

- No. 181-2019** **Authorizing Release of Performance Guarantees MacKal Ventures, LLC
14 East New Street Block 20, Lot 5**
- No. 182-2019** **2019 Budget Authorizing the Transfer of Funds in accordance with
N.J.S.A. 40A:5-58**
- No. 183-2019** **2019 Emergency Appropriation - Beach Utility Bond Anticipation
Notes Payment**
- No. 184-2019** **Authorizing Emergency Repairs - Fire Department Ladder Truck**

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

ORDINANCE(s):

Public Hearing: Mayor Long to read the ordinance by title:

ORDINANCE NO. 22-2019

**AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND
EMPLOYEES OF THE BOROUGH OF SEA BRIGHT FOR THE
YEARS 2020 through 2022 IN ITS ENTIRETY.**

Councilmember _____ offered a motion to open the public hearing on Ordinance No. 22-2019; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Public Hearing (Ord. No. 22-2019)

Councilmember _____ offered a motion to close the public hearing on Ordinance No. 22-2019; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Councilmember _____ offered a motion to adopt Ordinance No. 22-2019 and advertise according to law; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Public Hearing: Mayor Long to read the ordinance by title:

ORDINANCE NO. 23-2019

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 150, "PACKAGING PRACTICES - UNIFORM," OF THE CODE OF THE BOROUGH OF SEA BRIGHT, PROVIDING FOR REGULATIONS PERTAINING TO PLASTIC BAGS, PLASTIC UTENSILS, FOOD CONTAINERS, BALLOONS AND STRAWS"

Councilmember _____ offered a motion to open the public hearing on Ordinance No. 23-2019; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Public Hearing (Ord. No. 23-2019)

Councilmember _____ offered a motion to close the public hearing on Ordinance No. -2019; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Councilmember _____ offered a motion to adopt Ordinance No. 23-2019 and advertise according to law; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Public Hearing: Mayor Long to read the ordinance by title:

CAPITAL ORDINANCE NO. 24-2019
AN ORDINANCE PROVIDING FUNDING FOR ADDITIONAL COSTS RELATED TO THE CONSTRUCTION OF THE FIREHOUSE/MUNICIPAL COMPLEX BUILDING FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$550,000 FOR SUCH PURPOSE.

Councilmember _____ offered a motion to open the public hearing on Ordinance No. 24-2019; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Public Hearing (Ord. No. 24-2019)

Councilmember _____ offered a motion to close the public hearing on Ordinance No. 24-2019; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Councilmember _____ offered a motion to adopt Ordinance No. 24-2019 and advertise according to law; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Public Hearing: Mayor Long to read the ordinance by title:

CAPITAL ORDINANCE NO. 25-2019
AN ORDINANCE PROVIDING FUNDING FOR ADDITIONAL COSTS RELATED TO THE CONSTRUCTION OF THE BEACH PAVILION FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$180,000 FOR SUCH PURPOSE.

Councilmember _____ offered a motion to open the public hearing on Ordinance No. 25-2019; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Public Hearing (Ord. No. 25-2019)

Councilmember _____ offered a motion to close the public hearing on Ordinance No. 25-2019; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Councilmember _____ offered a motion to adopt Ordinance No. 25-2019 and advertise according to law; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Introduction: Mayor Long to read the ordinance by title:

CAPITAL ORDINANCE NO. 26-2019
AN ORDINANCE PROVIDING FUNDING FOR THE ACQUISITION OF RADIO COMMUNICATIONS EQUIPMENT FOR THE FIRE DEPARTMENT FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$75,000 FOR SUCH PURPOSE.

Councilmember _____ offered a motion to introduce Ordinance No. _____ -2019 for a public hearing to be held on _____, 2019 and advertise according to law; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

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. 176-2019
Place-to-Place/Extension of Premises Transfer
Liquor License #1343-33-012-008
Woody's Ocean Grille, LLC

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

WHEREAS, an application has been filed for a Place-to-Place Transfer (Expansion of Premises) of Plenary Retail Consumption License Number 1343-33-012-008, issued to Woody's Ocean Grille, LLC, 1 East Church Street, 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 transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey does hereby approve, effective February 16, 2016, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 1 East Church Street, Sea Bright, New Jersey, 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. Chris Wood

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

December 3, 2019

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 December 3, 2019.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 178-2019
AUTHORIZING RECEIPT OF BIDS
FOR LEASE OF MUNICIPAL PROPERTY FOR PLACEMENT
OF WIRELESS COMMUNICATIONS EQUIPMENT

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

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, State of New Jersey, 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 a date to be determined.

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

1. Finance Manager
2. CFO
3. Project Consultant - FSD Enterprises, LLC

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

December 3, 2019

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 December 3, 2019.

Christine Pfeiffer, Borough Clerk

RESOLUTION No. 179-2019
Authorize the Release of Maintenance Bond and Escrows
LBP Corp. t/a Donovan's Reef
Block 7, Lot 9

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete; and

WHEREAS, LBP Corporation has heretofore deposited with the Borough of Sea Bright a maintenance bond in the amount of 15% (\$41,136.25) of the cost of the improvements on premises known as Block 7, Lot 9 also known as 1171 Ocean Avenue for a two-year period; and

WHEREAS, David J. Hoder, P.E. of Hoder Associates, representing the Borough Planning Board Engineer, has advised the Borough Clerk by letter dated November 15, 2019, a copy of which is on file in the Office of the Borough Clerk, that the bonded improvements have been satisfactorily completed in accordance with the approved site plan and remain in good condition, therefore recommending the release of the aforementioned maintenance bond and all remaining review and inspection escrows, less \$130 for the final inspection fee.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the maintenance bond in the amount of \$41,136.25 is hereby released, canceled and discharged; and

BE IT FURTHER RESOLVED that the remaining inspection escrow (\$9,935.05 less the \$130 inspection fee) in the amount of \$9805.05 is hereby released; and

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

1. Selective Insurance Company of America
2. Finance Manager
3. Fiscal Officer
4. Planning Board Secretary
5. LBP Corp.

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

December 3, 2019

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 December 3, 2019.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 180-2019
Authorize the Release of Performance Guarantees
280 Ocean Avenue Sea Bright, LLC
Block 30, Lots 47 & 47.01

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

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, 280 Ocean Avenue Sea Bright, LLC has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$263,923.50 (\$237,531.15 in the form of a Performance Bond and \$26,392.35 in the form of cash) to guarantee the completion of all improvements on premises known as Block 30, Lots 47 & 47.01 also known as 280 Ocean Avenue; and

WHEREAS, David J. Hoder, P.E. P.P., Hoder Associates, has advised the Borough Clerk by letter dated November 20, 2019, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the completed improvements are acceptable and in accordance with the resolution of approval from the Planning Board and recommends the acceptance of same and the release of the aforementioned performance guarantees and any additional review/inspection fees subject to the posting of a maintenance guarantee in the amount of 15% (\$32,990.44) of the cost of the improvements and posting of \$500 for inspection escrow for the release of maintenance; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, that the 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 guarantee totaling \$263,923.50 is hereby released, canceled and discharged, review fees totaling \$2,725.98 are released and inspection fees totaling \$8,084.81 are released; 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% (\$32,990.44) of the cost of the improvements; and

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

1. 280 Ocean Avenue Sea Bright, LLC
2. David J. Hoder, P.E. P.P., Engineer
3. Fiscal Officer
4. Construction Official

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

December 3, 2019

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 December 3, 2019.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 181-2019
Authorizing Release of Performance Guarantees
Mackal Ventures, LLC – 14 East New Street
Block 20, Lot 5

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

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, MacKal Ventures, LLC has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$10,308.00 (100% in the form of cash) to guarantee the completion of all improvements on premises known as Block 20, Lot 5 also known as 14 East New Street; and

WHEREAS, David J. Hoder, P.E., P.P., Hoder Associates Consulting Engineers, has advised the Borough Clerk by letter dated November 20, 2019, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements are completed and in accordance with the resolution of approval from the Planning Board and recommends the acceptance of same and the release of the aforementioned performance guarantee subject to the posting of a 15% maintenance guarantee in the amount of (\$1,288.50) of the cost of the improvements and any outstanding engineering and administrative fees; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of David J. Hoder, P.E., P.P., Hoder Associates Consulting Engineers and the performance guarantee totaling \$10,308.00 is hereby released, canceled and discharged; and

BE IT FURTHER RESOLVED by the Borough Council that this resolution shall not become effective until the Borough of Sea Bright is furnished with the posting of a two year maintenance guarantee in the amount of 15% (\$1,288.50) of the cost of the improvements and payment of any outstanding engineering and inspection fees; and

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

1. MacKal Ventures, LLC
2. Finance Manager
4. Fiscal Officer
5. David J. Hoder, P.E., P.P.

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

December 3, 2019

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 December 3, 2019.

Christine Pfeiffer, Municipal Clerk RMC

RESOLUTION NO. 182-2019
2019 Budget
Authorizing the Transfer of Funds in
accordance with N.J.S.A. 40A:5-58

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

WHEREAS, there exists a need to transfer budget balances in certain line item appropriations of the 2019 budget; and

WHEREAS, N.J.S.A. 40A:5-58 authorizes the transfer of appropriations, during the last two (2) months of the calendar year, to said budget where adopted heretofore by the governing body by two-thirds vote thereof.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, (not less than 2/3 of all members of the Governing Body concurring) that the Borough Administrator and Chief Financial Officer are hereby authorized to make the following transfers in accordance with the annexed schedule for the Current, Sewer and Beach Utility Funds:

Schedule of Budget Transfers – December 3, 2019

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

1. Director of Finance
2. Borough Auditor
3. Fiscal Officer

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

December 3, 2019

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 December 3, 2019.

Christine Pfeiffer, Borough Clerk

**BOROUGH OF SEA BRIGHT
SCHEDULE OF BUDGET TRANSFERS
DECEMBER 3, 2019**

| <u>CURRENT FUND</u> | <u>TO</u> | <u>FROM</u> |
|-------------------------------------|-------------------|---------------------|
| GENERAL ADMIN | S/W | (11,000.00) |
| GENERAL ADMIN | O/E | (8,000.00) |
| CLERK | S/W | 34,500.00 |
| CLERK | O/E | (22,000.00) |
| FINANCE | O/E | 3,500.00 |
| AUDIT SERVICES | O/E | (12,000.00) |
| COMPUTER INFORMATION SYSTEMS | O/E | (3,000.00) |
| TAX ASSESSOR | O/E | (4,000.00) |
| LEGAL | O/E | (7,000.00) |
| ENGINEERING | O/E | 25,000.00 |
| PLANNING BOARD | S/W | 15,500.00 |
| PLANNING BOARD | O/E | (4,500.00) |
| UNIFORM CONSTRUCTION CODE | S/W | (7,000.00) |
| UNIFORM CONSTRUCTION CODE | O/E | (2,000.00) |
| INS-LIABILITY FLOOD | O/E | (9,000.00) |
| WORKMAN'S COMP INS | O/E | (4,000.00) |
| UNEMPLOYMENT INSURANCE | O/E | (5,000.00) |
| EMPLOYEE HEALTH INSURANCE | O/E | (8,000.00) |
| PARKING PROGRAM | O/E | (8,000.00) |
| FIRE HYDRANT | O/E | 200.00 |
| STREETS & ROADS | S/W | (17,000.00) |
| STREETS & ROADS | O/E | (12,000.00) |
| SOLID WASTE COLLECTION | O/E | 35,000.00 |
| BUILDINGS AND GROUNDS | O/E | 10,000.00 |
| BEAUTIFICATION OF BORO | O/E | 600.00 |
| PUBLIC HEALTH SERVICES | O/E | 172.00 |
| PARKS & REC | O/E | 800.00 |
| ELECTRIC | O/E | (12,000.00) |
| STREET LIGHTING | O/E | (5,000.00) |
| TELEPHONE | O/E | (1,000.00) |
| NATURAL GAS | O/E | (7,000.00) |
| GASOLINE | O/E | (7,000.00) |
| LANDFILL | O/E | (13,000.00) |
| BOND ANTICIPATION NOTES - PRINCIPAL | O/E | 63,228.00 |
| | <u>188,500.00</u> | <u>(188,500.00)</u> |

**BOROUGH OF SEA BRIGHT
SCHEDULE OF BUDGET TRANSFERS (CONTINUED)
DECEMBER 3, 2019**

| <u>SEWER UTILITY FUND</u> | <u>TO</u> | <u>FROM</u> |
|-------------------------------------|-----------|-------------------------------------|
| SEWER | O/E | (11,069.00) |
| BOND ANTICIPATION NOTES - PRINCIPAL | O/E | 11,069.00 |
| | | <u>11,069.00</u> <u>(11,069.00)</u> |

| <u>BEACH UTILITY FUND</u> | <u>TO</u> | <u>FROM</u> |
|---------------------------|-----------|-------------------------------------|
| BEACH | S/W | 34,000.00 |
| BEACH | O/E | (19,000.00) |
| DUNE MAINT | O/E | (10,000.00) |
| JR LIFEGUARD | O/E | (5,000.00) |
| | | <u>34,000.00</u> <u>(34,000.00)</u> |

RESOLUTION NO. 183-2019
2019 Emergency Appropriation
Beach Utility Bond Anticipation Notes Payment

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

WHEREAS, an emergency has arisen with respect to the required minimum principal payment of Beach Utility bond anticipation notes and no adequate provision was made in the 2019 Beach Utility Fund budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of an emergency appropriation created, including the appropriation to be created by this resolution is \$85,305 and three percent of the total operations in the budget for 2019 is \$194,175.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48 that:

1. An emergency appropriation is hereby made for Payment of Bond Anticipation Notes in the amount of \$85,305.
2. That said emergency appropriation shall be provided for in full in the 2019 budget.
3. That the Chief Financial Officer has certified that the expenditure to be financed through this resolution are related to the aforementioned emergency.
4. That two certified copies of the resolution be filed with the Director of Local Government Services.

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

1. Director of Finance
2. Borough Auditor
3. Fiscal Officer

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

December 3, 2019

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 December 3, 2019.

Christine Pfeiffer, Borough Clerk

RESOLUTION 184-2019
BOROUGH OF SEA BRIGHT
AUTHORIZING EMERGENCY REPAIRS
2007 FIRE DEPARTMENT LADDER TRUCK

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

WHEREAS, the condition of the Sea Bright Fire Department's 2007 AME Ladder Truck (Vin No. 1AFAA ACG27 E000 32) requires emergency repairs to fix the non-operational ladder and hydraulics system which is a detriment to the health, safety and welfare of the public;

WHEREAS, significant emergency repairs need to be undertaken immediately to correct the aforementioned issue; and

WHEREAS, the Borough Chief Financial Officer has prepared a certification attesting to the emergency circumstances requiring the award of an emergency no-bid contract.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, certify that funds in the amount of \$38,000.00 are available in Fire O&E for the purpose stated above.

Michael J. Bascom

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that it hereby authorizes an emergency contract to Campbell Supply Company, 1015 Cranbury South River Road, South Brunswick, NJ 08831, for the necessary repairs to the Fire Department's Ladder Truck in an amount not to exceed \$38,000.00; and

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

1. Finance Manager
2. CFO
3. Fire Chief

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

December 3, 2019

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 December 3, 2019.

Christine Pfeiffer, Borough Clerk

ORDINANCE NO. 22-2019

AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF SEA BRIGHT FOR THE YEARS 2020 through 2022 IN ITS ENTIRETY.

BE IT ORDAINED, BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AS FOLLOWS:

Section 1. Unless otherwise noted the yearly compensation, salaries and wages of various officers and employees shall be paid semi-monthly. In lieu of all fees as follows:

| | 2020 | 2021 | 2022 |
|---|----------------|----------------|----------------|
| GROUP I – <u>Part Time Employees</u> | 1,000 – 32,800 | 1,000 – 33,456 | 1,000 – 34,125 |
| • Assessment Searches | | | |
| • Administrative Assistant | | | |
| • Board of Health Secretary | | | |
| • Emergency Management Coordinator | | | |
| • Assistant Code Enforcement | | | |
| • Beach Manager | | | |
| • Certified Public Works Manager | | | |
| • Chief Financial Officer | | | |
| • Code Enforcement | | | |
| • Collection Operator | | | |
| • Construction Officer | | | |
| • Electrical Inspector | | | |

2020

2021

2022

1,000 -- 32,800

1,000 -- 33,456

1,000 -- 34,125

- Fire Department Administrator
- Fire Official/Fire Marshall
- Fiscal Officer
- Fire Sub-code Official Inspector
- Flood Plain Manager
- Housing Inspector
- Municipal Court Judge
- Planning/Zoning Board Secretary
- Plumbing Sub Code Official
- Public Building Custodian
- Recreation Director
- Registrar of Vital Statistics
- Deputy Registrar of Vital Statistics
- Recycling Coordinator
- Tax Assessor
- Tax Search Officer
- Water Safety Director
- Zoning Officer

2022

2021

2020

10,300 - 54,400

10,300 - 53,333

10,300 - 52,280

GROUP II - Hourly Employees

- Administrative Assistant Secretary
- Construction Department Secretary Assistant
- Custodian
- Library Cultural Arts Assistant
- Library Cultural Arts Director
- Planner
- Recreation Assistant

2,000 - 70,383

2,000 - 69,003

2,000 - 67,650

GROUP III - Permanent Employees

- Administrative Assistant
- Construction Department Secretary and Technical Assistant
- Deputy Borough Clerk
- Deputy Court Administrator
- Finance Manager
- Payroll/Account Payable Clerk

| | 2020 | 2021 | 2022 |
|---|------|------|------|
| GROUP IV – <u>Public Works Employees</u> | | | |

- Beach Maintenance Supervisor
- Deputy Director
- Equipment Operator
- Public Works Maintenance
- Working Forman

| | | | |
|--|----------------|----------------|----------------|
| | 5,000 – 84,000 | 5,000 – 85,680 | 5,000 – 87,394 |
|--|----------------|----------------|----------------|

GROUP V – Police

- Captain
- Lieutenant
- Sergeant
- Corporal
- Detective
- Patrolman

| | | | |
|--|------------------|------------------|------------------|
| | 25,000 – 120,233 | 25,000 – 122,638 | 25,000 – 125,091 |
|--|------------------|------------------|------------------|

GROUP VI - Police – Hourly

- Crossing Guard
- Special 1st Class
- Special 2nd Class
- Police Matron

| | 2020 | 2021 | 2022 |
|--|----------------------|----------------------|----------------------|
| | 10.30 – 10.46 hourly | 10.30 – 10.67 hourly | 10.30 – 10.88 hourly |
| | 12.00 – 14.64 hourly | 12.00 – 14.93 hourly | 12.00 – 15.23 hourly |
| | 14.00 – 16.73 hourly | 14.00 – 17.06 hourly | 14.00 – 17.40 hourly |
| | 10.30 - 14.64 hourly | 10.30 - 14.93 hourly | 10.30 - 15.23 hourly |

| | 2020 | 2021 | 2022 |
|------------------------------------|------------------|------------------|------------------|
| <u>GROUP VII - Department Head</u> | 20,000 - 143,234 | 20,000 - 146,099 | 20,000 - 149,021 |

- Borough Administrator
- Borough Clerk
- Director of Public Works
- Municipal Court Administrator
- Police Chief
- Sewer Clerk
- Tax Collector

GROUP VIII - Seasonal

- | | 2020 | 2021 | 2022 |
|--------------------------------------|----------------------|----------------------|----------------------|
| • Assistant to the Beach Manager | 12.00 - 17.43 hourly | 12.00 - 17.78 hourly | 12.00 - 18.14 hourly |
| • Beach Cleaner | 10.30 - 15.68 hourly | 10.30 - 16.00 hourly | 10.30 - 16.32 hourly |
| • Beach Office Attendant | 10.30 - 13.60 hourly | 10.30 - 13.87 hourly | 10.30 - 14.15 hourly |
| • Gate Attendant | 10.30 - 13.60 hourly | 10.30 - 13.87 hourly | 10.30 - 14.15 hourly |
| • Lifeguards | | | |
| Tier 1 - Rookie - year 2 | 10.30 - 11.51 hourly | 10.30 - 11.74 hourly | 10.30 - 11.97 hourly |
| Tier 2 - Beginning year 3 - 5th year | 11.00 - 13.60 hourly | 11.00 - 13.87 hourly | 11.00 - 14.15 hourly |
| Tier 3 - Beginning year 5 and up | 13.00 - 14.64 hourly | 13.00 - 14.93 hourly | 13.00 - 15.23 hourly |
| • Lifeguard Officer | | | |
| Tier 4 - Supervisors | 13.00 - 15.69 hourly | 13.00 - 16.00 hourly | 13.00 - 16.32 hourly |
| Tier 5 - Captains | 15.00 - 20.50 hourly | 15.00 - 20.91 hourly | 15.00 - 21.33 hourly |

| | 2020 | 2021 | 2022 |
|--------------------------------|----------------|----------------|----------------|
| GROUP IX - <u>Other</u> | 1,000 – 32,800 | 1,000 – 33,456 | 1,000 – 34,125 |

- Mayor
- Borough Council

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication as required to Law.

INTRODUCED: November 18, 2019
PUBLIC HEARING: December 3, 2019
ADOPTION:

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 November 18, 2019 and will be further considered after a Public Hearing held on December 3, 2019 at the Municipal Building at 7:00 PM.

Witness
BOROUGH OF SEA BRIGHT,

CHRISTINE PFEIFFER
Borough Clerk

DINA LONG
Mayor

ORDINANCE NO. 23-2019

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 150, "PACKAGING PRACTICES, UNIFORM," OF THE CODE OF THE BOROUGH OF SEA BRIGHT, PROVIDING FOR REGULATIONS PERTAINING TO PLASTIC BAGS, PLASTIC UTENSILS, FOOD CONTAINERS, BALLOONS AND STRAWS.

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

SECTION ONE: The Code of the Borough of Sea Bright, Chapter 150, "Packaging Practices - Uniform," of the Code of the Borough of Sea Bright, be and the same is hereby amended and supplemented to read, in full, as follows:

CHAPTER 150 PLASTIC BAGS, PLASTIC UTENSILS, FOOD CONTAINERS, BALLOONS AND PLASTIC STRAW REGULATIONS

150-1 INTENT. The intent of this Ordinance is to adopt regulations relating to and limiting the use of single-use plastic bags, polystyrene foam containers, plastic utensils and plastic straws by businesses in the Borough of Sea Bright. The regulations are intended as necessary and proper steps by the Borough to address a significant global problem relating to the sale and use of single-use plastic bags, polystyrene foam containers, plastic straws and plastic utensils, to further incentivize the use of reusable bags at businesses, and ultimately, to protect the environment, wildlife, and the public health, welfare and safety.

150-2 DEFINITIONS. The following words, phrases and terms as used in this chapter are hereby defined for the purpose thereof as follows.

BUSINESS OR STORE. For the purpose of this Chapter, any retail establishment that engages in the retail sale of good and products. The definition includes, but is not limited to, pharmacies, supermarkets, grocery stores, convenience stores, clothing stores, surf shops, dry cleaners, food marts, and food service establishments.

GOOD AND PRODUCTS. Things and items that are prepared and made to be sold, including, but not limited to, clothing, groceries, prepared food, foodstuffs, meat, dairy, beverages, merchandise, books, jewelry, alcohol, tobacco products, toys, and any and all other things and items sold at retail by businesses and stores.

PRODUCE BAG OR PRODUCT BAG. Any bag without handles that is used exclusively to segregate produce, meats, other food items, and merchandise to the point of sale inside a store or to prevent such items from coming into direct contact with other purchased items, where such contact could damage or contaminate other food or merchandise when placed together in a reusable or recycled bag.

RETAIL. The sale of goods and products for use and/or consumption.

REUSABLE BAG. A bag that is designed and manufactured to withstand repeated uses over a period of time, is machine washable or made from a material that can be cleaned and disinfected regularly, is at least 2.25 mil thick if made from plastic, has a minimum lifetime of 75 uses, and is capable of carrying a minimum of 18 pounds.

SINGLE-USE, PLASTIC CARRY OUT BAG. A bag, sheet, or receptacle produced or manufactured from material commonly known as "plastic" or "polyethylene" provided at the check-out stand, cash register, point of sale, other point of departure for the purpose of transporting goods or products out of the establishment. The term single-use, plastic carryout bag does not include reusable bags, produce bags, or garment bags.

150-3 REGULATION OF SINGLE USE, PLASTIC CARRYOUT BAGS, PLASTIC STRAWS AND PLASTIC UTENSILS. No business or store shall provide any single-use, plastic carryout bags; polystyrene foam containers; plastic straws or plastic utensils to a customer at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting products or goods out of the business or store, except as otherwise provided in this Chapter.

150-4 EXCEPTIONS. Upon the specific request of any customer, a business or store may provide said customer with plastic utensils. It shall be a violation of this ordinance for any business or store to offer plastic utensils unless requested by the customer. Additionally, this ordinance should not be read as prohibiting cups or containers which may be utilized for more than a single serving.

150-5 CARRYOUT BAG FEE:

- (a) A store may provide a customer with a single-use paper carryout bag or a reusable carryout bag, provided that the store shall impose and collect a minimum bag fee of \$.10 for each such bag. No store shall be required to charge such fee for a produce or product bag. All monies collected under this provision shall be retained by the store.
- (b) All paper carryout bags must be 100% recyclable and include a minimum of 40% post-consumer recycled content.
- (c) The store shall indicate on the sales or other receipt given to the customer the total number of single-use paper carryout bags provided to the customer and the total fee charged to the customer.
- (d) No store shall charge a carryout bag fee for bags of any kind provided by the customer in lieu of a carryout bag provided by the store.
- (e) No store shall prevent a person from using a bag of any kind that they have brought to the store for the purpose of carrying items from such store.

150-6 PLASTIC BALLOONS. No persons shall possess a plastic balloon on any beach located in the Borough. No person shall release a plastic balloon into the atmosphere from any beach located in the Borough.

150-7 VIOLATIONS AND PENALTIES. Any person found guilty of violating any provision of this Chapter shall be subject to the following penalty schedule:

- A. First offense: a fine not to exceed \$100.
- B. Second offense: a fine not to exceed \$500.
- C. Third and subsequent offenses: a fine not to exceed \$1,250.

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 on January 1, 2020.

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 November 18, 2019 and will be further considered after a Public Hearing held on December 3, 2019 at the Municipal Building at 7:00 pm.

INTRODUCED: November 18, 2019

PUBLIC HEARING: December 3, 2019

ADOPTED:

Witness

BOROUGH OF SEA BRIGHT,

CHRISTINE PFEIFFER, CLERK

DINA LONG, MAYOR

CAPITAL ORDINANCE NO. 24-2019

AN ORDINANCE PROVIDING FUNDING FOR ADDITIONAL COSTS RELATED TO THE CONSTRUCTION OF THE FIREHOUSE/MUNICIPAL COMPLEX BUILDING FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$550,000 FOR SUCH PURPOSE.

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 Borough of Sea Bright, in the County of Monmouth, New Jersey, authorizes for additional costs related to the construction of the firehouse/municipal complex building, including all work and materials necessary therefor and incidental thereto for the Borough of Sea Bright, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$550,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Borough's Disaster/Insurance Reserve Fund in the amount of \$550,000.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Sea Bright may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due 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 November 18, 2019 and will be further considered after a Public Hearing held on December 3, 2019 at the Sea Bright Beach Pavilion at 7:00 pm.

INTRODUCED: November 18, 2019

PUBLIC HEARING: December 3, 2019

ADOPTED:

Witness

BOROUGH OF SEA BRIGHT,

CHRISTINE PFEIFFER, CLERK

DINA LONG, MAYOR

CAPITAL ORDINANCE NO. 25-2019

AN ORDINANCE PROVIDING FUNDING FOR ADDITIONAL COSTS RELATED TO THE CONSTRUCTION OF THE BEACH PAVILION FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$180,000 FOR SUCH PURPOSE.

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 Borough of Sea Bright, in the County of Monmouth, New Jersey, authorizes for additional costs related to the construction of the beach pavilion, including all work and materials necessary therefor and incidental thereto for the Borough of Sea Bright, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$180,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Borough's Disaster/Insurance Reserve Fund in the amount of \$180,000.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Sea Bright may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due 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 November 18, 2019 and will be further considered after a Public Hearing held on December 3, 2019 at the Sea Bright Beach Pavilion at 7:00 pm.

INTRODUCED: November 18, 2019

PUBLIC HEARING: December 3, 2019

ADOPTED:

Witness

BOROUGH OF SEA BRIGHT,

CHRISTINE PFEIFFER, CLERK

DINA LONG, MAYOR

CAPITAL ORDINANCE NO. 26-2019
**AN ORDINANCE PROVIDING FUNDING FOR THE ACQUISITION OF
RADIO COMMUNICATIONS EQUIPMENT FOR THE FIRE
DEPARTMENT FOR THE BOROUGH OF SEA BRIGHT AND
APPROPRIATING \$75,000 FOR SUCH PURPOSE.**

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 Borough of Sea Bright, in the County of Monmouth, New Jersey, authorizes the acquisition of radio communications equipment for the Fire Department, including all work and materials necessary therefor and incidental thereto for the Borough of Sea Bright, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$75,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Borough's Disaster/Insurance Reserve Fund in the amount of \$75,000.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Sea Bright may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

INTRODUCED: December 3, 2019
PUBLIC HEARING: December 17, 2019
ADOPTED:

Witness

BOROUGH OF SEA BRIGHT,

CHRISTINE PFEIFFER, CLERK

DINA LONG, MAYOR