		
17-00983	08/17/17 TAX COLLECTOR	Open	99.00
17-00984	08/17/17 FINANCE	Open	125.00

			224.00
01374	INTERNATIONAL CODE COUNCIL		
17-00961	08/15/17 BLDG. DEPT	Open	71.50
2430	IZZO, JACQUELIN		
17-00979	08/16/17 BEACH	Open	68.00
01526	JCP & L		
17-00963	08/15/17 ELECTRIC	Open	6,926.80
00297	JESSE A. HOWLAND & SONS, INC.		
17-00754	06/16/17 PARKING LOT	Open	750.00
17-00755	06/16/17 BUILDING LEASE	Open	1,705.00
17-00756	06/16/17 BUILDING LEASE	Open	3,845.00

			6,300.00
00895	JOHNNY ON THE SPOT, INC.		
17-00996	08/21/17 BEACH	Open	593.60
17-01050	08/31/17 BEACH	Open	221.30

			814.90
01784	JUNGLE LASERS, LLC		
17-01013	08/28/17 BUILDING DEPT	Open	340.00
2427	KAMP, ANDREW		
17-00927	07/26/17 BEACH	Open	589.00
2416	KELSO CONSTRUCTION CO, INC.		
17-01021	08/28/17 BEACH PAVILION	Open	555,268.98
02110	KLEIN, DON		
17-00970	08/15/17 BEACH	Open	212.22
00106	MGL FORMS-SYSTEMS, LLC		
17-01022	08/28/17 TAX COLLECTOR	Open	384.50
00263	MITCHELL, CANDACE		
17-00989	08/21/17 REIMBURSE TRAVEL	Open	39.10
00176	MODULAR SPACE CORPORATION		
17-01010	08/28/17 POLICE	Open	3,030.00
17-01029	08/29/17 FIRE DEPT	Open	385.00

			3,415.00
00688	MONMOUTH COUNTY POLICE ACADEMY		
17-00946	07/31/17 POLICE	Open	400.00
01323	MONMOUTH COUNTY TREASURER		
17-01042	08/31/17 ELECTIONS	Open	88.70
02256	MONMOUTH TELECOM		
17-00999	08/21/17 PHONE	Open	1,232.95

REGULAR MEETING**SEPTEMBER 5, 2017**

00340	MORRIS, KATHLEEN		
17-01027	08/29/17 PLANNING BOARD	Open	157.92
00137	MUNICIPAL CAPITAL CORPORATION		
17-00022	01/18/17 COPIER	Open	449.46
00190	MUNICIPAL CLERKS ASSOC OF NJ		
17-00947	07/31/17 CLERK	Open	100.00
00339	NAPA AUTO PARTS		
17-00842	07/11/17 DPW	Open	141.26
17-00860	07/18/17 DPW	Open	39.99

			181.25
01399	NEW JERSEY AMERICAN WATER		
17-00964	08/15/17 HYDRANTS	Open	2,435.40
00019	NJ AMERICAN WATER		
17-01041	08/31/17 WATER	Open	1,398.41
00502	NJ STATE LEAGUE/MUNICIPALITIES		
17-00958	08/14/17 REGISTRATION FEES	Open	605.00
00885	OCEAN TWP FIRE DISTRICT NO. 2		
17-00982	08/16/17 FIRE MARSHALL	Open	225.00
01309	OCEANPORT BOARD OF EDUCATION		
17-00723	06/13/17 GRADE SCHOOL TAX	Open	53,581.17
02019	OMEGA GRAPHICS		
17-01000	08/25/17 BEACH & REC	Open	1,179.40
00046	ONE CALL CONCEPTS, INC.		
17-01054	09/01/17 CALL BEFORE YOU DIG	Open	46.25
01621	ONSOLVE		
17-00865	07/18/17 POLICE	Open	2,500.00
00163	OSWALD ENTERPRISES, INC.		
17-00919	07/25/17 BUILDINGS & GROUNDS	Open	1,400.00
2290	PORZIO, BROMBERG & NEWMAN		
17-00971	08/15/17 LEGAL SERVICES	Open	1,230.50
00295	RED THE UNIFORM TAILOR		
17-00089	01/23/17 CLOTHING ALLOWANCE	Open	83.15
00463	RUTGERS, THE STATE UNIVERSITY		
17-00943	07/31/17 TRAINING	Open	660.00
2426	SAND PIT VOLLEYBALL. LLC		
17-00926	07/26/17 RECREATION	Open	832.80
00788	SCARINCI & HOLLENBECK, LLC		
17-00969	08/15/17 LEGAL	Open	75.00
01640	SEA BRIGHT PIZZA		
17-00978	08/16/17 BEACH	Open	100.00
01554	SEA BRIGHT SERVICE CENTER		
17-00920	07/25/17 DPW	Open	220.99
17-00949	08/11/17 POLICE	Open	573.85
17-00950	08/11/17 POLICE	Open	536.79
17-00951	08/11/17 POLICE	Open	1,424.39
17-00953	08/11/17 POLICE	Open	279.95

			3,035.97
01011	SEMCOR EQUIPMENT CORPORATION		
17-00940	07/27/17 BEACH	Open	80.00
02217	Settembrino Architects		
17-00023	01/18/17 ARCHITECT	Open	9,500.58
17-00024	01/18/17 ARCHITECT	Open	194,634.50

			204,135.08
00053	SHORE REGIONAL HIGH SCHOOL		
17-00762	06/16/17 HIGH SCHOOL TAX	Open	232,416.00
00246	SICKLES MARKET, LLC		
17-00849	07/11/17 BEAUTIFICATION	Open	23.98
00222	SIGNS & LETTERS UNLIMITED		
17-00907	07/24/17 OEM	Open	144.00
2327	SONNY'S		
17-00534	04/26/17 DPW	Open	160.00
00031	SORRENTINO, JOHN		
17-00945	07/31/17 POLICE	Open	315.05
01892	STANDARD INSURANCE COMPANY		
17-00994	08/21/17 DISABILITY INSURANCE	Open	1,725.52

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00083	T & M ASSOCIATES		
17-00044	01/18/17 ENGINEER	Open	7,241.39
17-01016	08/28/17 ENGINEER	Open	16,725.75
17-01017	08/28/17 ENGINEER	Open	1,886.33
17-01018	08/28/17 ENGINEER	Open	8,897.08

			34,750.55
2349	TAYLOR COMMUNICATIONS		
17-00855	07/13/17 TICKETS SB-043901	Open	289.00
01285	THE HOME DEPOT		
17-00513	04/24/17 FIRE DEPT	Open	746.30
17-00941	07/27/17 SEWER	Open	107.40

			853.70
01560	TOSHIBA BUSINESS SOLUTIONS, INC		
17-00944	07/31/17 POLICE	Open	1,625.00
01960	VERIZON		
17-01030	08/29/17 BEACH	Open	198.27
17-01048	08/31/17 POLICE	Open	526.74

			725.01
2394	VERIZON BUSINESS		
17-01047	08/31/17 POLICE	Open	151.74
02061	VERIZON WIRELESS		
17-01031	08/29/17 FIRE DEPT	Open	154.08
17-01032	08/29/17 CELL SERVICE	Open	40.14
17-01033	08/29/17 POLICE	Open	1,019.30
17-01038	08/30/17 POLICE	Open	54.55

			1,268.07
2425	WALLABY TALES		
17-00924	07/26/17 LIBRARY	Open	295.00
01409	WARSHAUER ELECTRIC SUPPLY		
17-00956	08/11/17 BUILDINGS & GROUNDS	Open	198.67
01164	WATCHUNG SPRING WATER CO, INC.		
17-00973	08/15/17 SPRING WATER	Open	565.77
17-01020	08/28/17 WATER	Open	483.82

			1,049.59
00519	WILLIAM E. ANTONIDES & CO.		
17-00990	08/21/17 FINANCE	Open	3,312.50
17-01044	08/31/17 FINANCE	Open	862.50

			4,175.00
00058	WILLOW CLEANERS, INC.		
17-00909	07/24/17 POLICE	Open	823.65
		TOTAL:	\$1,162,625.56

MANUAL CHECKS

17-00998	8/21/2017	Gannett NJ Planning Board:Legal Ads/Escrow Accts.	\$102.45
17-01028	8/29/2017	Hoder, David & Associates Engineer:Review/Escrow Accts	\$1,430.00
17-00966	8/15/2017	LBP Corp d/b/a Donovan's Reef Release of Performance Bonds	\$32,909.00
17-00995	8/21/2017	Leon S. Avakian, Inc. Engineer:Plot Plans-Escrow Accts.	\$793.75
17-01052	8/31/2017	Marlin Business Bank Postage Meter Lease:Sept.	\$47.00
17-00184-7	8/21/2017	M & S Waste Trash & Recycling Pkup-July	\$10,070.25
17-00992	8/21/2017	M & S Waste Landfill Tipping/Recycling Tax-July	\$9,449.11
17-00991	8/21/2017	M & S Waste Dumpsters/Disposal Fee-July	\$2,600.83
17-00957	8/28/2017	NJ Dept. of Community Affairs Bui8lding Dept:2/Q State Permit Fees	\$2,162.00

17-01040	8/31/2017	NJ Dept. of Health Dog License Report Fee:July	\$9.00
17-00993	8/21/2017	NJ Dept. of Labor & Workforce Dvlpmnt. Unemployment:2/Q	\$723.00
17-00960	8/15/2017	NJSHBP Health Benefits-Active&Retired/Aug.	\$53,364.86
17-00965	8/15/2017	Oceanspring Realty Assoc., LLC Rls. Of Maintenance Guarantee	\$1,000.00
17-00988	8/18/2017	Public Storage Police:Rental Unit-4/Q	\$1,002.60
17-00967	8/15/2017	Rooney Plaza c/o Louis Raffetto Release of Performance Guarantee	\$4,250.00
17-00968	8/15/2017	T & M Associates Engineer:Escrow Accts/Inspections	\$2,364.50
17-00959	8/14/2017	Wex Bank Gasoline:August 2017	\$4,379.64
17-00974	8/15/2017	Wright National Flood Insurance Co. 2017 Renewals	\$17,461.00

TOTAL MANUAL CHECKS: \$144,118.99

GRAND TOTAL: \$1,306,744.55

EXECUTIVE SESSION

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

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 absent 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 Rooney 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 absent Yes Yes Yes

Respectfully submitted,

Christine Pfeiffer, Borough Clerk