

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

SEPTEMBER 19, 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, Brian P. Kelly,
Marc A. Leckstein, Charles H. Rooney

ABSENT: Councilmember John M. Lamia, Jr.

OTHERS: Attorney Richard Shaklee, Engineers Fran Mullan & Claire Petruzzella,
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.

Doug Rice, Rumson, presented a check from donations collected at this year's Andy-Rooney Swim, in the amount of \$2,021.92 for the Beach Trust Account in support of Sea Bright's Ocean Rescue Team. Mr. Rice said he was pleased that the Beach Club got involved this year and made generous donations and looks forward to doing it again next year.

CONSENT AGENDA

Councilman Leckstein offered a motion to remove the 9-5-2017 special meeting minutes, Resolution No. 141-2017, 152-2017 and 153-2017 and to approve the remaining items that are considered routine in nature under the consent agenda; seconded by Councilmember Birdsall:

Minutes

09-05-2017	Regular Meeting
09-05-2017	Executive Session

Resolutions:

No. 154-2017 Person-to-Person / Place-to-Place Transfer (Reduction of Premises)
Liquor License #1343-33-002-009, Nothing Fishy, LLC t/a N/A

RESOLUTION No. 154-2017
Person-to-Person / Place-to-Place Transfer
(Reduction of Premises)
Liquor License #1343-33-002-009
Nothing Fishy, LLC t/a N/A

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

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption Liquor License, Number 1343-33-002-009, heretofore issued to Nothing Fishy, LLC t/a N/A, Sea Bright, New Jersey; and (in-active status)

WHEREAS, the application included place-to-place transfer (reduction of premises - shed) for the purpose of reducing the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized (sketch of the licensed premises is attached thereto); and

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

WHEREAS, the applicant 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 disclosed, and the issuing authority 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 under previous approval for George and Lillian Smith t/a L & G Restaurant & Bar, Resolution #43-2016.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth does hereby approve, effective August 1, 2017, the person-to-person and place-to-place transfer (reduction of premises - shed) of the aforesaid Plenary Retail Consumption licensed premises located 140 Ocean Avenue, Sea Bright, New Jersey, and does hereby direct the Borough Clerk to endorse the license certificate as follows:

"This license, subject to all of its terms and conditions, is hereby transferred to premises located at 140 Ocean Avenue, Sea Bright, New Jersey."

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. Jason Ross, Atty for Nothing Fishy, LLC

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

No. 155-2017 Amendment to Contract with T & M Associates for Special Project Engineering Design of the Beach Access Ramp and Public Restroom

RESOLUTION NO. 155-2017

**Amendment to Contract with T & M Associates
for Special Project Engineering
(Design of the Beach Access Ramp and Public Restroom)**

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

WHEREAS, on March 19, 2002 T & M Associates was awarded the contract to the Design of the Beach Access Ramp and Public Restroom in an amount of \$49,250.00 as per Resolution #93-2012; and

WHEREAS, on January 22, 2013, the sea seawall was damaged during Superstorm Sandy and T & M Associates submitted a proposal for an additional amount of \$9,500.00 approved by Resolution No. 48-2013; amending the contract amount to \$58,750.00; and

WHEREAS, a subcontractor, Sonnenfeld & Trocchia Architects of Holmdel, New Jersey was hired by T & M Associates in order to complete Architectural and Mechanical Services per resolution #82-2013 dated April 16, 2013 in the amount of 15,000.00; amended contract amount to \$73,700.00; and

WHEREAS, on November 1, 2013, Resolution No.211-2013 authorized the payment of an additional \$9,761.15 to T & M Associates (invoice #239969) for the Beach Access Ramp and Public Restroom that was approved by the Borough Council; the amended contract amount to \$82,500.00 and

WHEREAS, the additional effort and expenditures due to unforeseen removal of Rob Adler Associates and the need for a new Architect, Sonnenfeld and Trocchia Architects

to complete the project, T & M Associates received an additional \$50,978.10 that was approved by the Borough Council on April 22, 2014 by Resolution No. 60-2014; the amended contract amount of \$134,489.25; and

WHEREAS, as a result of liquidated damages caused from the contractor not completing the contract in a timely manner the project closeout and final payments to T&M Associates resulted in an increase in the contract of \$44,887.89 for an amended contract amount of \$179,377.14.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Finance Officer of the Borough of Sea Bright, do hereby certify that there are adequate funds available for the purpose of this contract in Bond Ordinance No. 02-2014; and


MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby approve an increase amount of \$44,887.89 for the Design of the Beach Access Ramp and Public Restroom for a total contract amount for engineering services of \$179,377.14; and

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

- 1. Finance Manager
- 2. Borough Engineer
- 3. Borough Attorney

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

No. 156-2017 Authorizing Display of Fireworks at Surfrider Beach Club on October 7, 2017
RESOLUTION NO. 156-2017
AUTHORIZING DISPLAY OF FIREWORKS
AT SURFRIDER BEACH CLUB- OCTOBER 7, 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, Windows on the Water at Surfrider Beach Club, 931 Ocean Avenue (Block 23; Lot 12) has submitted an application to the Special Events Committee of the Borough of Sea Bright requesting permission for a display of fireworks at Surfrider Beach Club on October 7, 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, 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 October 7, 2017 at Surfrider 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. Surfrider 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 absent Yes Yes

No. 157-2017 Authorizing 2018 Beach Fee Schedule

RESOLUTION NO. 157-2017

AUTHORIZING 2018 BEACH FEE SCHEDULE

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

WHEREAS, the Borough Council of the Borough of Sea Bright established by Ordinance of the Borough Code, Section 66-20.1. Fees. The fees and charges of the Municipal Beach Authority shall be established annually by resolution of the Governing Body, and

WHEREAS, the Borough Council have recommended that the following beach fee schedule as follows:

2018 BEACH FEES (per person)	AMOUNT
SEASON BEACH BADGE (December 1-31, 2017)	\$ 50.00
SEASON BEACH BADGE (January 1, 2018 - March 31, 2018)	\$ 75.00
SEASON BEACH BADGE (April 1, 2018 - September 3, 2018)	\$ 100.00
DAILY BEACH BADGE (May 26, 2018 - September 3, 2018)	\$ 8.00
SENIOR 65+	\$ 35.00
DISABLED	\$ 35.00
CHILDREN UNDER 12 YEARS OF AGE	FREE
ACTIVE MILITARY & FAMILY MEMBERS/PERSONNEL	FREE
BEACH LOCKERS (December 1, 2017 until sold out)	\$ 250.00

BADGES WILL BE ON SALE AT BOROUGH HALL, 1167 OCEAN AVENUE:
MONDAY - FRIDAY 9 AM - 4 PM: DECEMBER 1, 2017 thru MAY 25, 2018

SATURDAYS 10 AM - 2 PM ON: DECEMBER 16, 2017
 JANUARY 20, 2018
 FEBRUARY 17, 2018
 MARCH 17, 2018

BEACH OFFICE OPENS FOR SALES ON SATURDAY, MAY 26, 2018.

- Senior/Disabled must provide a photo ID and Medicare card
- Military personnel & family must provide active duty identification
- NO REPLACEMENT OR REFUND FOR LOST OR STOLEN SEASON BEACH BADGES
- NO REFUND ON BEACH LOCKERS
- BEACH BADGE DONATION REQUESTS WILL NOT BE ACCEPTED AFTER MARCH 31, 2018

NOW, THEREFORE, BE IT RESOLVED that the 2018 Beach Fee Schedule is hereby authorized as indicated above.

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

1. Finance Manager
2. Beach Manager

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

No. 158-2017 Authorizing the Borough of Sea Bright to Submit a Grant Application to the Monmouth County Municipal Open Space Grant Program to Provide Funding for "Swing Bridge Park" - Block 18, Lot 1 - 1008 Ocean Avenue

RESOLUTION NO. 158-2016

AUTHORIZING THE BOROUGH OF SEA BRIGHT TO SUBMIT A GRANT APPLICATION TO THE MONMOUTH COUNTY MUNICIPAL OPEN SPACE GRANT PROGRAM TO PROVIDE FUNDING FOR "SWING BRIDGE PARK" - BLOCK 18, LOT 1 - 1008 OCEAN AVENUE

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

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Borough of Sea Bright desires to obtain County Open Space Trust Funds in the amount of \$10,000.00 to fund the Swing Bridge Park renovations; and

WHEREAS, the total cost of the project including all matching funds is \$20,000.00; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY THAT:

1. Dina Long, Mayor or her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Sea Bright is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Dina Long, Mayor or her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

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

INDIVIDUAL ACTION

Councilmember Keeler offered a motion to approve the September 5, 2017 Special Meeting Minutes; seconded by Councilmember Birdsall:

09-05-2017 Special Meeting

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

No. 141-2017 Place-to-Place/Expansion of Premises, Liquor License #1343-33-017-007, 1030 Liquor Partners LLC t/a Tommy's Tavern & Tap

RESOLUTION No. 141-2017

**Place-to-Place/Expansion of Premises
Liquor License #1343-33-017-007
1030 Liquor Partners LLC t/a Tommy's Tavern & Tap**

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

WHEREAS, an application has been filed for a Place-to-Place Transfer (Expansion of Premises) of Plenary Retail Consumption License Number 1343-33-017-007, issued to 1030 Liquor Partners LLC t/a Tommy's Tavern & Tap for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby approve, for the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 1030 Ocean Avenue, know as 1030 Liquor Partners, LLC t/a Tommy’s Tavern & Tap, Sea Bright, New Jersey, contingent upon the issuance of a Certificate of Occupancy, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

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

- 1. Chief of Police
- 2. State of New Jersey, Division of ABC
- 3. 1030 Liquor Partners, LLC
- 4. Joe Asterita, Attorney

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

No. 152-2017 Authorize the Release of Performance Guarantees, 1030 Partners, LLC, 1030 Ocean Avenue, Block 17, Lot 4

RESOLUTION NO. 152-2017
Authorize the Release of Performance Guarantees
1030 Partners, LLC, 1030 Ocean Avenue
Block 17, Lot 4

Councilmember Kelly 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 Borough Engineer; and

WHEREAS, 1030 Partners LLC has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$63,870.00 (90% Performance Bond # PF0022307 in the amount of \$57,483.00, First Indemnity of America Insurance Company) and (10% in the form of cash \$5,109.00) to guarantee the completion of all improvements on premises known as Block 17, Lot 4 also known as 1030 Ocean Avenue; and

WHEREAS, David J. Hoder, P.E. P.P., Hoder Associates Consulting Engineers, has advised the Borough Council by letter dated September 11, 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 maintenance guarantee in the amount of 15% (\$7,983.75) of the cost of the improvements and posting of 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 from David J. Hoder, P.E. P.P., Hoder Associates Consulting Engineers and the performance guarantees totaling \$63,870.00 are hereby released, canceled and discharged; and

BE IT FURTHER RESOLVED by the Borough Council that this resolution shall not become effective unless and until the Borough of Sea Bright is furnished with the posting of a maintenance guarantee in the amount of 15% (\$7,983.75) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

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

- 1. 1030 Partners LLC
- 2. First Indemnity of American Insurance Company
- 3. David J. Hoder, P.E. P.P., Consulting Engineers
- 4. Fiscal Officer
- 5. Construction Official

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

No. 153-2017 Accepting the Performance Guarantee(s) for 1030 Partners, LLC, 1030 Ocean Avenue, Block 17, Lot 4

RESOLUTION NO. 153-2017
Accepting the Performance Guarantee(s) for
1030 Ocean Avenue – 1030 Partners, LLC
Block 17, Lot 4

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

WHEREAS, the Borough of Sea Bright has approved a development project on Block 17, Lot 4 & 5 also known as 1030 Ocean Avenue; and

WHEREAS, David J. Hoder, P.E. P.P., Hoder Associates Consulting Engineers prepared a performance guarantee estimate dated for 1010 Ocean Partners LLC and 1030 Partners, LLC; and

WHEREAS, 1010 Ocean Partners LLC and 1030 Partners, LLC, posted performance guarantees in the total amount of \$104,577.00, (10%) ten percent (\$10,457.50) of which was cash and deposited with the Borough in accordance with the ordinances of the Borough of Sea Bright and the remaining (90%) ninety percent (\$94,119.30) was in the form of a surety performance bond # FP002619 issued by First Indemnity of America, and

WHEREAS, 1010 Ocean Partners LLC and 1030 Partners, LLC is required to post eight percent (4%) engineering inspection fees in the amount of \$4,357.38 and the required certificate of insurance.

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

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

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

- 1. David J. Hoder, P.E. P.P., Hoder Associates Consulting Engineers
- 2. Construction Official
- 3. Finance Manager
- 4. 1010 Ocean Partners LLC and 1030 Partners, LLC

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

ORDINANCE(s):

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE NO. 16-2017
AN ORDINANCE AMENDING AND SUPPLEMENTING THE
GENERAL CODE OF THE BOROUGH OF SEA BRIGHT,
CHAPTER 201 ENTITLED VEHICLES AND TRAFFIC

Councilmember Leckstein offered a motion to introduce Ordinance No. 16-2017 for a public hearing to be held on October 3, 2017 and advertise according to law; seconded by Councilmember Keeler:

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

BE IT ORDAINED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, as follows:

SECTION ONE: Chapter 201, "Vehicles and Traffic", Article VIII, Residential Permit Parking, Section 201-34, Term of Permits, of the Code of the Borough of Sea Bright is hereby amended and supplemented to read in full as follows:

"Residential parking permits shall be valid from January 1 through December 31 of each year as indicated on the parking permit placard. Any vehicle bearing an expired residential parking permit and parking on a street posted as "residential permit parking only" shall be subject to the penalty as a vehicle parked on the street without a resident permit as set forth in §201.36 below."

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

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

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and publication as required by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on September 19, 2017 and will be further considered after a Public Hearing held on October 3, 2017 at the Municipal Building at 8:30 am.

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE NO. 17-2017
AN ORDINANCE AMENDING CHAPTER 146, NUISANCES, ARTICLE II, NOISE NUISANCES OF THE CODE OF THE BOROUGH OF SEA BRIGHT

Councilmember Leckstein offered a motion to introduce Ordinance No. 17-2017 for a public hearing to be held on October 3, 2017 and advertise according to law; seconded by Councilmember Keeler:

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

BE IT ORDAINED by the Borough Council of the Borough of Sea Bright in the County of Monmouth that Article II entitled “Noise Nuisances” of Chapter 146 entitled “Nuisances” of the Code of the Borough of Sea Bright is hereby amended in its entirety in the following manner:

SECTION I

Chapter 146, Nuisances, Article II, Noise Nuisances is hereby amended in its entirety as follows:

ARTICLE II: NOISE NUISANCES

§ 146-5. Noise Nuisances Prohibited

- A. It shall be unlawful for any person to make, continue or cause to be made or permitted any unnecessary and unreasonable loud, disturbing noise which is plainly audible and either annoys, injures or endangers the comfort, repose, health or welfare of others within the limits of the Borough. Such unlawful activity shall be considered a “noise nuisance” as further defined by § 146-7 of this Article.
- B. It shall be unlawful for any person on property owned by him or her or under lease or other arrangement to allow or give permission to any other person on the property to make, continue or cause to be made or permitted any unnecessary and unreasonable loud, disturbing noise which is plainly audible and either annoys, injures or endangers the comfort, repose, health or welfare of others within the limits of the Borough. Such unlawful activity shall be considered a “noise nuisance” as further defined by § 146-7 of this Article.

§ 146-6. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ADVERTISEMENT DEVICES – Any generator of sound, whether it be human, a radio or other sound system, instrumental (including but certainly not limited to drums), mechanical or otherwise, which intends to attract the attention of the public to and/or acts as an advertisement of any business, sport, exhibition, entertainment, spectacle, undertaking, happening, occasion or any other event.

CONTINUOUS SOUND - Any sound that is not impulsive sound.

EMERGENCY — Any work or action necessary to deliver essential public services, including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions.

IMPULSIVE SOUND - A single pressure peak or a single burst (multiple pressure peaks) that has duration of less than one second.

NOISE — Any sounds of such level and duration as to be or tend to be injurious to human health or welfare or which would unreasonably interfere with the enjoyment of life or property.

NOISE NUISANCE – As further defined within § 146-7 of this Article. However, any noise generated by an activity which has been granted a Special Event Permit pursuant to Chapter 38 of the Code of the Borough of Sea Bright shall not be considered a Noise Nuisance.

PERSON — Any corporation, company, association, society, firm, partnership and joint-stock company, as well as individuals.

PLAINLY AUDIBLE — Any sound that can be detected by a person using his or her unaided hearing faculties. As an example, if the sound source under investigation is a portable or personal vehicular sound-amplification or -reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The enforcement officer need not determine the title, specific words, or the artist performing the song.

SOUND SOURCE — Any person, animal, device, operation, process, activity or phenomenon which emits or causes noise.

§ 146-7. Definition of noise nuisances.

The following acts are declared to be loud, disturbing and unnecessary noise nuisances in violation of this article but said enumeration shall not be deemed to be exclusive, namely:

- A. Radio, phonograph, instrument, singing . The playing of any radio, phonograph or musical instrument or singing in such a manner or in such volume as to annoy or disturb the quiet, comfort or repose of persons within or outside of any dwelling, hotel or other type of residence, particularly during the hours between 10:00 p.m. and 8:00 a.m. of the following morning.
- B. Animals and birds. The owning, harboring or keeping of any animal or bird which has been causing or causes frequent or long-continued noise which disturbs the comfort and repose of any person within the vicinity. "Frequent or long-continued noise" means continually for 10 minutes or intermittently for 30 minutes, unless provoked.
- C. Shouting. The excessive shouting, screaming or loud talking of peddlers, hawkers, vendors, patrons, or others who disturb the peace and quiet of the neighborhood.
- D. Advertisement devices. The operation, particularly during the hours between 10:00 pm and 8:00 am of the following morning of any advertisement device within any building or on any premises, or on the sidewalks, streets and highways or other public places of the Borough, whereby the sound is cast directly or indirectly upon any public street or place and can be heard to the annoyance or inconvenience of persons upon any street or public place or in neighboring premises.
- E. Horns and signals. The sounding of any horn or signal device on any automobile or other vehicle while not in motion for any unnecessary or unreasonable period of time, except as a danger signal.
- F. Muffler exhaust. The generation of loud sound as a result of the discharge into the open air of the exhaust of any steam engine, stationary jet or internal combustion engine or motor vehicle, except through a properly functioning muffler or other device which will effectively prevent loud or explosive noises therefrom. Such sound generation shall not be considered a nuisance if occurring during the course of a Vehicle Repair, as defined within and subject to the limitations of Paragraph O of this section.
- G. Construction. The excavation, grading, paving, erection, demolition, alteration or repair of any premises, street, building or structure from 7:00 p.m. on Friday until 8:00 a.m. Saturday, from 7:00 p.m. Saturday until 7:00 a.m. on Monday, and on Mondays through Fridays from 7:00 p.m. until 7:00 a.m. Commercial construction shall not be allowed on Sundays at any time. Exceptions may be made if urgent necessity is in the interest of public health and safety. If the nature of the emergency will prohibit the prior procurement of a permit the work shall only proceed in accordance with a permit first obtained from the Chief of Police or his/her respective designees. These regulations shall also apply to the delivery, removal or emptying of construction dumpsters and roll-off containers.
- H. Loading and unloading. The creation of loud and excessive noise in connection with the loading or unloading of any vehicle or the opening or destruction of bales, boxes, crates and containers.
- I. Interfering with work in institutions. The creation of excessive noise in or on the grounds of any school, church, synagogue, hospital, institution of learning, court, public building or place of

public assembly, or on any street adjacent to such grounds, places or buildings, while the same are in use and which unreasonably interferes with the working of the institution or place or unduly annoys persons therein.

- J. Tools and equipment. The operation or use of any power lawn mower, chainsaw, fence-post driller, saw, grinder, drill, garden equipment, snow blowers, leaf blowers or the like, between the hours of 8:00 p.m. and 7:00 a.m. of the following morning.
- K. Buses, trucks or tractors. The unnecessary warming up or idling of buses, trucks or tractors and the unnecessary and repeated idling, acceleration and deceleration or starting and stopping of automobiles and motorcycles.
- L. Outdoor concerts. Outdoor concerts, except in accordance with a Special Event Permit pursuant to Chapter 38 of the Code of the Borough of Sea Bright, or in conjunction with a commercial establishment upon its property provided the commercial establishment is in compliance with the limitations of Paragraphs (A) and (C) of this Section.
- M. Vehicle noises. The use of an automobile, motorcycle or vehicle so out of repair or so loaded that it creates loud and unnecessary grating, grinding, rattling or other noise. Such sound generation shall not be considered a nuisance if occurring during the course of a Vehicle Repair, as defined within and subject to the limitations of Paragraph O of this Section.
- N. Powered model vehicles. The operating or permitting the operation of powered model vehicles between the hours of 8:00 p.m. and 8:00 a.m. of the following morning.
- O. Vehicle repair. The repairing, rebuilding, modifying or testing of any motor vehicle or off-road vehicle in or near a residential district in such a manner as to cause disturbance of the repose of others between the hours of 8:00 p.m. and 8:00 a.m. of the following morning.
- P. Other noises. Any other continuous noise not enumerated above which is unreasonably loud, disturbing, unnecessary, and which annoys, injures or endangers the comfort, repose, health or welfare of others within the limits of the Borough.

§ 146-8. Reserved.

§ 146-9. Proof of violation.

Proof of violation of any Paragraphs of § 146-7 of this Article shall be determined by plainly audible means as detected at more than fifty (50) feet from the property line from which the noise nuisance is emanating or from within the receptor’s premises in the event the source and the receptor share a common or abutting wall, floor or ceiling or are on the same property.

§ 146-10. Violations and penalties.

Any person found guilty of violating any provision of this article shall be subject to the following penalty schedule:

First Offense: A fine not to exceed \$ 200.00.

Second Offense: A fine not to exceed \$ 500.00.

Third Offense: A fine not to exceed \$ 1,250.00.

Fourth or Greater Offense:

- (a) A fine not to exceed \$ 1,250.00; and/or
- (b) a period of community service not exceeding 90 days; and/or
- (c) Imprisonment for any term not exceeding 90 days.

Each day of violation shall constitute an additional, separate and distinct offense. However, no subsequent offense shall apply unless it has occurred within five (5) months of the previous offense. Any offense occurring more than five (5) months after the previous offense shall be considered a First Offense.

§ 146-11. Permits; fees.

- A. The Borough official, officer or employee charged with the responsibility of issuing permits for the activities requiring permits in accordance with Paragraph G of § 146-7 of this Article shall issue permits for such activities if such officer shall find that the activities will not unduly or unnecessarily annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others; that the activities will not violate any other ordinance or law or create a public nuisance; and that the public health and safety will not be endangered thereby.
- B. Permits shall specify the dates and hours of the permitted activities.
- C. The issuing agents are authorized to adopt and use such forms of application and permits as may be reasonably required in the performance of their duties. Each application for a permit shall be accompanied by the applicable fee or a fee of \$20 if no other fee has been established, which shall be payable to the Borough of Sea Bright.

§ 146-12. Appeal of denial of permit.

An applicant for a permit pursuant to Paragraph G of § 146-7 of this Article shall have the right to appeal to the Borough Council from the denial of the permit by the applicable municipal official. Such appeal shall be taken by filing a written notice of appeal addressed to the Borough Council. Such notice shall be filed within three days after the issuing officer shall have notified the applicant of the denial of the permit. The Borough Council shall act upon the appeal at its next regularly scheduled meeting after receiving the notice thereof and shall give the applicant an opportunity to be heard before taking action. The Borough council may affirm or reverse the issuing officer's denial of the permit or may grant the permit with modifications or conditions.

§ 146-13. Enforcement.

- A. It shall be the duty of the Police Department of the Borough to enforce the provisions of this article. In addition to public law enforcement officers and others who by law are entitled to enforce or bring complaints under this article, the officers who are designated hereunder for the issuance of permits, as well as the Borough License Officer and Health Officer, or their designees, shall have the power to enforce and bring complaints under this article.
- B. A violation of this article shall be cause for a summons and complaint to be issued forthwith, and failure to desist upon being warned by an enforcement officer shall constitute an additional separate offense; provided, however, that if the noise source is not a readily identifiable individual or a motor vehicle moving on a public right-of-way, in lieu of a summons and complaint, enforcement personnel may issue a twenty-four-hour notice, in writing, which may be served personally or by certified mail to the last-known address of the person or persons in charge of or in control of the device, building or premises producing the noise, to abate said violation of this article. Failure to comply with this order so issued and served shall constitute an additional violation of this article.

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

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

SECTION IV: This Ordinance shall take effect immediately upon its passage and publication as required by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on September 19, 2017 and will be further considered after a Public Hearing held on October 3, 2017 at the Municipal Building at 7:00 pm.

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE NO. 18-2017
AN ORDINANCE AMENDING CHAPTER 38, SPECIAL EVENTS
OF THE CODE OF THE BOROUGH OF SEA BRIGHT

Councilmember Leckstein offered a motion to introduce Ordinance No. 18-2017 for a public hearing to be held on October 3, 2017 and advertise according to law; seconded by Councilmember Keeler:

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

BE IT ORDAINED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey that Chapter 38 entitled "Special Events", of the "Code of the Borough of Sea Bright, 1998", be and the same is hereby amended and supplemented in the following manner:

SECTION ONE: § 38-3, Special Event Committee Membership, of Chapter 38, Special Events, shall be amended as follows:

- 1) "The Borough's Fire Subcode Official" shall be replaced as a member of the Committee by "the Borough's OEM Coordinator".
- 2) There shall be added Paragraphs F and G which shall read as follows:
 - F. Any of the Borough employees who are members of the Special Events Committee shall be empowered to send a designee of his or her choosing to act in their place at any Committee Meeting if they are unavailable to attend the meeting on their own.
 - G. The Borough Council, by Resolution, may change any of the Borough Employees identified as members of the Special Events Committee in Paragraph "A" of this Section.

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

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

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and publication as required by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on September 19, 2017 and will be further considered after a Public Hearing held on October 3, 2017 at the Municipal Building at 8:30 am.

INDIVIDUAL ACTION/New Business:

Vouchers: \$657,590.32

Councilmember Keeler offered a motion to approve the Voucher List dated September 19, 2017 as submitted by the Finance Manager, seconded by Councilmember Leckstein:

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

**VOUCHER LIST
September 19, 2017
BOROUGH OF SEA BRIGHT**

01489	A.M.G. MARINE CONTRACTING, INC		
17-00975	08/16/17 DPW	Open	280.00
17-01059	09/05/17 SEWER	Open	1,600.00

			1,880.00
02113	AMERICAN WATER		
17-01105	09/13/17 WATER	Open	319.00
01983	ATHLETES' ALLEY		
17-01004	08/25/17 BEACH	Open	117.95
17-01023	08/28/17 BEACH	Open	3,362.50

			3,480.45
02036	BAHRLE, DAVID		
17-01081	09/11/17 DPW	Open	50.00

REGULAR MEETING MINUTES**SEPTEMBER 19, 2017**

01631	BOROUGH OF OCEANPORT		
17-00017	01/18/17 COURT	Open	6,247.50
01974	BOROUGH OF SEA BRIGHT COURT		
17-01083	09/11/17 COURT	Open	182.69
01546	C.I.T. TECHNOLOGY FIN SERV, INC		
17-00021	01/18/17 COPIER	Open	157.00
2424	CHILD, BRAD		
17-01091	09/12/17 FIRE MARSHALL	Open	140.00
00198	COMCAST		
17-01108	09/13/17 INTERNET	Open	420.74
01493	COOPERATIVES, L.L.C.		
17-01090	09/12/17 NATURAL GAS	Open	264.74
01992	DOGS AND CATS, INC.		
17-01085	09/11/17 BEACH	Open	1,541.67
2241	EVERBRIDGE		
17-01001	08/25/17 POLICE	Open	1,591.35
00288	FIRST UNITED METHODIST CHURCH		
17-01086	09/11/17 LIBRARY	Open	1,000.00
00211	FULL SERVICE WEB SITES, LLC		
17-01100	09/13/17 WEB SITE	Open	720.00
02101	GANNETT NJ		
17-01118	09/14/17 LEGAL AD	Open	78.20
2281	GRAINGER		
17-00986	08/18/17 SEWER	Open	136.68
2297	INTEGRATED TECHNICAL SYSTEMS		
17-01084	09/11/17 DIGITAL FEE	Open	385.00
01419	J. SWANTON FUEL OIL CO., INC.		
17-01119	09/14/17 FUEL OIL	Open	419.62
01526	JCP & L		
17-01103	09/13/17 ELECTRIC	Open	7,139.11
01043	JERSEY PROFESSIONAL		
17-01111	09/14/17 DEPUTY CLERK	Open	5,377.50
00297	JESSE A. HOWLAND & SONS, INC.		
17-00755	06/16/17 BUILDING LEASE	Open	1,705.00
17-00756	06/16/17 BUILDING LEASE	Open	3,845.00

			5,550.00
01784	JUNGLE LASERS, LLC		
17-01094	09/12/17 PERMIT FEES	Open	510.00
00167	KEEP IT SAFE		
17-01101	09/13/17 LIVE VAULT	Open	222.37
2414	LOGO WEAR PROS		
17-01005	08/25/17 BEACH	Open	92.00
00275	M & S WASTE SERVICES, INC.		
17-00184	02/02/17 TRASH PICK UP	Open	10,070.25
17-01092	09/12/17 DUMPSTERS	Open	863.22
17-01093	09/12/17 LANDFILL	Open	8,073.31

			19,006.78
00650	MAACO COLLISION REPAIR AND		
17-01015	08/28/17 POLICE	Open	2,128.08
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
17-01079	09/11/17 LEGAL SERVICES	Open	11,073.36
00176	MODULAR SPACE CORPORATION		
17-01116	09/14/17 FIRE DEPT	Open	385.00
02256	MONMOUTH TELECOM		
17-01115	09/14/17 PHONE	Open	1,233.99
00137	MUNICIPAL CAPITAL CORPORATION		
17-00022	01/18/17 COPIER	Open	224.73
00339	NAPA AUTO PARTS		
17-01009	08/25/17 DPW	Open	32.47
01399	NEW JERSEY AMERICAN WATER		
17-01104	09/13/17 HYDRANTS	Open	2,435.40
00502	NJ STATE LEAGUE/MUNICIPALITIES		
17-01087	09/12/17 A&E	Open	49.00

REGULAR MEETING MINUTES**SEPTEMBER 19, 2017**

01309	OCEANPORT BOARD OF EDUCATION		
17-00723	06/13/17 GRADE SCHOOL TAX	Open	53,581.17
00635	PARTY CORNER		
17-01007	08/25/17 RECREATION	Open	272.40
2431	PASQUALE, JULIE		
17-01024	08/28/17 LIBRARY	Open	305.00
00081	PERRY'S TROPHY CO., INC.		
17-01006	08/25/17 BEACH	Open	75.00
2290	PORZIO, BROMBERG & NEWMAN		
17-01080	09/11/17 LEGAL SERVICES	Open	4,978.00
01250	R. KREMER & SON MARINE		
17-01089	09/12/17 BULKHEAD PROJECT	Open	134,998.92
01554	SEA BRIGHT SERVICE CENTER		
17-01003	08/25/17 POLICE	Open	772.98
00027	SEABOARD WELDING SUPPLY, INC.		
17-01102	09/13/17 DPW	Open	29.00
02217	Settembrino Architects		
17-00023	01/18/17 ARCHITECT	Open	6,322.86
17-00024	01/18/17 ARCHITECT	Open	61,970.15

			68,293.01
00053	SHORE REGIONAL HIGH SCHOOL		
17-00762	06/16/17 HIGH SCHOOL TAX	Open	232,416.00
01603	SIGNS BY TOMORROW		
17-01077	09/08/17 PUBLIC RELATIONS	Open	46.00
2247	STAPLES ADVANTAGE		
17-01034	08/29/17 OFFICE SUPPLIES	Open	322.68
2434	STROKER'S DELI & SUBS		
17-01061	09/05/17 BEACH	Open	627.36
00083	T & M ASSOCIATES		
17-00044	01/18/17 ENGINEER	Open	1,759.19
17-01106	09/13/17 ENGINEER	Open	1,316.19
17-01107	09/13/17 ENGINEER	Open	11,751.36

			14,826.74
01960	VERIZON		
17-01109	09/13/17 PHONE	Open	521.68
17-01117	09/14/17 PHONE	Open	197.93

			719.61
2394	VERIZON BUSINESS		
17-01110	09/13/17 POLICE	Open	140.27
02061	VERIZON WIRELESS		
17-01112	09/14/17 CELL PHONES	Open	149.10
17-01113	09/14/17 FIRE DEPT	Open	154.12
17-01114	09/14/17 CELL PHONE	Open	54.55

			357.77
00519	WILLIAM E. ANTONIDES & CO.		
17-01088	09/12/17 FINANCE	Open	3,312.50

TOTAL: \$590,548.84**MANUAL CHECKS**

9/11/2017	David Hoder Associates	\$650.00
17-01078	Engineer:Review/Escrow Acct.	
8/25/2017	Monmouth County SPCA	\$1,375.00
17-01002	Trap, Neuter, Release Program	
9/14/2017	NJSHBP	\$54,898.96
17-01120	Active & Retired Members-Sept. 2017	
9/14/2017	Tradewinds Homeowner's Assoc, Inc.	\$10,117.52
17-01121	Release of Escrow Funds	
	TOTAL MANUALS:	\$67,041.48

GRAND TOTAL: \$657,590.32

COUNCIL COMMITTEE REPORTS:**BEACH / GRANTS:**

Councilman Rooney reported on behalf of Committee Chair Lamia that the beach had an amazing year: the junior lifeguard program was extremely successful and we are recruiting future lifeguards through this program and a number of lifeguards have joined the Borough's EMS. Mayor Long added - 1) we broke our record with senior and seasonal badge sales in 2017; 2) this was also our first year that Sea Bright had a shared service with Highlands, providing lifeguards and it was a very successful cooperative system; and, 3) the junior lifeguard program generated \$34,000 in revenue for the beach which was also a record breaking number. Considering the many bad weather Saturdays and the construction everywhere, Mayor Long said the beach did extremely well this year and gives kudos to all.

FINANCE / INSURANCE / COURT / VOLUNTEERS:

Committee Chair Keeler reported that he spoke with the CFO and the budget packages will be going to the department at the end of the month and the state continues to review our emergency loan cancellation. Councilman Keeler reported the court is going very well. The JIF announced that they put together a best practices program in draft form for police, fire and first aid and would like the towns to review the draft and offer recommendations. Councilman Keeler said the JIF was very complimentary of our Chief, John Sorrentino, who is responsible for the law enforcement in the Borough and reported there is a JIF sponsored safety expo on September 29th in Camden County if anyone is interested in attending. Councilman Keeler reported on the *Unbroken Warriors Organization*, founded in 2016 by a police officer in Holmdel who, after serving in Iraq and Afghanistan, suffered from serious Post-Traumatic Stress Disorder (PTSD); the statistics show that 22 veterans commit suicide every day. This officer started an overnight walk from Toms River to Sea Bright to raise funds to provide veterans suffering from PTSD the means to pursue effective treatment. Councilman Keeler is planning a reception in the municipal lot when he arrives on Saturday, September 30th around noon by the monuments and the fire trucks will be lined up to greet him. Councilman Keeler reported progress on all other matters.

PERSONNEL / PUBLIC RELATIONS / RECREATION:

Committee Chair Leckstein reported that Resolution No. 158-2017, which was passed tonight, authorizes the Borough to apply for a grant to help restore Swing Bridge Park which is one of the last remaining properties owned by the town that was destroyed by Sandy. Councilman Leckstein reported the P.R. Committee is aiming to publish a new issue of SeaBreeze by the end of October and hope to have one final issue out around the holidays. Councilman Leckstein said they are moving forward with getting the Borough Facebook page up and running. Regarding recreation, Councilman Leckstein reported the Trunk or Treat event and Halloween parade are scheduled for October 28th with a rain date of October 29th. Councilman Leckstein explained the "rocks for kindness" program that has been going on in Highlands and said residents in Sea Bright would like to start a program here. Councilman Leckstein reported progress on all other matters.

PUBLIC SAFETY / EDUCATION/ LIBRARY:

Committee Chair Rooney reported that it is extremely exciting to see the new building going up knowing it will be the new home for the library. There will be another organ recital at the library on October 14th - Don Carolina from Holy Cross will be playing the organ and refreshments will be served. Regarding Public Safety, Councilman Rooney said that our first responders have done an amazing job this summer keeping the town safe and reported there was a 30% increase in parking tickets this year which shows that police were enforcing the parking regulations which helps the businesses. Regarding Education, Councilman Rooney said the Shore Regional situation has had a major impact to our residents and outlined the steps the Borough has taken over the past few years to resolve the unfair funding formula. Councilman Rooney believes Shore Regional will never take any steps to help Sea Bright and wants to explore all of our options, including leaving Shore and going to Henry Hudson. Mayor Long said she still hopes we will reach a mutually beneficial resolution with Shore. Councilman Rooney reported progress on all other matters.

PUBLIC WORKS / BUILDING DEPARTMENT/ CODE ENFORCEMENT:

Committee Chair Birdsall reported on the various DPW projects that have been completed throughout town and provided an update on the progress of Borough projects that are underway, including the paving of Ocean Avenue, cell tower, seawall, bulkheads and the pump station. The Department of Public Works has maintained the streetscape landscaping all summer and overall has done a great job keeping the town beautiful.

The building department continues to efficiently move a high volume of permits through each month. Mayor Long added that she appreciates the DPW team and said they are really doing a great job maintaining the beautification of the town and looks forward to them continuing their good work. Mayor Long requested that DPW take another look at the storm drains on the side streets especially for this upcoming storm. Councilman Birdsall reported progress on all other matters.

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

Committee Chair Kelly reported that the beach pavilion project is moving along nicely and they are still aiming to complete the project by Memorial Day of 2018. Councilman Kelly said we expect to get the final municipal building plans from our architect at the end of October and will then be ready to go out to bid. The paid parking was a great success and far exceeded our estimates which is good news for the bonding for the buildings. Mayor Long highlighted we originally estimated about \$150,000 in paid parking revenue but the number is actually closer to \$250,000. Councilman Kelly added that he hopes that once the cell tower is completed, other providers will jump on board as predicted. Councilman Kelly said that FEMA and federal resources are tapped with the recent disasters, so he is relieved that our projects are underway with committed funds. Councilman Kelly is also looking into providing river access on the side streets that have the new bulkheads.

MAYOR DINA LONG – Reports and Communications

Mayor Long stated that the seawall construction is not only underway in the downtown area, but will also be commencing in the north part of Sea Bright which could potentially restrict access to Sandy Hook, there could be some large equipment on site and the contractor will be removing the dunes in those impacted areas but they will be restored exactly as they were. The resurfacing of Route 36 (Ocean Avenue) from the Monmouth Beach border to the Rumson bridge will begin sometime in October. Mayor Long reflected on the progress Sea Bright has made in the five years since Sandy to become a more resilient community, including the bulkheading and new pump station project, new water lines, new gas lines, a repaired seawall, a new cell tower, two new buildings under construction, a newly repaved highway, a streetscaping project and consolidation of municipal facilities..... all of which are a tremendous investment in Sea Bright's future. Mayor Long added Verizon will be installing small nodes throughout the town on existing poles which is part of the coastal resiliency program that will boost the data capacity of the cell tower. Mayor Long reported the Borough will be submitting an application to the Community Rating System (CRS) program, which provides a significant savings on flood insurance, in May 2018.

There will be a Town Hall meeting on Wednesday October 4th at 6:30 in Borough Hall. Topics include a financial overview with CFO Michael J. Bascom, a project overview of the ongoing projects and a discussion with the attorney representing the Borough in the Shore Regional school tax litigation.

EXECUTIVE SESSION

NOT HELD

ADJOURNMENT

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

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

Respectfully submitted,

Christine Pfeiffer
Borough Clerk