

**AGENDA  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**JULY 17, 2018**

**SEA BRIGHT, NEW JERSEY**

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

**PLEDGE OF ALLEGIANCE**

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

**Good Evening Ladies and Gentlemen. This Meeting Is Now Called To Order: In Line With The Borough Of Sea Bright’s Longstanding Policy Of Open Government, And In Compliance With The “Open Public Meetings Act” I Wish To Advise You That Adequate Notice Of This Regularly Scheduled Meeting Was Sent to the Asbury Park Press and other local newspapers on November 17, 2017. In each instance, the Date, Time, And Location Of This Meeting Were Provided In The Notice. This Meeting Is Open To The Public.”**

**ROLL CALL:**

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

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

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

**CONSENT AGENDA**

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

**Minutes**

06-14-2018	Workshop Meeting
06-14-2018	Executive Session
06-19-2018	Regular Meeting

**Resolutions:**

<b>No. 120-2018</b>	Authorizing Display of Fireworks at Chapel Beach Club- August 17, 2018
<b>No. 121-2018</b>	Authorizing Display of Fireworks at Sands Beach Club- August 28, 2018
<b>No. 122-2018</b>	Accept the Performance Guarantees - Block 20, Lot 3 - 10 East New Street Joseph Procopio
<b>No. 123-2018</b>	Hiring Volunteer Firefighters

- No. 124-2018** Grace Period Extension for Payment of 3<sup>rd</sup> Quarter 2018 Taxes
- No. 125-2018** Authorizing The Borough of Sea Bright to Apply for FY2019 Community Development Block Grant
- No. 126-2018** Hiring Planning/Zoning Board Secretary
- No. 127-2018** Hiring Deputy Borough Clerk
- No. -2018** Declaring Kelso Construction in Default of Contractual Obligations of Construction of the New Beach Pavilion

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

**ORDINANCE(s):**

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

**ORDINANCE NO. 06-2018**

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF THE SEA BRIGHT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING CONVEYANCE OF TITLE TO CERTAIN LANDS OWNED BY THE BOROUGH OF SEA BRIGHT PURSUANT TO A PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5).**

Councilmember \_\_\_\_\_ offered a motion to introduce Ordinance **No. 06-2018** for a public hearing to be held on August 14, 2018 and advertise according to law; seconded by Councilmember \_\_\_\_\_

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

**INDIVIDUAL ACTION/New Business:**

**Vouchers: \$1,142,816.09**

Councilmember \_\_\_\_\_ offered a motion to approve the Voucher List dated July 17, 2018 as submitted by the Finance Manager; seconded by Councilmember \_\_\_\_\_

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

**PUBLIC HEARING:**

**SUBMISSION OF APPLICATION TO THE MONMOUTH COUNTY  
OFFICE OF COMMUNITY DEVELOPMENT FOR A  
COMMUNITY DEVELOPMENT BLOCK GRANT**

Councilmember \_\_\_\_\_ offered a motion to open the public hearing on the Community Development Block Grant Application; seconded by Councilmember \_\_\_\_\_

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

**Public Hearing**

Councilmember \_\_\_\_\_ offered a motion to close the public hearing on the Community Development Block Grant Application; seconded by Councilmember \_\_\_\_\_

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

**COUNCIL COMMITTEE REPORTS:**

**A. BEACH / GRANTS:**

- **JON SCHWARTZ, CHAIR**
- Charles Rooney
- Brian Kelly

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

- **WILLIAM KEELER, CHAIR**
- Kevin Birdsall
- Jon Schwartz

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

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

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

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

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

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

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

- **BRIAN KELLY, CHAIR**
- Jon Schwartz
- Marc Leckstein

**MAYOR DINA LONG – Reports and Communications**

**EXECUTIVE SESSION**

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

**Resolution to discuss: TBD**

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

**ADJOURNMENT**

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

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

**RESOLUTION NO. 120-2018**  
**AUTHORIZING DISPLAY OF FIREWORKS**  
**AT CHAPEL BEACH CLUB- AUGUST 17, 2018**

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

**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**, Chapel Beach Club, 1023 Ocean Avenue (Block 23; Lot 3) has submitted an application to the Special Events Committee of the Borough of Sea Bright requesting permission for a display of fireworks at Chapel Beach Club on August 17, 2018 with rain date of August 18, 2018; 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, the US Fish and Wildlife Service and the NJ Division of Fish and Wildlife; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the display of fireworks is hereby authorized to be held on August 17, 2018 with rain date of August 18, 2018 at Chapel Beach Club pending the approval of the above mentioned officials, the US Fish and Wildlife Service and the NJ Division of Fish and Wildlife; 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. Chapel 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, Leckstein, Rooney, Schwartz

July 17, 2018

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on July 17, 2018.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 121-2018**  
**AUTHORIZING DISPLAY OF FIREWORKS**  
**AT SANDS BEACH CLUB- AUGUST 28, 2018**

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

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

**WHEREAS**, Sands Beach Club, 825 Ocean Avenue (Block 23; Lot 13) has submitted an application to the Special Events Committee of the Borough of Sea Bright requesting permission for a display of fireworks at Sands Beach Club on August 28, 2018 with rain date(s) of August 29 or 30, 2018; 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, the US Fish and Wildlife Service and the NJ Division of Fish and Wildlife; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the display of fireworks is hereby authorized to be held on August 28, 2018 with rain date(s) of August 29 or 30, 2018 at Sands Beach Club pending the approval of the above mentioned officials, the US Fish and Wildlife Service and the NJ Division of Fish and Wildlife; and

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

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

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

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

July 17, 2018

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on July 17, 2018.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 122-2018**  
**Accept the Performance Guarantees**  
**Block 20, Lot 3 – 10 East New Street – Joseph Procopio**

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

**WHEREAS**, the Borough of Sea Bright Planning Board has approved a development project on Block 20, Lot 3 also know as 10 East New Street; and

**WHEREAS**, the David J. Hoder, Planning Board Engineer submitted an performance guarantees estimate dated June 19, 2018 for this project totaling less than \$20,000.00; and

**WHEREAS, Joseph Procopio**, the owner has posted performance guarantees totaling \$2,840.00 in cash along with engineering inspection fees of \$180.00 and the required certificate of insurance for the improvements required by the Planning Board; and

**WHEREAS**, all requirements for entering into a developer's agreement are hereby waived; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the performance guarantees in the amount of \$2,840.00 are hereby accepted.

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

1. David Hoder, Borough Engineer
2. Construction Department
3. Finance Office

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz

July 17, 2018

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth State of New Jersey, at a Council Meeting held on July 17, 2018

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

**RESOLUTION NO. 123-2018**  
**HIRING VOLUNTEER FIREFIGHTERS**  
**BOROUGH OF SEA BRIGHT FIRE DEPARTMENT**

Councilmember                                    offered the following resolution for approval; seconded by  
Councilmember                                    :

**WHEREAS**, Chapter 20, Section 20.4 of the General Code, Fire Department membership requires any person desiring membership in a volunteer fire department, shall complete an application; may be required to have a pre-appointment physical by a physician; and the Borough Council shall order a criminal background check to be conducted by the Chief of Police; and

**WHEREAS**, the Fire Department received applications and recommends hiring the following new members to serve as volunteer firefighters in the Sea Bright Fire/Rescue Department, as follows:

**Full Member(s)**

Richard Fletcher

**Seasonal Member(s)**

Ryan Naclerio

Stephen Lengyel

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, do hereby accept and approve the hiring of the above named individuals to serve as full and seasonal members on the Sea Bright Fire Department in the Borough of Sea Bright.

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized to send a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Borough of Sea Bright Fire Chief
2. Individual Members

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz

July 17, 2018

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on July 17, 2018.

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



**RESOLUTION No. 124-2018**  
**GRACE PERIOD EXTENSION FOR PAYMENT OF**  
**3<sup>RD</sup> QUARTER 2018 TAXES**

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

**WHEREAS**, the Tax Collector has informed the Mayor and Borough Council that the Monmouth County Board of Taxation is delayed in forwarding necessary information for the preparation and mailing of final tax bills to the real estate taxpayers of the Borough of Sea Bright for the year 2018/2019; and

**WHEREAS**, the Borough Council has agreed that it would be unfair and unreasonable to impose a penalty for a delinquent payment when the amount of the payment is unknown.

**WHEREAS**, the present statute requires the imposition of a late charge if 3<sup>rd</sup> quarter 2018 taxes are not paid by the 10<sup>th</sup> of August; and

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Borough Council of the Sea Bright, County of Monmouth authorizes:

1. That the Tax Collector is hereby ordered and directed in accordance with Public Law 1994, Chapter 72, signed July 14, 1994, that if tax bills are not delivered or mailed at least 25 (twenty-five) calendar days prior to the standard due date, then the delinquency date for 3<sup>rd</sup> quarter 2018 taxes shall be established as the twenty-fifth (25) calendar days after the date the tax bill was delivered or mailed. The tax bills will contain the date on which interest shall start accruing.

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Sea Bright that the Borough Clerk shall forward certified copy of this Resolution to the following:

1. Patricia Spahr, Tax Collector

Vote: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz

July 17, 2018

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough of Sea Bright, County of Monmouth, State of New Jersey at a Council Meeting held July 17, 2018.

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

**RESOLUTION NO. 125-2018**  
**AUTHORIZING THE BOROUGH OF SEA BRIGHT TO APPLY FOR**  
**FY 2019 COMMUNITY DEVELOPMENT BLOCK GRANT**

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

**WHEREAS**, the Governing Body of the Borough of Sea Bright desires to apply for and obtain a Community Development Block Grant from the Monmouth County, Division of Planning, Office of Community Development; and

**WHEREAS**, any grant recommended by the Community Development Committee is subject to approval by the Monmouth County Board of Chosen Freeholders and the approval and release of funds by the US Department of Housing and Urban Development; and

**WHEREAS**, the Borough of Sea Bright intends to apply for Community Development Block Grant funding for the following project:

1. Shrewsbury River Handicap Access - \$50,000

**WHEREAS**, the deadline to apply for the grant is Tuesday, July 31, 2018; and

**WHEREAS**, the Governing Body of the Borough of Sea Bright wish to apply for this grant from the Monmouth County, Division of Planning, Office of Community Development.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the appropriate officials are hereby authorized to execute all documents in order to effectuate the receipt of the aforementioned grant funds in the amount of \$50,000.00 from the Community Development Block Grant Program; and

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

1. Director of Finance
2. Borough Engineer
3. CFO

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

July 17, 2018

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey at a Council meeting held on July 17, 2018.

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

**RESOLUTION NO. 126-2018**  
**HIRING PLANNING/ZONING BOARD SECRETARY**

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

**WHEREAS**, there exists a need for a Borough Planning /Zoning Board secretary in the Borough of Sea Bright due to the resignation of Kathleen Morris effective August 10, 2018;

**WHEREAS**, Candace Mitchell, Administrative Assistant and Registrar, has been a Borough of Sea Bright employee since June, 2013; and

**WHEREAS**, it is in the best interest of the Borough to hire Candace Mitchell to fill said position as Planning/Zoning Board Secretary and to be paid an additional \$10,000 for the services to be performed; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds in the amount of \$10,000.00 are available in Planning Board S/W and \$38,832.72 in Administration S/W.

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**MICHAEL J. BASCOM, CFO**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Borough Administrative Assistant, Candace Mitchell, is hereby appointed to fill said position of Planning/Zoning Board Secretary for the Borough of Sea Bright for an additional \$10,000.00 per year for an annual salary of **\$48,832.72**; and

**BE IT RESOLVED** that any and all employees hired by the Borough of Sea Bright receive an annual salary as specified in Ordinance No. 15-2015 - Fixing Salaries and Compensation of Officers and Employees of the Borough and that a certified copy of this resolution be forwarded to the following:

1. Finance Manager
2. Borough Clerk's Office
3. Candace Mitchell

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz

July 17, 2018

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on July 17, 2018.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 127-2018**  
**HIRING DEPUTY BOROUGH CLERK**

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

**WHEREAS**, there exists a need for a Deputy Borough Clerk in the Borough of Sea Bright, and

**WHEREAS**, Michelle Ketcham has been a Borough of Sea Bright employee since August, 2014 and earned her State certification as a Registered Municipal Clerk in April, 2018;

**WHEREAS**, it is in the best interest of the Borough to hire Michelle Ketcham to fill the Deputy Clerk position and to be paid a specified amount for the services to be performed; and

<b>DEPUTY CLERK</b>	<b>RATE</b>
Michelle Ketcham	\$47,324.32

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Borough Clerk S/W.

\_\_\_\_\_  
**MICHAEL J. BASCOM, CFO**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Michelle Ketcham is hereby appointed Deputy Municipal Clerk for the Borough of Sea Bright effective July 1, 2018 at an annual salary of **\$47,324.32**; and

**BE IT RESOLVED** that any and all employees hired by the Borough of Sea Bright receive an annual salary as specified in Ordinance No. 15-2015 - Fixing Salaries and Compensation of Officers and Employees of the Borough and that a certified copy of this resolution be forwarded to the following:

1. Finance Manager
2. Borough Clerk's Office
3. Michelle Ketcham

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz

July 17, 2018

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on July 17, 2018.

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

ORDINANCE No. 06 - 2018

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF THE SEA BRIGHT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING CONVEYANCE OF TITLE TO CERTAIN LANDS OWNED BY THE BOROUGH OF SEA BRIGHT PURSUANT TO A PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5).**

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides that a municipality may sell real property not needed for public use to the owner of contiguous property under certain conditions; and

WHEREAS, the Borough Council has previously found that Lot 5 in Block 21 is a parcel of land owned by the Borough, which is not needed for public use; and

WHEREAS, the Borough provided notice to all contiguous property owners of an auction sale of the property and their eligibility to bid at said sale; and

WHEREAS, the owner of an adjacent property, Block 21, Lot 6 has offered at an auction sale to pay the amount of \$32,000.00 plus all expenses incurred by the Borough in consideration for the transfer of title to Lot 5, Block 21;

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

Section 1. The appropriate Borough officials of the Borough of Sea Bright be and are hereby authorized to execute and deliver contracts, deeds and any other documents and instruments for the purpose of conveying to Richard B. Perrin title in fee to Block 21, Lot 5, subject to the following terms and conditions with reference to the sale thereof:

(a) The purchasers have paid the full purchase price. The sale will close no later than sixty (60) days after the adoption hereof.

(b) The subject property shall be sold subject to such facts as an accurate survey or physical inspection may disclose, zoning ordinance and regulations, easements and restrictions of record. No representations of any kind have been made by the Borough of Sea Bright as to the condition of lands, as they are being sold in their present condition "as is". No representations or warranties, either expressed or implied, are made as to the suitability of the property for development as a building lot or that any lands border upon an improved street.

(c) The deed to the property shall contain, as a limiting condition, the requirements that Block 21, Lot 5 shall be added to and shall merge with Lot 6 in Block 21, and that said Lot 5 shall not be used as or considered to be a separate building lot.

(d) If the title to the Lot aforesaid shall be determined to be unmarketable, the only obligation of the Borough shall be to repay the purchaser all deposit monies without any further liability to said purchaser for costs, expenses, damages or claims. Notice of any alleged defect in title or any claim of unmarketability shall be given in writing to the Borough Council not later than thirty (30) days prior to the date of closing of title. Failure on the part of the purchaser to give such notice within the time herein before required shall be deemed conclusive evidence that the purchaser accepts title in its then present condition.

(e) Conveyance shall be by quit claim deed. At closing, purchaser shall pay any and all assessments for local improvements that are outstanding and any unpaid bills for water and sewer service and connection fees. Purchaser shall reimburse the Borough for all legal and engineering fees, including legal and publication fees incurred by the Borough in connection with the sale of the subject property and with reference to the preparation and execution of the Deed, and any all other documents (including this Ordinance) that may be required to effectuate the conveyance from the Borough of Sea Bright. The purchaser shall be responsible for paying its own attorney's fees as well as title search, title policy and survey costs and shall pay all fees including recording and transfer fees for the deed and any and all other documents that may be recorded or filed in order to effectuate such conveyance. A metes and bounds description of the property may be prepared by a licensed New Jersey land surveyor or engineer, and obtained at purchaser's sole cost and expense.

(f) In the event that the purchaser fails to pay the balance of the purchase price or shall fail to close title of the aforesaid, the contract shall be null and void and the Borough Council shall retain all deposit monies as liquidated damages (not as penalty) in order to partially defray the expense incurred in connection with such sale.

Section 2. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 4. This Ordinance shall effect upon its passage and publication according to 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 July 17, 2018 and will be further considered after a Public Hearing held on August 14, 2018 at the Municipal Building at 7:00 pm.

INTRODUCED: July 17, 2018  
PUBLIC HEARING: August 14, 2018  
ADOPTED:

Witness

BOROUGH OF SEA BRIGHT,

\_\_\_\_\_  
CHRISTINE PFEIFFER, CLERK

\_\_\_\_\_  
DINA LONG, Mayor

**VOUCHER LIST  
JULY 17, 2018  
BOROUGH OF SEA BRIGHT**

2433	A.C. SCHULTES, INC.		
18-00369	03/28/18 SEWER	Open	6,450.00
01005	ADP, INC.		
18-00815	06/19/18 A&E	Open	594.91
18-00862	07/03/18 PAYROLL	Open	736.35
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			1,331.26
02260	ADT SECURITY SERVICES		
18-00870	07/05/18 LIBRARY	Open	42.18
2420	ALL CLEAR ORGANIC CARPET CLEAN		
18-00706	06/05/18 POLICE	Open	125.00
00519	ANTONIDES AND SIMONE CPA's		
18-00896	07/11/18 FISCAL OFFICER	Open	3,312.50
00820	APOLLO SEWER & PLUMBING, INC.		
18-00855	07/03/18 BEACH	Open	1,275.00
2483	ARBOR TITLE SERVICES, LLC		
18-00666	05/29/18 TAX	Open	1,472.49
01984	AVAYA FINANCIAL SERVICES		
18-00923	07/12/18 POLICE	Open	145.29
01241	BAIN'S HARDWARE, INC.		
18-00907	07/11/18 HARDWARE	Open	753.99
00631	BARG'S LAWN & GARDEN SHOP, INC		
18-00821	06/20/18 DPW	Open	153.02
01957	BENEMAX BENEFIT MANAGEMENT CO.		
18-00859	07/03/18 HEALTH INS.	Open	336.00
2474	BIRDWATCHERS, LLC		
18-00596	05/14/18 LIBRARY	Open	1,350.00
2472	BLAZE EMERGENCY EQUIPMENT CO.		
18-00850	06/28/18 FIRE DEPT	Open	1,622.11
18-00883	07/06/18 FIRE DEPT	Open	1,443.14
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			3,065.25
01631	BOROUGH OF OCEANPORT		
18-00897	07/11/18 COURT	Open	6,372.45
01974	BOROUGH OF SEA BRIGHT COURT		
18-00890	07/10/18 COURT	Open	184.04
00530	BULLET LOCK & SAFE CO., INC.		
18-00845	06/28/18 BLDG. & GRDS	Open	17.00
02115	C & L SWEEPER SERVICE		
18-00869	07/05/18 SWEEPER	Open	3,520.00
01546	C.I.T. TECHNOLOGY FIN SERV, INC		
18-00902	07/11/18 COPIER	Open	157.00
01731	CAESARS ATLANTIC CITY		
18-00788	06/18/18 CLERK	Open	1,256.00
18-00831	06/22/18 DPW	Open	314.00
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			1,570.00

00063	CHESAPEAKE EXTERMINATING CO. 18-00872 07/05/18 BLDGS. & GRDS	Open	30.00
00256	CLEARY, GIACOBBE, ALFIERI & 18-00816 06/19/18 LEGAL SERVICE	Open	45.00
00198	COMCAST 18-00915 07/12/18 INTERNET	Open	551.44
2390	COSTA, VALERIA 18-00835 06/28/18 BUILDING & GROUNDS	Open	1,350.00
2324	DAFIN SURFING PRODUCTS 18-00793 06/18/18 BEACH	Open	489.20
2400	DIEGNAN & BROPHY, LLC 18-00838 06/28/18 COURT	Open	700.00
2286	DIFRANCESCO, BATEMAN, KUNZMAN 18-00863 07/05/18 LEGAL	Open	2,140.00
	18-00893 07/10/18 LEGAL	Open	694.50
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			2,834.50
01992	DOGS AND CATS, INC. 18-00898 07/11/18 BEACH	Open	1,658.33
2479	DRUMHEAD ENTERPRISES 18-00622 05/22/18 LIBRARY	Open	250.00
00421	FAIL SAFE FIRE HOSE TEST, INC. 18-00798 06/18/18 FIRE DEPT	Open	2,994.60
01720	FIREFIGHTER ONE, LLC 18-00844 06/28/18 FIRE DEPT	Open	594.96
00288	FIRST UNITED METHODIST CHURCH 18-00899 07/11/18 LIBRARY	Open	1,000.00
01288	FISLER, CHRISTOPHER 18-00879 07/06/18 POLICE	Open	365.59
00211	FULL SERVICE WEB SITES, LLC 18-00726 06/06/18 WEB SITE	Open	1,425.00
02101	GANNETT NJ 18-00812 06/19/18 CLERK	Open	36.30
	18-00900 07/11/18 LEGAL AD	Open	1,945.00
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			1,981.30
02181	GATEWAY PRESS 18-00813 06/19/18 PRINTING	Open	362.00
01194	GLENCO SUPPLY, INC. 18-00656 05/25/18 DPW	Open	319.00
	18-00693 06/01/18 DPW	Open	626.00
	18-00740 06/13/18 DPW	Open	757.00
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			1,702.00
01685	HILSEN TERMITE & PEST 18-00830 06/22/18 BLDGS & GRDS	Open	220.00
02253	HODER, DAVID 18-00877 07/06/18 PLAN. BOARD	Open	520.00
01838	HOLMAN, FRENIA, ALLISON, P.C. 18-00906 07/11/18 AUDIT	Open	3,850.00
2297	INTEGRATED TECHNICAL SYSTEMS 18-00876 07/05/18 A&E	Open	385.00



2517	INTERGLOBE COMMUNICATIONS		
	18-00914 07/12/18 PHONE	Open	789.41
01419	J. SWANTON FUEL OIL CO., INC.		
	18-00905 07/11/18 FUEL	Open	446.31
01526	JCP & L		
	18-00911 07/12/18 ELECTRIC	Open	7,077.20
2455	JERSEY AUTO SPA CAR WASH		
	18-00674 05/30/18 DPW	Open	925.00
01043	JERSEY PROFESSIONAL		
	18-00836 06/28/18 CLERK	Open	3,780.00
2488	JERSEY SHORE POWERSPORTS		
	18-00725 06/06/18 BEACH	Open	10,086.30
00297	JESSE A. HOWLAND & SONS, INC.		
	18-00643 05/22/18 PARKING LOT LEASE	Open	750.00
	18-00762 06/14/18 DPW	Open	3,845.00
	18-00763 06/14/18 FIRE DEPT	Open	3,845.00
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			8,440.00
00895	JOHNNY ON THE SPOT, INC.		
	18-00891 07/10/18 BEACH	Open	410.20
01784	JUNGLE LASERS, LLC		
	18-00864 07/05/18 BUILDING DEPT	Open	390.00
00167	KEEP IT SAFE		
	18-00874 07/05/18 LIVE VAULT	Open	252.38
2416	KELSO CONSTRUCTION CO, INC.		
	18-00913 07/12/18 BEACH PAVILION PROJECT	Open	221,691.28
2475	KEMPTON FLAG		
	18-00857 07/03/18 A&E	Open	363.00
00971	LANG, STEVEN		
	18-00846 06/28/18 COMPUTERS	Open	200.00
00015	LANIGAN ASSOCIATES, INC.		
	18-00703 06/05/18 POLICE	Open	47.80
00275	M & S WASTE SERVICES, INC.		
	18-00865 07/05/18 LANDFILL TIPPING	Open	7,178.59
	18-00866 07/05/18 DUMPSTERS	Open	1,864.81
	18-00867 07/05/18 TRASH	Open	10,070.25
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			19,113.65
2417	MARLIN BUSINESS BANK		
	18-00908 07/11/18 POSTAGE MACHINE	Open	94.00
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
	18-00889 07/10/18 LEGAL SERVICES	Open	11,951.22
00176	MODULAR SPACE CORPORATION		
	18-00873 07/05/18 POLICE	Open	3,415.00
00110	MONM CNTY REGIONAL HEALTH		
	18-00895 07/11/18 BOARD OF HEALTH	Open	14,425.50
00688	MONMOUTH COUNTY POLICE ACADEMY		
	18-00828 06/22/18 POLICE	Open	25.00
	18-00834 06/28/18 POLICE	Open	25.00
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			50.00

02229	MONMOUTH COUNTY PUBLIC WORKS		
18-00218	02/22/18 FIRE DEPT	Open	1,862.16
18-00219	02/22/18 FIRE DEPT	Open	929.48
18-00702	06/05/18 DPW	Open	12,819.32
18-00853	06/29/18 FIRE DEPT	Open	2,727.22
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			18,338.18
00689	MONMOUTH STEREO & ELECTRONICS		
18-00680	05/30/18 LIBRARY	Open	450.00
02256	MONMOUTH TELECOM		
18-00894	07/10/18 PHONE	Open	1,237.61
00340	MORRIS, KATHLEEN		
18-00839	06/28/18 PLANNING BOARD	Open	42.79
00137	MUNICIPAL CAPITAL CORPORATION		
18-00901	07/11/18 COPIER	Open	224.73
00189	MUNICIPAL CLERKS ASSN/MONMOUTH		
18-00841	06/28/18 CLERK	Open	75.00
00190	MUNICIPAL CLERKS ASSOC OF NJ		
18-00884	07/06/18 CLERK	Open	175.00
01211	NAYLOR'S, INC.		
18-00925	07/12/18 DPW	Open	92.68
01399	NEW JERSEY AMERICAN WATER		
18-00871	07/05/18 HYDRANT	Open	2,365.18
00019	NJ AMERICAN WATER		
18-00824	06/21/18 WATER	Open	292.02
02185	NJ DEPT OF LABOR & WORKFORCE		
18-00903	07/11/18 UNEMPLOYMENT	Open	192.00
00113	NJ NATURAL GAS COMPANY		
18-00916	07/12/18 BEACH	Open	26.11
01309	OCEANPORT BOARD OF EDUCATION		
18-00756	06/13/18 GRADE SCHOOL TAX	Open	43,033.75
00046	ONE CALL CONCEPTS, INC.		
18-00927	07/12/18 CALL BEFORE YOU DIG	Open	33.75
01022	PITNEY BOWES SUPPLY LINE		
18-00924	07/12/18 POLICE	Open	38.97
2290	PORZIO, BROMBERG & NEWMAN		
18-00904	07/11/18 LEGAL SERVICES	Open	11,872.55
02026	PUBLIC STORAGE		
18-00875	07/05/18 POLICE	Open	360.00
2330	RAW POWER GENERATOR SERVICE		
18-00561	05/08/18 BLDG & GRDS	Open	2,443.55
00533	RUTGERS, THE STATE UNIVERSITY		
18-00814	06/19/18 DPW	Open	1,956.00
00463	RUTGERS, THE STATE UNIVERSITY		
18-00860	07/03/18 DPW	Open	404.00
01554	SEA BRIGHT SERVICE CENTER		
18-00705	06/05/18 POLICE	Open	239.95
18-00739	06/13/18 POLICE	Open	307.41
18-00787	06/18/18 DPW	Open	862.68
18-00829	06/22/18 POLICE	Open	344.87
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			1,754.91

00985	SEABOARD FIRE/SAFETY EQUIP CO.		
18-00851	06/28/18 FIRE DEPT	Open	185.00
00027	SEABOARD WELDING SUPPLY, INC.		
18-00926	07/12/18 DPW	Open	14.50
02153	SHERATON ATLANTIC CITY		
18-00789	06/18/18 A&E	Open	284.00
00053	SHORE REGIONAL HIGH SCHOOL		
18-00754	06/13/18 HIGH SCHOOL TAX	Open	253,691.00
01603	SIGNS BY TOMORROW		
18-00854	07/03/18 BEACH	Open	344.00
18-00892	07/10/18 A&E	Open	361.00
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			705.00
2453	SOYKA SMITH DESIGN STUDIOS, LLC		
18-00912	07/12/18 BEACH PAVILION	Open	63,889.39
02225	STAPLES ADVANTAGE		
18-00737	06/12/18 OFFICE SUPPLIES	Open	452.38
18-00796	06/18/18 OFFICE SUPPLIES	Open	242.78
18-00819	06/20/18 DPW	Open	867.03
18-00861	07/03/18 BLDGS & GRDS	Open	385.96
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			1,948.15
01285	THE HOME DEPOT		
18-00799	06/19/18 DPW	Open	91.24
18-00820	06/20/18 BLDGS. & GRDS.	Open	72.38
18-00825	06/21/18 BLDGS & GRDS.	Open	157.49
18-00842	06/28/18 BEACH	Open	15.17
18-00856	07/03/18 BEACH	Open	119.00
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			455.28
2503	THE JOURNAL		
18-00797	06/18/18 LIBRARY	Open	350.00
2438	THOMAS, SHAWN		
18-00852	06/29/18 BEACH	Open	103.79
01779	TIMOTHY HILL ELECTRIC CO., INC		
18-00559	05/08/18 BLDGS & GRDS	Open	1,600.00
18-00657	05/25/18 DPW	Open	140.00
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			1,740.00
00316	TREASURER, COUNTY OF MONMOUTH		
18-00704	06/05/18 POLICE	Open	1,000.00
2487	UNIMAK, LLC		
18-00694	06/01/18 MUNICIPAL COMPLEX	Open	361,456.34
2291	VERIZON		
18-00918	07/12/18 INTERNET	Open	408.34
01960	VERIZON		
18-00919	07/12/18 POLICE	Open	99.99
18-00921	07/12/18 LIBRARY	Open	376.30
18-00922	07/12/18 BEACH	Open	196.08
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			672.37
02061	VERIZON WIRELESS		
18-00917	07/12/18 FIRE DEPT	Open	38.01
18-00920	07/12/18 POLICE	Open	1,008.13
18-00928	07/12/18 PHONE	Open	176.87
18-00929	07/12/18 FIRE DEPT	Open	154.04
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			1,377.05
00418	VON ZIEGESAR, ELIZABETH		
18-00791	06/18/18 LIBRARY	Open	174.90

01164	WATCHUNG SPRING WATER CO, INC.		
18-00887	07/10/18 SPRING WATER	Open	602.76
2502	WATERMAN UNLIMITED		
18-00794	06/18/18 BEACH	Open	1,770.50
00077	WEX BANK		
18-00888	07/10/18 GASOLINE	Open	6,246.50
<b>TOTAL:</b>			<b>\$1,141,373.29</b>

**BILL LIST JULY 17, 2018 - MANUAL CHECKS**

6/20/2018	Borough of Sea Bright	\$163.50
18-00823	Reimb. Legal Ad Fees/Escrow Accts.	
6/19/2018	David Hoder Associates	\$85.00
18-00817	Engineer:Inspection/Escrow Acct.	
7/6/2018	David Hoder Associates	\$910.00
18-00878	Engineer:Review/Escrow Accts.	
6/28/2018	Gannett NJ	\$98.05
18-00837	Plan. Brd./Legal Ads-Escrow Accts.	
7/3/2018	Leon S. Avakian	\$186.25
18-00858	Engineer:Plot Plan/Escrow Accts.	
<b>TOTAL:</b>		<b>\$1,442.80</b>

**GRAND TOTAL: \$1,142,816.09**