MINUTES REGULAR MEETING BOROUGH OF SEA BRIGHT

FEBRUARY 20, 2018

SEA BRIGHT, NEW JERSEY

Mayor Long called the meeting to order at 7:00 pm and requested those present to join 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 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."

PRESENT: Mayor Dina Long, Councilmember's Kevin Birdsall, William J. Keeler, Brian P. Kelly,

Marc A. Leckstein, Charles H. Rooney

ABSENT: Councilmember Jon Schwartz

OTHERS: Attorney Roger McLaughlin, Engineer Claire Petruzzella,

Administrator Joseph L. Verruni, Clerk Christine Pfeiffer

MOMENT OF SILENCE for the following Sea Brighters who recently passed away:

Phil Heinle Ernie Mason John E. "Jack" Regan Eddie Matejczyk Robert "Bud" Wickman

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.

Tom Largey, 1 Beach Way, expressed his concerns about the flooding that comes up through the storm drains on Beach Way. Administrator Verruni said DPW is aware of the problem and they are looking into it. He also brought to Council's attention a new Verizon pole that was installed on Normandy Place and is concerned about what the pole will be used for and that they never received any notification.

Councilman Kelly joined the meeting.

CONSENT AGENDA

Councilmember Leckstein offered a motion to remove Resolution 44-2018 and approve the remaining items that are considered routine in nature under the consent agenda; seconded by Councilmember Kelly:

Minutes

02-06-2018 Regular Meeting 02-06-2018 Executive Session

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

Resolutions:

No. 41-2018 Authorizing the Borough of Sea Bright to Apply for New Jersey

Division of Highway Traffic and Safety FY2018/2019 Sea Bright

Pedestrian Safety Grant

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

WHEREAS, on average a pedestrian in the United States is killed in a traffic crash every 120 minutes and injured every eight minutes; and

WHEREAS, it is the experience of the NJ Division of Highway Traffic Safety (NJDHTS) that any successful program to address pedestrian safety must be comprehensive in nature involving education, engineering and enforcement; and

WHEREAS, the Borough of Sea Bright's objective is to maintain pedestrian accidents at zero in 2018/19 and forward; and

WHEREAS, the NJDHTS has a grant that would provide for police overtime hours to enforce crosswalk laws, education for pedestrians and motorists focusing on audiences consisting of children, senior citizens and non-English speaking residents, increased signage and engineering for improvement at high-risk pedestrian crossings beginning July 1, 2018 through June 30, 2019; and

WHEREAS, the maximum grant amount is \$11,000.00, with no local match; and

WHEREAS, the deadline to apply for this grant is April 30, 2018; and

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

WHEREAS, the Governing Body of the Borough of Sea Bright, County of Monmouth wish to apply for New Jersey Division of Highway Traffic Safety's pedestrian safety grant.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the appropriate officials are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the FY2018/19 Sea Bright Pedestrian Safety Grant funds from the New Jersey Division of Highway Traffic Safety to enhance awareness, education and enforcement of pedestrian safety; and

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

- 1. Borough Police Chief
- 2. CFO

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

No. 42-2018 Authorizing the Borough of Sea Bright to Apply for 2018 Distracted Driving Crackdown Traffic Safety Grant: *U Text U Drive U Pay*

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

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

WHEREAS, distracted driving is a dangerous epidemic on America's roadways and in New Jersey, driver inattention remains the most significant cause of fatal and incapacitating crashes; and

WHEREAS, April is National Distracted Driver Month, which is a time to remind New Jersey motorists of the state's distracted driving laws, which include a ban on hand-held cell phone use and text messaging by all drivers and a ban on all cell phone use (hand held or hands free) by novice drivers; and

WHEREAS, the 2018 Distracted Driving Crackdown Traffic Safety Grant *U Text U Drive U Pay* provides federal funding for police officers, on an overtime basis, to conduct special enforcement patrols targeting distracted drivers from April 1 through April 21, 2018; and

WHEREAS, grant funds in the amount of \$6,600.00 are available, with no local match, from the National Highway Traffic Safety Administration to reimburse police personnel for 120 hours of overtime enforcement at a maximum rate of \$55/hour; and

WHEREAS, the deadline to apply for the grant is March 16, 2018; and

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

WHEREAS, the Governing Body of the Borough of Sea Bright, County of Monmouth wish to apply for the 2018 Distracted Driving Crackdown Traffic Safety Grant U Text U Drive U Pay from the National Highway Traffic Safety Administration.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the appropriate officials are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the aforementioned grant funds from the National Highway Traffic Safety Administration for the 2018 Distracted Driving Crackdown Traffic Safety Grant U Text U Drive U Pay; and

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

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

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

No. 43-2018 Authorizing Lease Agreement for Temporary Library with First United Methodist Church of Sea Bright

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

WHEREAS, the Borough of Sea Bright entered into a lease agreement with the United Methodist Church of Sea Bright, 1104 Ocean Avenue, Sea Bright, New Jersey (aka Block 14; Lot 1) for the use of the Stage and Fellowship areas of the sanctuary on the first floor for the use of a temporary library on December 16, 2014 (Resolution No. 193-2014); and

WHEREAS, the current lease agreement was for one year commencing March 1, 2017 and ending February 28, 2018 at the Residential Contribution amount of \$1,000 per month payable in advance at the first day of each month; and

WHEREAS, the Borough Council wishes to extend the lease agreement with the First United Methodist Church on a month to month basis beginning March 1, 2018 at the Residential Contribution amount of \$1,000 with a 60 day notice of termination requirement; and

WHEREAS, the Borough Council wishes to continue the use of the United Methodist Church of Sea Bright for the use of a temporary library until the new library facility is ready for occupancy.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds not to exceed \$4,000 are available in the Current Fund - Aid to Privately Owned Library.

MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the Mayor and Borough Clerk to execute the renewal lease agreement on a month to month basis with First United Methodist Church of Sea Bright for an amount not to exceed \$4,000.00; and

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

- 1. First United Methodist Church of Sea Bright
- 2. Finance Manager
- 3. Library Committee
- 4. Borough Attorney

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

No. 45-2018 Approving the Leasing of Property for Use by the Borough of Sea Bright - Block 18 Lot 1

Councilmember Leckstein offered the following Resolution and moved its adoption; seconded by Councilmember Kelly:

WHEREAS, the Borough of Sea Bright has had an existing lease agreement with Sea Bright Beach Club for a parcel of property known as Block 18, Lot 1, which is used by the Borough as a public open area/municipal park; and

WHEREAS, the current lease agreement was for one year commencing January 1, 2017 and ending December 31, 2017, with the option to renew for one year; and

WHEREAS, the Borough wishes to continue the lease agreement for one additional year, commencing January 1, 2018 and ending December 31, 2018; and

WHERAS, the rent shall be paid quarterly in an amount equal to the annual real estate taxes payable to the Borough for the leased premises.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, hereby certify that based on the amount of funds expended in prior years for the purpose stated herein, it is estimated that the total 2018 appropriation for this contract will not exceed \$500.00 will be provided for in the 2018 budget under Miscellaneous A&E.

MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright that the Mayor and Borough Clerk be and are hereby authorized and directed to continue the lease agreement for one year with Sea Bright Beach Club for the aforesaid property to be used by the Borough of Sea Bright for a public open area/municipal park as referenced above.

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

- 1. Sea Bright Beach Club, Inc.
- 2. Roger McLaughlin, Borough Attorney
- 3. Michael Bascom, Chief Financial Officer
- 4. Khristi Jacobs, Financial Manager

BE IT FURTHER RESOLVED that the form of the aforesaid lease agreement shall be approved by the Borough Administrator and Borough Attorney.

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

No. 46-2018 Accepting Escrow Fees for Small Network Node Wireless Antenna Facilities Verizon Wireless

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

WHEREAS, the New York SMSA Limited Partnership d/b/a/ Verizon Wireless is blanketing North Jersey municipalities with requests to install "network nodes," or mini-antennas, on utility poles to improve cell phone service in poor reception areas; and

WHEREAS, on October 17, 2017, the Borough Clerk's Office excepted \$6,000 in escrow from Verizon Wireless as escrow funds to cover the cost of the Borough Engineer's assistance in identifying and evaluating Borough owned property that may be suitable for the placement of Verizon Wireless small network node wireless antenna facilities; and

WHEREAS, Verizon Wireless and T & M Associates will continue to conduct a survey that will determine the number and locations of "network nodes" necessary to be installed in right of ways; and

WHEREAS, Verizon Wireless wish to submit additional escrow funds in the amount of \$4,000 for the Borough Engineer's assistance; and

WHEREAS, although this is not a Municipal Land Use Law matter, it seems reasonable and appropriate to have the escrow account administered in accordance with N.J.S.A. 40:55D-53.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, does hereby agree to accept an additional \$4000.00 in escrow for engineering services performed by T & M Associates for the work associated with Verizon Wireless as referenced above.

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

- 1. Verizon Wireless
- 2. Fiscal Officer

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

No. 47-2018 Authorizing Receipt of Bids for Lease of Municipal Property for Placement of Wireless Communication Equipment

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

WHEREAS, the Borough Council is desirous of receiving bids for the following:

a) Lease of Municipal Property on Wayne Street (BLock 20, Lot 7) for co-location of Wireless Communications Equipment

WHEREAS, specifications for the aforesaid items will be on file in the Borough Clerk's Office, and will be available for inspection.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the Borough Clerk to advertise for bids for the aforesaid item as per the specifications on file and will be received by the Borough Administrator in the Cecile F. Norton Community Center Meeting Room, 1167 Ocean Avenue, Sea Bright, New Jersey on April 4, 2018 at 10:00 a.m.

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

- 1. Finance Manager
- 2. CFO

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

No. 48-2018 Appropriation Reserve Transfer

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

WHEREAS, N.J.S.A. 40A:4-4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, in the County of Monmouth, State of New Jersey, 2/3 of the majority of the full membership concurring herein that the following transfers be authorized amongst 2017 Budget Appropriation Reserves as follows:

ACCOUNTI CODE	NG	DESCRIPTIO	N	AMOUNT	TOTALS
01-25-240-20 01-26-310-20	00 Police –	CURRENT FUND-Transfer To (Inside Police - O/E Buildings & Grounds - O/E			
	TOTAL 1	TRANSFERS-To			16,000
01-20-150-2 01-20-165-2	00 Assessor	IT FUND-Transf · - O/E ring - O/E	er From (I	inside CAPs): 2,000 7,500	
01-26-310-26 01-26-311-26	00 Buildings 95 Beautific	Buildings & Grounds – S/W Beautification of Boro – O/E			16.000
Roll Call: Bird: Yes		TRANSFERS-Fro Kelly, Leckstein Yes Yes		Schwartz absent	16,000
No. 49-2018	Opportuni Considera	on of Compliance ity Commission's ition of Arrest an Under Title VII o	"Enforcem d Convictio	ent Guidance or n Records in Em	n the iployment

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

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the Governing Body in the Borough of Sea Bright have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the Governing Body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Sea Bright, hereby states that it has complied with <u>N.J.S.A.</u> 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the Borough of Sea Bright's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Roll Call: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz Yes Yes Yes Yes Yes absent No. 50-2018

Authorize the County of Monmouth Mosquito Control Division to Conduct Aerial Mosquito Control Operations within the Borough of Sea Bright

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

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the County; and **WHEREAS**, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Sea Bright is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright in the County of Monmouth, hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:

- a. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
- b. such operations will be performed in compliance with applicable Federal and State regulations, and
- c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

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

- 1. Monmouth County Mosquito Extermination Commission
- 2. Chief of Police
- 3. Director of Public Works

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

No. 51-2018 Donation of 2018 Beach Badges

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

WHEREAS, the Governing Body of the Borough of Sea Bright wish to support the fundraising efforts for the local organizations listed below by donating two (2) 2018 beach badges as requested:

1. Port Monmouth Elementary School PTA 11th Annual Gift Auction (3/16/18)

2 Badges

Red Bank YMCA National Swim Team
 2018 Fundraising Swim Team Banquet, (4/22/18)

2 Badges

WHEREAS, the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2018 Season Beach Badges.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey authorize the donation of four (4) 2018 Season Beach Badges to the aforementioned charitable organizations; and

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

- 1. Borough Administrator
- 2. Borough Auditor
- 3. Individual Requestors

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

Individual Action - Resolution(s)

No. 44-2018 Lease Agreement Extension for Beach Facility with Dogs and Cats, Inc.

Councilmember Keeler offered the following resolution and moved for its adoption; seconded by Councilmember Kelly:

WHEREAS, Resolution #30-2017 dated January 17, 2017, the Borough entered into a one-year lease agreement with Dogs and Cats, Inc., 95 Avenue of Two Rivers, Rumson, New Jersey 07760 for the premises known and designated as 15 East Church Street, Sea Bright, NJ (aka Block 22; Lot 4.01) for the operation of a beach facility, and storage; and

WHEREAS, the Borough Council wishes to extend the lease agreement in the amount of \$1,600.00 per month for the operation of a beach facility and storage from month-to-month as needed from Dogs and Cats, Inc.; and

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available for the purpose stated above in Beach Utility.

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 authorize the Mayor of the Borough of Sea Bright to execute a month-to-month lease agreement beginning May 1, 2018, with Dogs and Cats, Inc. for the premises known as 15 East Church Street; and

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

- 1. Finance Manager
- 2. Borough Administrator
- 3. Beach Manager
- 4. Borough Attorney

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

ORDINANCE(s):

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE NO. 02-2018 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 115 "FLOOD DAMAGE PREVENTION" AND CHAPTER 130, "LAND USE" OF THE CODE OF THE BOROUGH OF SEA BRIGHT, 1998

Councilmember Leckstein offered a motion to introduce Ordinance No. 02-2018 for a public hearing to be held on March 6, 2018 and advertise according to law; seconded by Councilmember Kelly:

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

BE IT ORDAINED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey that Chapter 115 entitled "Flood Damage Prevention" and Chapter 130 entitled "Land Use" of an Ordinance entitled "Code of the Borough of Sea Bright, 1998", be and the same is hereby amended and supplemented in the following manner:

SECTION ONE: CHAPTER 115 "Flood Damage Prevention" ARTICLE III "General Provisions", Section 115-7. "Basis for establishing areas of special flood hazard." Sub-Section A.(2) is hereby amended to read as follows, with all other sections not mentioned to remain the same.

(2) Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 34025C0088G, 34025C0201G; whose effective date is June 20, 2018.

SECTION TWO: CHAPTER 130 "Land Use", ARTICLE VII "Area, Bulk and Use Requirements", Section 130-47. "Flood damage prevention.", Sub-Section C. (2)(a) [2] is hereby amended to read as follows, with all other sections not mentioned to remain the same.

[2] Flood Insurance Rate Map for Monmouth County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 34025C0088G, 34025C0201G; whose effective date is June 20, 2018.

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

SECTION FOUR: 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 FIVE: This Ordinance shall take effect immediately upon its passage and publication according to law.

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE NO. 03-2018 CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Councilmember Leckstein offered a motion to introduce Ordinance No. 02-2018 for a public hearing to be held on March 6, 2018 and advertise according to law; seconded by Councilmember Keeler:

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

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Sea Bright in the County of Monmouth finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 46,501.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Sea Bright, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Borough of Sea Bright shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$162,755.00, and that the CY 2018 municipal budget for the Borough of Sea Bright be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INDIVIDUAL ACTION/New Business:

Vouchers: \$697,401.21

Councilmember Keeler offered a motion to approve the <u>Voucher List</u> dated February 20, 2018 as submitted by the Finance Manager; seconded by Councilmember Leckstein:

Roll Call:				Leckstein, abstain		
				VOUCHER L	IST	
	CME LOCKSMITE 10/11/17 LIE			Open	100	.00
	MERICAN WATER 02/14/18 WAS			Open	320	.53
	NTONIDES AND 02/13/18 FIS			Open	3,312	.50
	TLANTIC PLUM 01/23/18 SEV		CORP.	Open	49	.98
	AIN'S HARDWAI 02/14/18 HAI			Open	223	.26
	ENEMAX BENEF 02/08/18 HE		NT CO.	Open	336	.00
	ERGEN SINGLE 01/31/18 RE			Open	1 , 536	.00
	HMG CORPORATI 01/23/18 POI			Open	1,095	.00
	OROUGH OF OCI 02/13/18 COI			Open	6 , 372	. 45
	OROUGH OF SEA		URT	Open	104	.85
	.I.T. TECHNOI 02/14/18 POI		RV, INC	Open	157	.00
	ENTRAL JERSE 02/06/18 REG		S'ASSN	Open	40	.00
	HESAPEAKE EXT 02/14/18 BU			Open	60	.00
	ITY OF LONG I 01/24/18 DPV			Open	815	.31
	EARY, GIACOB 02/13/18 LEG 02/14/18 LEG	BBE, ALFIERI & GAL SERVICES		Open	210	.00
				Open	380	.00
00198 C					590	
	02/14/18 PO			Open	165	.89
	OOPERATIVE IN 02/14/18 NAT		L.L.C.	Open	954	.08
	IEGNAN & BROI 02/15/18 PRO			Open	1,050	.00
	IFRANCESCO, BA 02/13/18 LEG		ZMAN	Open	2,537	.06
	ISCOUNT SNOW 12/19/17 DPN			Open	288	.01
	OGS AND CATS, 02/14/18 BEA			Open	1,541	.67
	AST COAST EMP 10/31/17 POI		HTING	Open	7,880	.14
	ARMER, JANE 02/09/18 LII	BRARY		Open	100	.00
2454 F. 18-00042	BI-LEEDA 01/22/18 POI	LICE		Open	650	.00
	IRST UNITED N 02/13/18 LI		HURCH	Open	1,000	.00

REGULAR MEETING MINUTES	_	
2406 FP MAILING SOLUTIONS 18-00162 02/08/18 POSTAGE	Open	252.00
00575 GALLS, INC. 18-00209 02/15/18 POLICE	Open	402.97
02101 GANNETT NJ 18-00174 02/13/18 CLERK	Open	90.20
02002 GENSERVE, INC. 18-00118 01/30/18 POLICE	Open	800.00
2281 GRAINGER 18-00121 01/30/18 DPW	Open	1,272.00
01838 HOLMAN, FRENIA, ALLISON, P.C. 18-00205 02/15/18 FINANCE	Open	2,661.00
01526	Open	11,987.40
00297 JESSE A. HOWLAND & SONS, INC. 17-00755 06/16/17 BUILDING LEASE 17-00756 06/16/17 BUILDING LEASE	Open Open	1,705.00 3,845.00
00895 JOHNNY ON THE SPOT, INC. 18-00189 02/14/18 BEACH	Open	5,550.00 296.80
00167 KEEP IT SAFE 18-00207 02/15/18 SERVER BACKUP	Open	1,083.47
2416 KELSO CONSTRUCTION CO, INC. 18-00177 02/13/18 BEACH PAVILION	Open	275,506.42
00971 LANG, STEVEN 18-00175 02/13/18 COMPUTERS	Open	300.00
2278 MCLAUGHLIN, STAUFFER & SHAKLEE 18-00152 02/05/18 LEGAL SERVICES	Open	5,871.49
00137 MUNICIPAL CAPITAL CORPORATION 18-00184 02/14/18 A&E	Open	449.46
00339 NAPA AUTO PARTS 18-00154 02/06/18 DPW	Open	155.60
2456 NEW JERSEY SALT 18-00093 01/24/18 DPW	Open	794.00
01309 OCEANPORT BOARD OF EDUCATION 17-00723 06/13/17 GRADE SCHOOL TAX	Open	53,581.17
2290 PORZIO,BROMBERG & NEWMAN 18-00181 02/14/18 LEGAL	Open	6,016.00
02026 PUBLIC STORAGE 18-00172 02/13/18 POLICE	Open	360.00
01554 SEA BRIGHT SERVICE CENTER 18-00104 01/29/18 POLICE 18-00161 02/08/18	Open Open	155.85 922.20
02217 Settembrino Architects 17-00023 01/18/17 ARCHITECT 17-00024 01/18/17 ARCHITECT		1,078.05 8,807.38 14,121.34
00053 SHORE REGIONAL HIGH SCHOOL	-	22,928.72
17-00762 06/16/17 HIGH SCHOOL TAX 02225 STAPLES ADVANTAGE	Open	232,416.00
18-00075 01/23/18 POLICE	Open	192.42
01931 SUBURBAN PROPANE 18-00210 02/15/18 PROPANE	Open	403.53
00083 T & M ASSOCIATES 18-00194 02/14/18 ENGINEER 18-00195 02/14/18 ENGINEER 18-00196 02/14/18 ENGINEER	Open Open	880.00 9,591.00 19,836.04
01285 THE HOME DEPOT 18-00097 01/24/18 BUILDINGS & GROUNDS 18-00164 02/09/18 BEACH	Open Open	30,307.04 610.59 44.80
01779 TIMOTHY HILL ELECTRIC CO., INC 18-00091 01/24/18 BUILDINGS & GROUNDS	Open	655.39 709.00
18-00095 01/24/18 SEWER	Open -	785.00 1,494.00
00331 TREASURER, STATE OF NJ 18-00203 02/14/18 TIDELANDS	Open	1,494.00
2457 UNITED STATES LIFESAVING ASSOC 18-00100 01/24/18	Open	1,000.00
01960 VERIZON 18-00197 02/14/18 PHONE	Open	744.22

REGUL	AR	MEETING	MINUTES

2394 VERIZON BUSINESS 18-00199 02/14/18 PHONE	Open	96.75
02061 VERIZON WIRELESS 18-00198 02/14/18 PHONE	Open	339.74
00418 VON ZIEGESAR, ELIZABETH 18-00167 02/09/18 LIBRARY	Open	101.63
01164 WATCHUNG SPRING WATER CO, INC. 18-00204 02/15/18 WATER	Open	258.03
01063 WEST MARINE 18-00134 01/31/18 BEACH	Open	264.58
00077 WEX BANK 18-00193 02/14/18 GASOLINE	Open	5,117.65

TOTAL: \$696,207.46

MANUAL CHECKS

2/14/2018 Gannett NJ \$48.75

18-00192 Legal Ad:Escrow Account

2/5/2018 David Hoder Associates \$1,145.00

18-00151 Engineer:Escrow Accounts

TOTAL: \$1,193.75

GRAND TOTAL: \$697,401.21

COUNCIL COMMITTEE REPORTS:

BEACH / GRANTS:

Administrator Verruni provided and update in Committee Chair Schwartz's absence and reported there is currently a waiting list for beach lockers however we will be building additional lockers. Our pre-season sales have been robust and we are doing well. Mr. Verruni reported the seawall project is on schedule - North beach will be completed by March $15^{\rm th}$ and then they will be back down to the main beach.

FINANCE / INSURANCE / COURT / VOLUNTEERS:

Committee Chair Keeler explained they are just waiting for final budget numbers from CFO Michael Bascom - once they are ready, he will schedule a finance committee meeting to review them. Councilman Keeler said he still has safety concerns relating to Anchorage beach and the public access and is continuing to work on possible remedies. Councilman Keeler said he has a personnel issue with the court to discuss in executive session.

PERSONNEL/ PUBLIC RELATIONS / RECREATION:

Committee Chair Leckstein announced that this Monday the 26th at 6pm Borough Hall there will be a meeting at Borough Hall to discuss a potential Historical Society. Progress on all other matters.

PUBLIC SAFETY / EDUCATION/ LIBRARY:

Committee Chair Rooney reported progress. Mayor Long applauded and thanked Councilman Rooney and the Library for organizing another successful organ recital.

PUBLIC WORKS / BUILDING DEPARTMENT/ CODE ENFORCEMENT:

Committee Chair Birdsall reported on the permits issued by the Building Department over the last three months which totaled \$1.7 million in building improvements. The Department of Public Works employee's have completed their required safety training and all employees are scheduled to attend defensive driving training. Councilman Birdsall reported DPW received new attachments for the front end loader, they are beginning to put together the lifeguard stations and new beach lockers, have removed all of the holiday decorations and will be replacing some trees in the parking lot.

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

Committee Chair Kelly reported that the beach pavilion is progressing on schedule. Bids for the new Municipal Complex are due on March $\mathbf{1}^{\text{st}}$. The cell tower is currently under construction. Councilman Kelly said he is meeting with a Councilman from the Borough of Shrewsbury to discuss any potential shared services.

MAYOR DINA LONG - Reports and Communications

Mayor Long reported she attended a conference Governor Murphy held for Mayors in Monmouth County at Monmouth University and reported the Governor's Office is doing outreach for intergovernmental affairs for this region and feels that we are very fortunate that the Governor lives in our County. Progress on all other matters.

EXECUTIVE SESSION

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

WHEREAS, Section 8 of the Open Public Meeting Act, NJSA 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey, that they meet in closed session to discuss the issues as herein set forth and when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

- 1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
- 2. The general nature of the subject matters to be discussed are as follows:
 - A. Personnel Court
- 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, Leckstein, Rooney, Schwartz Yes Yes Yes Yes absent

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 Birdsall with unanimous voice vote approval.

ADJOURNMENT

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

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

Respectfully submitted,

Christine Pfeiffer Borough Clerk