## AGENDA REGULAR MEETING BOROUGH OF SEA BRIGHT

#### **FEBRUARY 21, 2023**

**SEA BRIGHT, NEW JERSEY** 

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

https://meet.goto.com/373738285 OR DIAL: (646) 749-3122 Access Code: 373-738-285

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 January 10, 2023. 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)	BIEBER	BOOKER	CATALANO
	GORMAN_	KEELER	LAMIA
Mayor	KELLY	_	

#### **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

#### <u>Minutes</u>

02-07-2023 Regular Meeting 02-07-2023 Executive Session

#### **Resolutions:**

No. 46-2023 Appropriation Reserve Transfers

No. 47-2023 CERTIFICATION OF COMPLIANCE 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"

No. 48-2023 Authorizing Sewerage Rates and Charges for First, Second, Third and

Fourth Quarters of 2023

No. 49-2023	Authorizing the Borough of Sea Bright Through the Sea Bright Police Department to Participate in The Defense Logistics Agency, Law Enforcement Support Office, 1033 Program to Enable the Sea Bright Police Department to Request and Acquire Excess Department of Defense Equipment
No. 50-2023	Authorizing Hiring of Police Officer Designation of Special Law Enforcement Officer - Class I
No. 51-2023	Waiver of Nuisance Ordinance for The Fireman's Fair
No. 52-2023	Shared Service Agreement for The Provision of Emergency Dispatch Services by The County of Monmouth, Through the Monmouth County Sheriff's Office, Communications Division
No. 53-2023	Authorizing A Shared Services Agreement with The Borough of Highlands for Street Sweeping Services
No. 54-2023	Accept the Performance Guarantee(s) for Block 14, Lot 8 ~ 13 Church Street Kim Kurkowski and Kerry Huffman
No. 55-2023	Sea Bright Ocean Rescue Authorizing 2023 Junior Lifeguard Program
No. 56-2023	Donation Of 2023 Beach Badges Borough of Sea Bright
No. 57-2023	Authorizing the Retention of a Mediator to Facilitate Agreement on School Regionalization Funding Formula
Roll Call: Bieber_	Booker Catalano Gorman Keeler Lamia
ORDINANCE(s):	
Introduction: Mayo	or Kelly to read the ordinance by title:
	ORDINANCE NO. 02-2023 AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT ADOPTING A PURCHASING MANUAL
Councilmember hearing to be held o	offered a motion to introduce Ordinance No. 02-2023 for a public n March 7, 2023 and advertise according to law; seconded by Councilmember
Roll Call: Bieber	_ Booker Catalano Gorman Keeler Lamia
<b>Introduction:</b> Mayo	or Kelly to read the ordinance by title:
	ORDINANCE NO. 03-2023

## ORDINANCE NO. 03-2023 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 201, "VEHICLES AND TRAFFIC", OF THE CODE OF THE BOROUGH OF SEA BRIGHT

Councilmember hearing to be held on March 7,	offered a motion to introduce Ordinance No. 03-2023 for a public 2023 and advertise according to law; seconded by Councilmember
Roll Call: Bieber Booker	Catalano Gorman Keeler Lamia

Councilmember

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

## ORDINANCE NO. 04-2023 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 9, "CLAIMS APPROVAL", OF THE CODE OF THE BOROUGH OF SEA BRIGHT.

offered a motion to introduce Ordinance No. 04-2023 for a public

hearing to be he	ld on March 7,	2023 and adv	vertise accor	ding to law	; seconded by	Councilmember
Roll Call: Biebe	r Booker	Catalano	Gorman	_ Keeler	Lamia	
INDIVIDUAL A	CTION/New E	Business:				
Vouchers: \$1	.98,099.69					
Councilmo 21, 2023 as subi	ember mitted by the F	offered a inance Manaq	a motion to a ger; seconde	pprove the d by Counc	<u>Voucher List</u> ilmember	dated February
Roll Call: Biebe	r Booker	_ Catalano	Gorman	_ Keeler	Lamia	
MAYOR AND CO	OUNCIL COMM	<u>IENTS</u>				
EXECUTIVE SES Councilment Councilment		offere	ed a motion t	o enter in t	o Closed Sess	ion; seconded by
Resolution to d	liscuss: TBD					
Roll Call: Biebe	r Booker	_ Catalano	Gorman	_ Keeler	Lamia	
						,
ADJOURNMENT Councilment Councilment		offere	d a motion t	o adjourn t	he meeting; s	econded by
Roll Call: Biebe	r Booker	Catalano	Gorman	Keeler	Lamia	

#### RESOLUTION NO. 46-2023 APPROPRIATION RESERVE TRANSFERS

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

**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 2022 Budget Appropriation Reserves as follows:

ACCOUNTING CODE	<b>CURRENT FUND</b>	<u>TO</u>	FROM
01-20-100-100	Admin S&W		\$1,300.00
01-20-120-100	Municipal Clerk S&W		\$900.00
01-20-155-200	Legal OE	\$8,000.00	•
01-20-165-200	Engineering OE	\$5,000.00	
01-21-180-100	Planning Board S&W		\$900.00
01-21-180-200	Planning Board OE		\$2,000.00
01-21-180-200	Uniform Construction S&W		\$2,000.00
01-23-220-200	Employee Health Insurance		\$15,000.00
01-25-266-200	Hydrants OE	\$3,500.00	
01-31-430-200	Electric OE	\$1,000.00	
01-43-490-200	Municipal Court OE	\$2,000.00	
01-43-495-200	Public Defender OE	\$2,600.00	
		\$22,100.00	\$22,100.00
ACCOUNTING CODE	SEWER UTILITY	\$22,100.00 <u>TO</u>	\$22,100.00 FROM
ACCOUNTING CODE 07-55-502-200	SEWER UTILITY  Sewer OE		
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07-55-502-200	Sewer OE	<u>T0</u>	FROM
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07-55-502-200 07-55-502-100	Sewer OE Sewer S&W — BEACH UTILITY	<u>TO</u> \$7,000.00 <b>\$7,000.00</b>	\$7,000.00 \$7,000.00
07-55-502-200 07-55-502-100 ACCOUNTING CODE 09-55-501-200	Sewer OE Sewer S&W  BEACH UTILITY  Beach OE	TO \$7,000.00 \$7,000.00 TO	\$7,000.00 \$7,000.00 FROM

Catalano.

February 21, 2023

Bieber,

Booker,

Roll Call:

#### CERTIFICATION

Keeler,

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 February 21, 2023.

Lamia

Gorman,

# RESOLUTION NO. 47-2023 BOROUGH OF SEA BRIGHT CERTIFICATION OF COMPLIANCE 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"

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

**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, County of Monmouth, State of New Jersey, hereby states that it has complied with N.J.S.A. 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: Bieber, Booker, Catalano, Gorman, Keeler, Lamia

February 21, 2023

#### **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 February 21, 2023.

### RESOLUTION NO. 48-2023 AUTHORIZING SEWERAGE RATES AND CHARGES FOR FIRST, SECOND, THIRD AND FOURTH QUARTERS OF 2023

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

**WHEREAS**, the Governing Body of the Borough of Sea Bright authorize the rates and charges of the municipal public utility for sewerage; and

**WHEREAS,** any previous schedule of charges adopted by the Mayor and Council of the Borough of Sea Bright which are inconsistent herewith are hereby rescinded.

WHEREAS, the rates and charges for the utilities are as follows:

- 1. The 2023 rates for the first, second, third and fourth quarters will be \$11.75 for every 1,000 gallons of water consumed by the customer.
- 2. The charges shall be due and payable in 2023/2024 within 10 days after the due date of the municipal sewer utility bill. If the bill is not timely paid, the outstanding bill shall be considered a municipal charge and shall be subject to the same rate of interest which accrues on delinquent taxes.

#### 3. Billing Schedule:

- 1. First quarter billing shall be mailed during April for consumption billed by the water company from mid-December thru mid-March;
- 2. Second quarter billing shall be mailed during July for consumption billed by the water company from mid-March thru mid-June;
- 3. Third quarter billing shall be mailed in October for consumption billed by the water company from mid-June thru mid-September;
- 4. Fourth quarter billing shall be mailed in January for consumption billed by the water company from mid-September thru mid-December.
- 4. Consumption shall be based upon the information provided to the Borough of Sea Bright Municipal Sewer Utility by the New Jersey American Water Company and billed quarterly and indicated above.
- 5. All customers of the municipal sewer utility shall be billed for at least 10,000 gallons quarterly. This minimum charge shall be \$117.50.
- 6. For customers in townhouses and condominiums without individual New Jersey American Water Company Meters, the sewer utility bills will be sent directly to the Associations and/or Corporations for payment.
- 7. If any section, subsection, paragraph, sentence or other portion of this Resolution shall be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Resolution.
- **NOW, THEREFORE, BE IT RESOLVED,** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the sewer utility schedule of rates and charges outlined above is hereby adopted and the utility is authorized to publish a notice of final adoption of said Resolution; and

**BE IT FURTHER RESOLVED,** a copy of the sewer utility schedule of rates and charges shall be available for public inspection during normal business hours at the office of the Tax/Sewer Utility Collector at 1099 Ocean Avenue, Sea Bright, New Jersey; and

**BE IT FURTHER RESOLVED,** by the Borough Council of the Borough of Sea Bright that they hereby authorize the utility to forward a copy of said Resolution of rates and charges to the customers of the utility at the utility's discretion.

Roll Call: Bieber, Booker, Catalano, Gorman, Keeler, Lamia

February 21, 2023

#### **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 February 21, 2023.

#### **RESOLUTION NO. 49-2023**

AUTHORIZING THE BOROUGH OF SEA BRIGHT THROUGH THE SEA BRIGHT POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE SEA BRIGHT POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

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

**WHEREAS**, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

**WHEREAS**, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

**WHEREAS**, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response and resiliency; and

**WHEREAS**, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

**WHEREAS**, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Sea Bright Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate beginning January 1, 2023 through December 31, 2023; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that Sea Bright Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Sea Bright Police Department, without restriction; and

**BE IT FURTHER RESOLVED** that the Sea Bright Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes; and

**BE IT FURTHER RESOLVED** that the "DEMIL B through Q" controlled 3-page property list in its entirety is hereby approved and hereto attached to this resolution; and

**BE IT FURTHER RESOLVED** that the Sea Bright Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

**BE IT FURTHER RESOLVED** that the Sea Bright Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization beginning January 1, 2023 through December 31, 2023.

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

- 1. NJ State Police
- 2. Sea Bright Police Department
- 3. Sea Bright Finance Manager
- 4. Sea Bright CFO

Roll Call: Bieber, Booker, Catalano, Gorman, Keeler, Lamia

February 21, 2023

#### **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 February 21, 2023.

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### RESOLUTION NO. 50-2023 AUTHORIZING HIRING OF POLICE OFFICER DESIGNATION OF SPECIAL LAW ENFORCEMENT OFFICER - CLASS I

Councilmember

introduced and offered for adoption the following Resolution; seconded by

Councilmember

**WHEREAS,** there exists a need for a Class I Special Officer in the Police Department in the Borough of Sea Bright; and

**WHEREAS,** Chief Brett Friedman requested that the following be appointed as a Class I Special Police Officer after fulfilling the required training at the Monmouth County Police Academy.

#### **CLASS I SPECIAL POLICE OFFICER**

Nicholas J. Colanglo

#### **CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Police S/W for the purpose stated herein:

#### MICHAEL J. BASCOM, CFO

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby approve the appointment of Class I Special Officer, Nicholas J. Colanglo at an hourly rate of pay as specified in Ordinance No. 04-2021; and

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

- 1. Khristi Jacobs, Finance Manager
- 2. Brett Friedman, Police Chief
- 3. Nicholas J. Colanglo

Roll Cail:

Bieber, Booker,

er, Catalano,

Gorman,

Keeler,

Lamia

February 21, 2023

#### **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 February 21, 2023.

## RESOLUTION NO. 51-2023 WAIVER OF NUISANCE ORDINANCE FOR THE FIREMAN'S FAIR BOROUGH OF SEA BRIGHT

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

**WHEREAS**, the Sea Bright Fire Department will hold the annual Firemen's Fair from Thursday, May 11 through Sunday May 14, 2023; and

**WHEREAS**, pursuant to Chapter 146 - Nuisances, Article II - Noise Nuisances, it shall be unlawful for any person(s) to make, continue or cause to be made any unnecessary and unreasonably loud, disturbing noise, as defined in Paragraphs A, C, L and P of §146-7 of this Article, which is plainly audible at more than 50 feet from the real property line from which the noise is emanating between the hours of 10:00 pm through 8:00 am of the following morning; and

**WHEREAS,** a request has been made for a waiver to extend the 10:00 pm deadline to 12:00 am (midnight) during the duration of the Firemen's Fair.

**NOW, THEREFORE, BE IT RESOLVED,** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, do hereby authorize a waiver of Chapter 146 Nuisances, Article II, for the Fireman's Fair from May 11 through May 14, 2023; and

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

- 1. Chief of Police
- 2. Fireman's Fair Representative

Roll Call: Bieber, Booker, Catalano, Gorman, Keeler, Lamia

February 21, 2023

#### **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 February 21, 2023.

#### **RESOLUTION NO. 52-2023**

## SHARED SERVICE AGREEMENT FOR THE PROVISION OF EMERGENCY DISPATCH SERVICES BY THE COUNTY OF MONMOUTH, THROUGH THE MONMOUTH COUNTY SHERIFF'S OFFICE, COMMUNICATIONS DIVISION

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

**WHEREAS,** the Borough of Sea Bright entered into a Shared Service Agreement for the period January 1, 2015 through December 31, 2019 for Emergency Dispatch Services with the Monmouth County Sheriff's Office, Communications Division; and

**WHEREAS,** under the terms of the said Agreement, the Communications Division will serve as the Public Safety Answering Point (PSAP) for the Borough of Sea Bright, and

**WHEREAS,** by way of Resolution No. 49-2020 the Borough of Sea Bright authorized an agreement to continue Emergency Dispatch Services with the Monmouth County Sheriff's Office from January 1, 2020 through December 31, 2022; and

**WHEREAS**, the Borough received a letter and new agreement from Monmouth County Commissioner, Thomas A. Arnone dated January 18, 2023, to continue participation in the Monmouth County Shared Service Program for dispatch service for a three-year period commencing January 1, 2023 through December 31, 2025; and

**WHEREAS,** for dispatch services as outlined in the agreement attached hereto, the Borough will pay Monmouth County an annual fee of \$88,237.00 for 2023 with an increase of 2% in 2024 and 2% in 2025; and

**WHEREAS,** the Borough wishes to execute a new shared service agreement with Monmouth County for an additional three-year term for emergency dispatch services.

**CERTIFICATION OF FUNDS,** I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds will be available in Monmouth County Dispatch Services for the purpose stated herein.

#### MICHAEL J. BASCOM, CFO

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby authorize the Mayor and Borough Clerk to execute a shared service agreement for the provision of Emergency Dispatch Services by the County of Monmouth through the Monmouth County Sheriff's Office, Communications Division at the rate indicated above; and

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

- 1. Monmouth County Sheriff's Office
- 2. Elizabeth Perez, Monmouth County Shared Services Coordinator
- 3. Borough Finance Manager
- 4. Borough Chief of Police

Roll Call: Bieber, Booker, Catalano, Gorman, Keeler, Lamia

February 21, 2023

#### **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 February 21, 2023.

# SHARED SERVICE AGREEMENT FOR THE PROVISION OF EMERGENCY DISPATCH SERVICES BY THE COUNTY OF MONMOUTH, THROUGH THE MONMOUTH COUNTY SHERIFF'S OFFICE, COMMUNICATIONS DIVISION

THIS SHARED SERVICE AGREEMENT (the "Agreement") is made this day of
, 20 by and between the COUNTY OF MONMOUTH, a body politic of the state
of New Jersey, having its principal offices located at the Hall of Records, 1 E. Main Street,
Freehold, New Jersey 07728 and the MONMOUTH COUNTY SHERIFF'S OFFICE with its
principal offices located at 2500 Kozloski Road, Freehold, New Jersey 07728 (hereinafter jointly
referred to as the "County"), and BOROUGH OF SEA BRIGHT, in the County of Monmouth, a
municipal corporation of the State of New Jersey, (referred to as the "Municipality").

#### IT IS AGREED:

#### 1. Services.

- The County, under the auspices of the Monmouth County Sheriff's Office, Communications Division, will serve as the Public Safety Answering Point (PSAP) for the Municipality, in accordance with the participation plan previously submitted by the Municipality. The County will provide all calls to the Municipality by call relay, transfer, or direct emergency dispatch, in accordance with the Municipality's participation plan. The system will meet the technical requirements and operational standards set forth in N.J.A.C. 17:24-1, et seq. The County will provide direct emergency dispatch services for Police, Fire and Emergency Medical Services (EMS) for the Municipality.
- The County will provide computer related services to support any call taking and dispatching functions for the Municipality as may be required. Public safety software and related features/capabilities may include, but are not limited to, mobile client, field reporting, Computer Aided Dispatch (CAD) and records management.
- The Municipality will maintain and support all local hardware, routers and air cards.

- The County will maintain and support all core infrastructure equipment and systems located at the Communications Division, which includes all routers and servers.
- If the Municipality decides to procure and utilize an Automatic License Plate Recognition (ALPR) system, then the County will physically store and maintain a server environment to host a regional ALPR system, subject to the following provisions:
  - i. The Municipality shall procure and maintain all local equipment to operate an ALPR system, including all recurring costs associated with setting up the local ALPR system. This equipment shall include, but not be limited to client computers, local servers, cameras, network infrastructure to connect to the regional ALPR network.
  - ii. The County shall have the Municipality's ALPR data available 24/7 or for the maximum uptime, given routine server service and unplanned outages.
  - iii. The regional server environment shall be redundant, to minimize downtime and to ensure the highest level of system availability.
  - iv. Both parties shall employ the same data security practices when utilizing the local ALPR system as is required when accessing and utilizing the National Crime Information Center (NCIC) system.
- 2. Term. The County shall provide said services for a three (3) year period commencing January 1, 2023, or as soon thereafter as the services begin, through December 31, 2025.
- 3. Compensation. The full 2023 fee to be paid by the Municipality shall be \$88,237.00. The annual fee for the 2<sup>nd</sup> and 3<sup>rd</sup> years of the Agreement shall be subject to a 2.0% increase for each year. Upon receipt of a proper invoice from the County, the Municipality shall pay the annual fee on or about April 1<sup>st</sup> of each year.

Municipality contact person who handles billing:

Name: Khristi Jacobs
Title: Finance mgr.
Phone & Email: kjacobs e Stabrightniora

- 4. Authorization. This Agreement is permitted under the New Jersey Uniform Shared Services and Consolidation Act pursuant to N.J.S.A. 40A:65-1, et seq.
- 5. Indemnification. The County shall defend, indemnify and save harmless the Municipality, its officers, agents and employees from and against all suits, costs (including attorney fees and costs), claims, expenses, liabilities, and judgments of every kind to which the Municipality may be subjected by reason of any actions or inactions by the County or its officers, agents or employees.

The Municipality shall defend, indemnify and save harmless the County, its officers, agents and employees from and against all suits, costs (including attorney fees and costs), claims, expenses, liabilities, and judgments of every kind to which the County may be subjected by reason of any actions or inactions by the Municipality or its officers, agents or employees.

- 6. Termination. Either party may terminate this Agreement with a minimum of ninety (90) days written notice, with or without cause. The County explicitly reserves the right to terminate this Agreement upon immediate written notice for the following reasons:
  - (a) The Municipality has failed to make timely payment for services rendered, in response to the County's invoice.

(b) The Municipality has failed to comply with the State and County system

guidelines, provided that the Municipality has been notified of the

failure(s) and not cured the failure(s) within a reasonable time following such

notice.

7. Filing of Agreement. The Clerk of the County's Board of County Commissioners shall

file a fully executed copy of this Agreement with the Division of Local Government

Services, New Jersey Department of Community Affairs.

8. Authority to Execute. Each party to this Agreement represents to the other party that

its governing body has duly adopted a resolution or ordinance authorizing the execution

of this Agreement.

9. Choice of Law. This Agreement shall be governed by and interpreted in accordance

with the laws of the State of New Jersey.

10. Counterparts. This Agreement may be fully executed in any number of counterparts,

each of which shall be deemed to be an original and all of which taken together shall

constitute one agreement binding upon all parties, notwithstanding that all parties have

not signed the same counterpart. Such executions may be transmitted to the parties

electronically or by facsimile, and such electronic or facsimile execution shall have the

same force and effect as an original signature.

11. Notices. Any notices that are provided pursuant to this Agreement shall be in writing

(including facsimile and electronic transmissions) and mailed or transmitted or

delivered as follows:

To the County:

County of Monmouth

Address: 1 East Main Street, Freehold NJ 07728

Attn: Elizabeth Perez, Shared Services Coordinator

Email: Elizabeth.perez@co.monmouth.nj.us

Fax:

To the Municipality:

Or to such other address or individual as any party may from time to time notify the other.

\*SIGNATURE PAGE TO FOLLOW\*

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed, attested and sealed by their respective and duly authorized officials.

COUNTY OF MONMOUTH	[MUNICIPALITY]
By: Thomas Arnone Title: Commissioner Director	By: Brian P. Kelly Title: mayor
Date:	Date:
ATTEST:	ATTEST
Clerk of the Board	Municipal Clerk
MONMOUTH COUNTY SHERIFF'S	OFFICE
By: Shaun Golden Title: Sheriff	
Date:	
WITNESS/ATTEST:	

## RESOLUTION NO. 53-2023 AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF HIGHLANDS FOR STREET SWEEPING SERVICES

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

**WHEREAS,** the Uniform Shared Services and Consolidation Act, <u>N.J.S.A.</u> 40A:65-1, et seq., allows a local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to primary purposes of any of the participating local units; and

WHEREAS, the Borough of Sea Bright is in need of street sweeping services; and

**WHEREAS,** the Borough of Highlands has the necessary staffing, equipment and personnel to provide street sweeping services to the Borough of Sea Bright from April 1, 2023 through October 31, 2023 on Tuesdays and Thursdays for the total amount of \$15,000; and

#### **CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in budget line item 3-01-42-120-200 for the purpose stated herein for an amount not to exceed \$15,000.00.

Michael J. Bascom, CFO

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute a Shared Service Agreement with the Borough of Highlands from April 1, 2023 through October 31, 2023 on Tuesdays and Thursdays for an amount not to exceed \$15,000.00 for street sweeping services.

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

- 1. Finance Manager
- 2. Department of Public Works
- 3. Borough of Highlands
- 4. Department of Community Affairs, DLGS

Roll Call: Bieber, Booker, Catalano, Gorman, Keeler, Lamia

February 21, 2023

#### **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 February 21, 2023.

## RESOLUTION NO. 54-2022 Accept the Performance Guarantee(s) for Block 14, Lot 8 – 13 Church Street Kim Kurkowski and Kerry Huffman

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

**WHEREAS,** the Borough of Sea Bright Planning Board has granted use and bulk variances to Kim Kurkowski and Kerry Huffman, for a development project on Block 14, Lot 8 also known as 13 Church Street; and

**WHEREAS,** Planning Board Engineer, David Hoder of Hoder Associates Consulting Engineers, prepared a performance guarantee estimate dated February 1, 2023, for the development project at 13 Church Street; and

**WHEREAS,** in accordance with N.J.S.A. 40:55D-53, Kim Kurkowski and Kerry Huffman posted said performance guarantees in the amount of \$1,884.00 in cash and the estimated engineering inspection fees in the amount of \$500.00 which were deposited with the Borough in accordance with the ordinances of the Borough of Sea Bright.

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

**BE IT FURTHER RESOLVED** that the performance guarantees as referenced above are hereby accepted.

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

- 1. Hoder Associates
- 2. Construction Official
- 3. Finance Manager
- 4. Planning Board Secretary
- 5. Kim Kurkowski & Kerry Huffman

Roll Call: Bieber, Booker, Catalano, Gorman, Keeler, Lamia

February 21, 2023

#### **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 February 21, 2023.

### RESOLUTION NO. 55-2023 SEA BRIGHT OCEAN RESCUE AUTHORIZING 2023 JUNIOR LIFEGUARD PROGRAM

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

**WHEREAS**, established in 2004, the Sea Bright Junior Lifeguard Program has provided a safe and fun way for children to learn about beach and ocean safety, improve upon their swimming abilities and develop high confidence levels in the surf and open water; and

**WHEREAS**, Sea Bright Beach Manager, Don Klein, has authorized the schedule and fees listed below for the 2023 Junior Lifeguard Program; and

WHEREAS, there will be no refunds once a Junior Guard participant is registered; and

<u> Junior Lifequard Program - \$250 per session (includes 1 rash guard)</u>

Dates: Session 1 July 10 – July 14

Session 2 July 17 – July 21 Session 3 July 24 – July 28 Session 4 July 31 – August 4

**Time:** 9:00 am to 12:00 pm

Age: 7-16 years old

(must pass a swim test on the first day in order to participate)

Junior Lifequard "Nipper" Program - \$250.00 (includes 1 rash guard)

Dates: August 7 - August 11

**Time:** 9:00 am to 5:00 pm **Age:** 10-16 years old

(must successfully complete one of the Junior Lifequard sessions

and tryout for the program)

**WHEREAS,** the monies collected from the Sea Bright Junior Lifeguard Program will be deposited in the Beach Trust account.

**NOW THEREFORE BE IT RESOLVED,** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby authorize Beach Manager, Don Klein, to operate the 2023 Junior Lifeguard Program, as described above, and collect the appropriate fees to be deposited in the Beach Trust Account; and

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

- 1. Beach Manager
- 2. Finance Manager
- 3. P. Spahr

Roll Call: Bieber, Booker, Catalano, Gorman, Keeler, Lamia

February 21, 2023

#### **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 February 21, 2023.

## RESOLUTION NO. 56-2023 DONATION OF 2023 BEACH BADGES BOROUGH OF SEA BRIGHT

Councilmember

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

Councilmember

**WHEREAS,** the Governing Body of the Borough of Sea Bright wish to support the fundraising efforts for the local organizations listed below by donating six (6) 2023 beach badges as requested:

1. Blessing Bag Brigade

2 Badges

Gift Auction - March 10, 2023

2. All Saints Memorial Church Gift Auction – May 20, 2023

2 Badges

Alexis Mason Foundation
 Gift Auction – February 25, 2023

2 Badges

Circ Addition 1 Cbiddity 25, 2025

**WHEREAS**, the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2023 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 six (6) 2023 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:

Bieber, Booker, Catalano, Gorman,

Keeler, Lamia

February 21, 2023

#### **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 February 21, 2023.

## RESOLUTION NO. 57-2023 AUTHORIZING THE RETENTION OF A MEDIATOR TO FACILITATE AGREEMENT ON SCHOOL REGIONALIZATION FUNDING FORMULA

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

**WHEREAS**, the governing bodies of the Borough of Sea Bright ("Sea Bright"), the Borough of Highlands ("Highlands"), and the Borough of Atlantic Highlands ("Atlantic Highlands") have agreed to move forward with mediation in an effort to come to an agreed-upon tax allocation method and again invite the three boards of education to join;

**NOW THEREFORE BE IT RESOLVED** that, the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby agree to the retention of Glenn Forney, former Deputy Assistant Commissioner of Finance for the New Jersey Department of Education, to serve as a mediator to facilitate the parties reaching an agreement on the tax allocation method and sharing of savings from regionalization; and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Sea Bright, hereby agree to pay one-third the cost of the mediator's fee.

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

- 1. Borough Administrator
- 2. Borough of Atlantic Highlands
- 3. Borough of Highlands
- 4. Porzio, Bromberg & Newman, P.C.

Roll Call: Bieber, Booker, Catalano, Gorman, Keeler, Lamia

February 21, 2023

#### **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 February 21, 2023.

Christine Pfeiffei	, Borough Clerk
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## ORDINANCE NO. 02-2023 AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT ADOPTING A PURCHASING MANUAL

WHEREAS, the Borough of Sea Bright finds it prudent to periodically review its policies and procedures; and

WHEREAS, in furtherance of such goals, the Borough previously has from time to time adopted purchasing policies, with the most recent purchasing manual adopted in February, 2007; and

**WHEREAS**, the Borough has reviewed the provisions of its current manual and finds that modifications are warranted; and

**WHEREAS,** the Chief Financial Officer of the Borough of Sea Bright has determined that it is in the best interest of the Borough and its residents to amend said Purchasing Manual.

Now, therefore, be it ordained, by the Borough Council of the Borough of Sea Bright in the County of Monmouth and the State of New Jersey as follows:

#### Section One.

The purpose of this purchasing manual is to describe the purchasing system of the Borough of Sea Bright. The primary focus of this manual is on the purchase of goods and services. A section of the manual is devoted to Statutory and Mandated services. The rules under which the borough's purchasing system functions are governed by the Local Public Contracts Law of the state. In addition, certain township ordinances govern certain aspects of the purchasing system.

This manual is intended to serve as a general guide to the borough's purchasing system. It is not the intent of this manual to address every question. Any questions which may arise and are not covered by this manual may be directed to the Chief Financial Officer.

A key rule to follow is that all purchases must be approved prior to the purchase being made. The process begins with the submission of a requisition form. <u>Purchases made without following the procedures contained in this manual are the responsibility of the employee making the purchase. The borough has no obligation to make payment for any purchases made outside of these procedures. An employee who fails to comply with these purchasing requirements shall be subject to disciplinary action as may be appropriate.</u>

#### **FINANCE DEPARTMENT ROLE**

The Borough Finance Department administers the purchasing system. All processing of submitted requisitions, purchase orders and vouchers, as well as related record keeping is performed by the Finance Office. Departments are directed to limit their relationship with vendors to contact which is necessary to aid in obtaining quotes and specification information.

The Finance Office has the obligation to coordinate vendors and using department requirements in such a manner as to assure fairness to the vendor and satisfaction of the using department. The CFO or Administrator may, at their discretion, substitute other goods of equal quality for the items requested when it is in the best interest of the borough to do so.

Another function of the Finance Office shall be the administration of a centralized purchasing system which exercises control on purchasing independent of, but in cooperation with all departments. The Finance Office will, through the administration of such a system, control spending within the budget to avoid over expenditures and provide greater financial control.

#### **DEPARTMENTAL REQUISITIONS**

By definition, a requisition is a document requesting goods or services with quantity and price, *submitted prior to purchase*. Departmental requisitions must be utilized by a department to request authorization to purchase from the Finance Office. This document serves two very important functions. It provides a record for the Department Head on requested purchases, and it supplies the necessary information to the Finance Office who will use the completed form to produce a purchase order.

Any department wishing to make a purchase should accurately complete a requisition form by following the instructions outlined in **Appendix A** of this manual. Upon completion of a properly prepared requisition, all should be forwarded to the Finance Office for approval.

Once approved, the Finance Office will utilize the requisition in the preparation of the purchase order. In addition, the Finance Office may obtain price quotations in addition to those collected by the using department to ensure that the lowest possible price is obtained. The CFO and/or designee will review all purchases to ensure compliance with State Law.

Proper planning and preparation of requisitions in ordering goods and services are very useful planning tools. This can assist all Department heads in the overall administration of their budgets.

Requisitions which are denied will be returned to the department which originated the request.

#### REQUISITIONS NOT MANDATORY

Certain borough expenses do not require a requisition prior to encumbering the borough. These items follow the regular purchasing procedure prior to issuance of payment, however, do not require Council signature and approval prior to placement on a bill list.

#### They include:

**Debt Service** 

Insurance

Pension, Social Security, and Unemployment

Tax Payments to County, School, and Fire Dist.

Public Assistance

Municipal Escrow Accounts

Tax Appeals and Refunds

All Employee Reimbursements and Petty Cash

Medicare Reimbursements

Election Board Members and Polling Places

Contractual Payments

Other Items as Approved

#### **PURCHASE ORDERS**

The purchase order is a numbered form which fulfills many different functions. A general rule in purchasing is not to buy anything without an authorized purchase order and/or purchase order number.

A purchase order is a vendor's authority to sell a particular material or service to the borough. Without this authority, the borough has no obligation to accept or pay for any materials or services rendered. If this situation occurs the obligation to pay would be on the employee who placed the order.

The purchase order contains important information regarding payment procedures for the vendor and is the document used by the vendor to submit his/her claim for payment.

The Borough's Finance Office prepares all purchase orders from approved requisitions submitted by the various departments. It should be noted that it is the responsibility of the department to make sure that items requested are the exact items and quality needed for the purpose intended. Once a purchase order is prepared it shall be immediately encumbered before it is sent to the vendor.

The department is sent a copy of the purchase order and is responsible for forwarding it to the vendor to place the order. The PO also supplies the department with a record of what exactly was ordered and from whom. Department heads should use this form to keep track of materials not yet received.

The PO must be signed by the vendor and the Department Head certifying receipt of the materials or services prior to payment. After the PO is signed by the department personnel, it is sent back to the Finance Office. Upon receipt, the Finance Office will process the PO for payment. The Finance Department compiles a bill list from the posted PO's and prepares the checks which are then submitted to the Borough Council for approval. After the Borough Council approves the bill list, the checks can be released to the vendors. All pertinent information such as check number and date paid is entered on each PO and kept on file in the Finance Department as the permanent record of all purchases borough wide.

#### **SIGNATURES**

There are three signatures on the purchase order all of which are extremely important and required to complete the purchasing process. The first signature required certifies that sufficient funds are available in the budget to pay for the purchase. The vendor's signature on the voucher is indication that services have been rendered and the bill is correct. This is called the claimant's certification and declaration. Next is the departmental certification which is proof that the materials and/or services have been received at the specified amount on the invoice.

#### **ESTIMATES**

There are occasions when the total price for services will not be known until the work has been completed. In order to accommodate these situations, a procedure for dealing with estimates has been developed.

When a situation as described above develops, a requisition should be prepared and processed as normal. The requisition should include the estimated price for the work. Once the purchase order is prepared and processed, the department will be supplied with the purchase order number. This number shall be provided to the vendor as his authorization to complete the work. Once the work is completed, the total price and invoices shall be given to the Finance Office. This information will be used to complete the purchase order. When the purchase order is completed, it will be sent to the vendor as a confirmation purchase order. Any increase in an estimate must be made by requisition with the appropriate documentation at the time of the increase.

#### **BLANKET PURCHASE ORDERS**

In certain circumstances, when a vendor is to be paid on a regular basis or several purchases will be made over a period, one blanket purchase order may be issued.

Under this system a single purchase order is issued to the vendor, when purchases are made, the Borough will apply invoices submitted for payment against the previously issued purchase order. Each PO shall be identified by indicating how many payments have been made. The numbering of all PO's is handled by the Finance Office. Under no circumstances shall any other department number the vouchers.

The purchase order amount can be increased. However, the request for an increase must be made by requisition or resolution and processed through the normal procedures. In the case of bids, the amount may be increased only by the amount as provided by State Law. Requests for an increase must be processed prior to the end of the month and before any additional purchases are made.

#### **EMERGENCY PURCHASES**

There are times when emergencies do arise which require the need for the immediate purchase of materials and supplies. Emergencies are situations where there exists the need to protect the safety, health and welfare of the general public.

It is the responsibility of every department to utilize proper planning in ordering materials and supplies. Emergency buying can be very costly and time consuming. Requisitions should be prepared far enough in advance of need to minimize emergency situations. The key to avoiding emergency situations is utilization of proper planning procedures.

The following procedures are to be followed when making emergency purchases:

Emergency purchases under \$500.00 must be submitted to the Finance Office by the next working day, accompanied by a memorandum to the CFO and Borough Administrator indicating the nature of the emergency purchase.

Emergency purchases over \$500.00 require the approval of the CFO or Treasurer. If they can not be reached, the Administrator, Mayor or Council President must approve the purchase. If neither can be reached, the department head must document the attempts to make contact. If the purchase exceeds \$10,000.00 the Chief Financial Officer must be notified.

In all the above cases, the Department Head must, within 24 hours of the purchase, process a requisition through the normal procedures. Attached to the requisition, in addition to the invoices, there should be a statement indicating what the nature of the emergency was and why a purchase had to be made. Once a purchase order is prepared, it will be sent to the vendor as a confirmation purchase order.

Under no circumstances are these procedures to be utilized to circumvent the normal purchasing system.

#### **EXPEDITED PURCHASE ORDER**

The processing of requisitions may take several days. Recognizing that there are times when materials and supplies are needed immediately, an expedited procedure has been developed.

Under this procedure, a requisition is accelerated through the approval process. A requisition is entered into Edmunds and the Department Head will then notify the Finance Office, who will take immediate action to secure proper approval. A purchase order is promptly processed in order that the department obtain the needed material and supplies.

#### PAYMENT PROCEDURE

It is important for departments to understand the Borough's payment procedure and its relationship to the encumbrance system. The key to the system is that funds must be encumbered prior to the issuance of a purchase order to a vendor. Only PO's which have had funds encumbered will be paid.

The Borough of Sea Bright pays bills the day following each scheduled meeting of the Governing Body. Therefore, it is important that all paperwork needed for payment be handled in a timely manner. All PO's must be signed by a Department Head and the vendor prior to being placed on the bill list.

#### SURPLUS EQUIPMENT

Surplus or outdated equipment may be disposed of in any of the following ways:

- 1. Transfer to another Borough Department.
- 2. Trade-in on new equipment.

- 3. Sale at public auction.
- 4. Sale as scrap.

In disposing of any equipment, all spare parts for the equipment should be disposed of at the same time.

All surplus equipment and/or materials shall be reported to the Borough Clerk's Office.

If surplus equipment is sold it will be done through the Clerk's Office. Sale of said equipment will be conducted in accordance with State Law.

The Finance Office must be notified of any surplus items that have been disposed of in order to update the Fixed Asset records.

#### **CANCELLED ORDERS**

If, after an order is placed, it is decided that the materials and/or services are no longer needed, the Finance Office should be notified as quickly as possible. The Department Head and/or Finance Office will notify the vendor to cancel the order. A delay in notifying the vendor may result in an unnecessary expense to the Borough.

Adequate thought and planning given to purchases prior to making out requisitions will prevent orders they need from being cancelled.

#### PERSONAL EXPENSES

Employees can submit vouchers for personal expenses. However, under no circumstances may an employee receiving reimbursement sign the Borough certification on the voucher. (These expenses may also be handled through the normal requisition process.)

#### **CONFERENCES AND SEMINARS**

Expenses in connection with attendance at seminars and conferences will be handled as described below.

A requisition should be prepared prior to the event with an estimate of the cost indicating the maximum an employee may spend. All claims for reimbursement of expenses must be submitted on a voucher or requisition. All receipts and documentation must be submitted with the voucher. Only the Borough employee authorized to attend the seminar or conference can be reimbursed for expenses incurred.

Reimbursable expenses may include meals, tolls, room, registration fees and transportation costs outlined by the Borough policy.

#### PETTY CASH

There are times when it is more economical and efficient to pay cash for an item when the total amount of a purchase does not exceed \$20.00.

To eliminate this extra work, a cash payment may be authorized by the Department Head. A signed cash receipt must be obtained prior to any reimbursement from the petty cash fund. Any petty cash drawn from the fund will be charged back to the using department's budget.

All purchases must be approved by the Finance Office prior to the actual purchase being made.

The use of the petty cash fund is not to be used to circumvent the regular purchasing procedures. Such expenditures are limited to personal expenses, travel expenses and small emergency purchases.

#### SPECIFICATION WRITING

Specification writing is a very important part of the purchasing system. A detailed description of the equipment or its purpose must be stated.

There are specifications available which should be reviewed when bid documents are prepared. When prepared, the specifications should be detailed enough to permit the bidder to offer exactly the right product. If the specifications are too ambiguous, the bidder will most likely offer the cheapest product. However, specifications should not be written so tightly to unnecessarily restrict vendors from bidding as a guideline, specification should be written to promote competition without bias.

All specifications written for the Borough shall be prepared by a designated department, or individual, on a case-to-case basis. Departments may be requested to submit sample specifications from time to time. It is the responsibility of each department to meet with the Finance Office to ensure that the quantity and quality of the items being ordered are the required materials and/or services for the work that is to be undertaken.

#### Section Two.

All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same hereby are repealed.

#### Section Three.

This Ordinance shall take effective immediately upon final passage and publication as provided by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on February 21, 2023 and will be further considered after a Public Hearing held on March 7, 2023.

INTRODUCED: February 21, 2023 PUBLIC HEARING: March 7, 2023

ADOPTED:

Witness	BOROUGH OF SEA BRIGHT,
CHRISTINE PFEIFFER	BRIAN P. KELLY
Borough Clerk	Mayor

### APPENDIX A GUIDE TO PREPARING REQUISITIONS

All requisitions are to be prepared and submitted electronically by utilization of Edmunds. Requisitions should contain only **quotes** as its purpose is to obtain approval to purchase goods or services. The exceptions would be authorized recurring contractual services, emergency purchases, or other pre-approved purchases, which may contain invoices.

All purchases must be made in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11(1). Therefore, requisitions must be in compliance with the Public Bidding Thresholds.

- 1). One quote is required for purchases less than \$1,500.00
- 2). Two quotes are required for any purchase that would exceed \$1,500.00, but is less than \$2,625.00
- 3). Three quotes are required for any purchase that would exceed \$2,625.00, but is less than \$17,500.00
- 4). Any purchase that would exceed the current bid threshold of \$17,500.00, would be subject to the bidding process. Exceptions would be State Contracts or Cooperative Purchasing.
- 5). If the goods or services are Proprietary, and no other quotes can be obtained, this must be noted on the requisition.
- 6). Any requested purchase that exceeds \$1,500.00 requires prior approval from the Borough Administrator or the CFO.

Requisitions should contain the following information:

- 1). Current vendor name and address
- 2). Shipping address
- Quote or invoice number
- 4). State contract or Cooperative purchasing number if applicable
- 5). A detailed description of items or services being requested, inclusive of quantity, unit and unit price, specific models, color, etc.
- 6). Copies of quotes and any other applicable documents must be scanned and attached to all requisitions
- 7). Proof of approval from CFO or Administrator, if applicable

#### APPENDIX B

#### **PURCHASING PROCEDURE**

#### REQUISITIONING

#### 1). DEPARTMENT HEAD

- a. Obtains quotes from vendors
- b. Obtains approvals from CFO or Administrator if required
- c. Enters requisition in Edmunds as 1st Approval

#### 2). FINANCE

- a. Reviews requisitions for accuracy and content
- b. Certifies availability of funds
- c. Approves requisition
- d. Generates and encumbers Purchase order
- e. Provides Department Head with Purchase Order within ten business days

#### 3). DEPARTMENT HEAD

- a. Forwards original purchase order to vendor
- b. Places order for goods/services

#### RECEIPT AND PAYMENT

#### 1). FINANCE

- a. Receives all original purchase orders and invoices from vendor
- b. Submits above to department for certification of receipt

#### 2). DEPARTMENT

- a. Certifies receipt of goods/services
- b. Returns PO to Finance

#### 3). FINANCE

- a. Verifies documentation
- b. Prepares bill list for Governing Body payment approval
- c. Generates check and forwards payment to vendor

## ORDINANCE NO. 03-2023 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 201, "VEHICLES AND TRAFFIC", OF THE CODE OF THE BOROUGH OF SEA BRIGHT

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

**SECTION ONE:** Chapter 201, "Vehicles and Traffic", of the Code of the Borough of Sea Bright, Article V, "Residential Parking" Section 201-34, "Violations and Penalties" subsection 201-34D, be and the same is hereby amended and supplemented to read, in full, as follows:

"D. Any person who violates the provisions of § 201-30 herein shall be subject to a fine in the minimum amount of \$150.00 and not to exceed \$300.00 and shall forfeit the right to receive or use a resident parking permit for a period of three years."

**SECTION TWO**: Chapter 201, "Vehicles and Traffic", of the Code of the Borough of Sea Bright, Article VI, "Ocean Avenue Residential Permit Parking", Section 201-41, "Violations and Penalties" subsection 201-41C, be and the same is hereby amended and supplemented to read, in full, as follows:

"C. Any person who violates § 201-37 shall be subject to a fine in the minimum amount of \$150.00 and not to exceed \$300.00 and shall forfeit the right to receive or use an Ocean Avenue resident parking permit under this Chapter for a period of three years."

**SECTION THREE**: Chapter 201, "Vehicles and Traffic", of the Code of the Borough of Sea Bright, Article VII, "Business Permit Parking", Section 201-48, "Violations and Penalties", subsection 201-48C, be and the same is hereby amended and supplemented to read, in full, as follows:

"C. Any person who violates § 201-44 shall be subject to a fine in the minimum amount of \$150.00 and not to exceed \$300.00 and shall forfeit the right to receive or use an Ocean Avenue business parking permit under this Chapter for a period of three years."

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

**SECTION FIVE**: 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 SIX**: This Ordinance shall take effect immediately upon its passage and publication according to law and upon filing with the Monmouth County Planning Board.

**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 February 21, 2023 and will be further considered after a Public Hearing held on March 7, 2023 at the Municipal Building, 1097 Ocean Avenue, at 7:00 p.m.

INTRODUCED: February 21, 2023 PUBLIC HEARING: March 7, 2023 ADOPTED:

Witness

BOROUGH OF SEA BRIGHT

CHRISTINE PFEIFFER, CLERK

BRIAN KELLY, MAYOR

## ORDINANCE NO. 04-2023 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 9, "CLAIMS APPROVAL", OF THE CODE OF THE BOROUGH OF SEA BRIGHT.

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

**SECTION ONE:** Chapter 9, "Claims Approval," 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 9. Claims Approval

#### § 9-1 Submission of detailed statement; certification of facts.

Any person claiming payment from the Borough of Sea Bright shall first submit a detailed statement of the items or demand necessitating such claim to the responsible executive agency specifying particularly how the bill or demand is made up and a certification of the party claiming payment that it is correct. No bill, claim or demand shall be considered for payment unless the voucher has attached to it (or includes) a certification from a designated Borough employee having personal knowledge of the facts that the goods have been received by or the services rendered to the Borough of Sea Bright and that those services or goods are consistent with an existing contract or purchase order.

In order to facilitate a timely review, bills, claims and demands must be submitted to the Borough within 30 (thirty) days, unless otherwise specified by law or contract, following the provision of goods or rendering of services for which payment is sought. The Chief Financial Officer is authorized to provide extensions upon written request in his or her discretion. This requirement shall be a term that is contained in each contract entered into by the Borough.

#### § 9-2 Designation of Certifying and Approval Officer.

The Chief Financial Officer is hereby designated as the approval officer pursuant to N.J.S.A. 40A:5-17 with the title of "Certifying and Approval Officer" and shall have the duty to audit, warrant and make recommendations on all claims and bills.

#### § 9-3 Submission of bill or claim to Clerk.

It shall be the duty of the *Finance Manager* to examine all bills or claims submitted for payment in order to ascertain if proper administrative procedures have been followed. The bills or claims, duly certified, shall be presented to the Municipal Clerk for inclusion in the proceedings of the next immediate formal meeting of the governing body. All claims or bills to be considered by the governing body shall be listed systematically and without preference and said list shall be made available to every member of said governing body at least one full day prior to formal action by that body.

#### § 9-4 Approval or rejection of claim.

Claims shall be considered by the Council which shall approve the same, except that said governing body may reject any claim presented to it, stating the reason for such rejection. Any tie votes may be broken by vote of the Mayor. Any disapproved claim shall be referred to the *Finance Manager* with such instructions as the governing body may give at the time of disapproval.

#### § 9-5 Records.

It shall be the duty of the Municipal Clerk to record all claims in the official minutes or through an appropriate claims register, indicating that the governing body has by formal action approved the same, with appropriate records as to any claims disapproved or rejected. All records pertaining to approved or disapproved bills or claims shall be available for public inspection.

#### § 9-6 Disbursements and payments.

The *Finance Manager* shall make disbursements upon receipt of an order by the Borough Council, attested by the Borough Clerk. If in the event that the Mayor vetoes the payment of any claims or bills, the Chief Financial Officer may be authorized to make payment by a vote of the Borough Council whereby at least 2/3 of *Council* vote to override such veto of any claim or bill.

#### § 9-7 Preparation and recording of checks.

After the *Municipal* Clerk has certified that the claims have been approved, *helshe* shall turn the same over to the *Finance Manager* who shall forthwith prepare the necessary checks for the payment thereof, which said checks shall be signed by the *Mayor* and thereafter signed by the *Finance Manager*. After preparing checks for the payment of claims, *helshe* shall record them in proper books of account and thereafter mail the checks to the claimants.

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

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

**SECTION FOUR:** This Ordinance shall take effect immediately upon its passage and publication according to law and upon filing with the Monmouth County Planning Board.

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INTRODUCED:	February 21, 2023
PUBLIC HEARING:	March 7, 2023
ADOPTED:	

Witness

BOROUGH OF SEA BRIGHT

CHRISTINE PFEIFFER, CLERK

BRIAN KELLY, MAYOR

#### VOUCHER LIST FEBRUARY 21, 2023 BOROUGH OF SEA BRIGHT

02113 AMERICAN WATER		
23-00192 02/15/23 SEWER	Open	326.48
02227 APOLLO SEWER & PLUMBING, INC.		
23-00090 01/27/23 Beach	Open	275.00
23-00091 01/27/23 Beach	Open	175.00
23-00092 01/27/23 Beach	Open	550.00
23-00093 01/27/23 Beach	Open	450.00
23-00155 02/03/23 Buildings & Grounds	Open	775.00
	-	
2597 AT&T MOBILITY		2,225.00
23-00207 02/15/23 BEACH	Open	775.06
00210 ATLANTIC PLUMBING SUPPLY CORP.		
23-00152 02/03/23 Buildings & Grounds	Open	61.07
25 00102 02,00,20 Ballalings & dibanas	open	01.07
2626 AUTOMATIC PROTECTION SYSTEMS		
23-00139 02/03/23 Sewer Department	Open	338.00
23-00153 02/03/23 Sewer Department	Open	
23-00171 02/10/23 SEWER	*	338.00
23 001/1 02/10/23 SEWER	Open	343.00
		1,019.00
01241 BAIN'S HARDWARE, INC.		•
23-00183 02/13/23 HARDWARE	Open	640.04
0.010		
2640 BATHGATE, WEGENER & WOLF		
23-00213 02/16/23 LEGAL	Open	1,849.56
01057 DENEMAY DENEETH MANAGEMENT CO	,	
01957 BENEMAX BENEFIT MANAGEMENT CO.		
23-00201 02/15/23 HEALTH	Open	348.00
01074 PODOLIGII OTI GET PREGUE GOVER		
01974 BOROUGH OF SEA BRIGHT COURT	_	
23-00185 02/14/23 COURT	Open	24.90
00256 CLEARY, GIACOBBE, ALFIERI &		
23-00211 02/15/23 LEGAL	Onon	0 077 00
25 OOZII OZ/IS/25 HEGAH	Open	2,277.00
01493 COOPERATIVE INDUSTRIES, L.L.C.		
23-00220 02/16/23 NAT GAS	Open	1,328.28
as sold on xo, as him one	Орсп	1,520,20
02253 DAVID HODER ASSOCIATES		
23-00214 02/16/23 PLAN BRD	Open	770.00
	Oberr	770.00
01817 FINEGAN, GEORGE		
23-00218 02/16/23 ANIMAL	Open	612.27
	•	
01720 FIREFIGHTER ONE, LLC		
23-00160 02/10/23 Air Leak - 4390	Open	397.50
00978 FRIEDMAN, BRETT		
23-00175 02/13/23 POLICE	Open	1,275.00
00575 GALLS, LLC		
23-00089 01/27/23	Open	180.96
02101 CANNEGE NT MEMORADES		
02101 GANNETT NJ NEWSPAPERS	•	400 =0
23-00179 02/13/23 PLAN.BRD	Open	106.52
23-00217 02/16/23 CLERK	Open	14.96
23-00221 02/16/23 PLAN BRD	Open	33.00
	_	454.40
02191 CATEMAN DREES		154.48
02181 GATEWAY PRESS	0-	1 400 00
23-00157 02/07/23 A&E	Open	1,420.00
00979 GIBBONS, P.C.		
23-00212 02/16/23 LEGAL	Onon	0 661 70
TO OOSIE OS/IO/ES IDGAI	Open	9,551.79

01887 HEIM ELECTRONICS, INC. 22-01073 09/21/22 Streets & Roads	Open	167.98	·
2478 HOLISTIC WELLNESS, LLC 23-00222 02/16/23 LIBRARY	Open	800.00	·
01838 HOLMAN, FRENIA, ALLISON, P.C. 23-00184 02/14/23 AUDIT	Open	2,500.00	
01285 HOME DEPOT CREDIT SERVICES			
23-00134 02/03/23 Beach 23-00154 02/03/23 Beach	Open Open	509.24 65.20	
	•		
2791 HUDSON ENERGY SERVICES		574.44	
23-00193 02/15/23 ELECTRIC	Open	500.20	
2573 JCP & L 23-00195 02/15/23 ELECTRIC	Open	7,357.07	
01784 JUNGLE LASERS, LLC 23-00206 02/15/23 BLDG DEPT	Open	110.00	
2638 LAWES OUTDOOR POWER EQUIPMENT 23-00143 02/03/23 Beach	Open	256.15	
2265 LEE'S GARAGE 23-00138 02/03/23	Open	250.00	
00108 LEON S. AVAKIAN, INC. 23-00182 02/13/23 ENGINEER	Open	12,440.00	
01145 MCCUE, JAMES 23-00194 02/15/23 POLICE	Open	1,275.00	
2278 MCLAUGHLIN, STAUFFER & SHAKLEE			
23-00210 02/15/23 LEGAL	Open	6,110.42	
00107 MIDDLESEX COUNTY MUNICIPAL 23-00216 02/16/23 INSURANCE	Open	6,542.63	
00263 MITCHELL, CANDACE 23-00215 02/16/23 PLAN.BRD	Open	135.98	
	op on	200130	
01397 MURPHY, CHARLES 23-00177 02/13/23 POLICE	Open	1,275.00	
00339 NAPA AUTO PARTS CENTER			
23-00140 02/03/23 Streets & Roads	Open	232.30	
23-00141 02/03/23 Streets & Roads 23-00142 02/03/23 Streets & Roads	Open	33.06	
23-00142 02/03/23 Streets & Roads	Open	23.51	•
		288.87	
00163 OSWALD ENTERPRISES, INC. 22-01354 12/14/22 Sewer Department	Open	4,985.00	
2330 RAW POWER GENERATOR SERVICE			
23-00135 02/03/23 Sewer Utility	Open	731.25	
23-00136 02/03/23 Buildings & Grounds	Open	887.50	
		1,618.75	
2728 READY REFRESH BY NESTLE	0	22.00	
23-00189 02/14/23 WATER	Open	277.06	
2354 REALTY DATA SYSTEMS 23-00176 02/13/23 TAX ASSESSOR	Open	14,160.00	
00027 SEABOARD WELDING SUPPLY, INC.			
23-00187 02/14/23 DPW	Open	18.50	·
01027 SHORE BUSINESS SOLUTIONS 23-00196 02/15/23 A&E	Open	877.34	

00260 SODON'S E	LECTRIC, INC.			
	Streets & Roads	Open	525.00	
02225 STAPLES A				
22-01351 12/14/22		_	380.04	
23-00209 02/15/23	TIRKAKA	Open	70.55	
			450.59	
2535 SUBURBAN I			C 001 00	
23-00197 02/15/23 23-00198 02/15/23			6,081.02 21,642.59	
23-00199 02/15/23			689.81	
			00 412 40	
2874 TAMKE TREE	E EXPERTS		28,413.42	
	Replacement Chainsaw	Open	1,263.00	•
2861 TAYLOR, MAI	NOPTC			
23-00174 02/13/23		Open	1,275.00	
00973 THE TWO R: 23-00181 02/13/23		Open	32.50	
23-00101 02/13/23			68.20	
02114 TWO RIVERS	S WATER RECLAMATION		100.70	
23-00200 02/15/23		Open	64,787.68	
0077				
2875 UNITED TER 23-00178 02/13/23	RRAIN GROUP	Open	2,500.00	
		op an	2,000.00	
00023 V. E. RALI		0	0.67 00	
23-00219 02/16/23	POLICE	Open	267.22	
2658 VERIZON				
23-00204 02/15/23	phone	Open	225.43	
2291 VERIZON				
23-00208 02/15/23	FIOS	Open	188.99	
2658 VERIZON				
23-00223 02/16/23	PHONE	Open	73.94	
23-00224 02/16/23	SEWER	Open	455.28	
			529.22	
02061 VERIZON W			<b>Q</b> 23.22	
23-00202 02/15/23		Open		
23-00203 02/15/23 23-00205 02/15/23		Open Open	1,652.80 187.33	
25 00203 02/13/23	CHILID	Open		
			2,108.20	
3 61 - 1	•	rotal:	\$ 191,081.58	
Manual Checks				
23-00076	HENDRICKS, ANDREW			\$1,275.00
1/18/2023	POLICE: 2023 CLOTHING F	ALLOWANCE		
00.00101	Ma name on tanon			* 4.2.2. OO
23-00191	NJ DEPT OF LABOR			\$430.08
2/14/2023	UNEMPLOYMENT PAYMENT			
23-00158	UNITED STATES POSTAL S	SERVICE		\$283.55
2/8/2023	POSTAGE: MUNICIPAL DIRE			<i>-200</i> :00
21 01 2020	1 30111011101110111011 DIRE	.GIORIDO		
23-00190	WEX BANK			\$5,029.48
2/14/2023	GASOLINE: JANUARY			. ,
			TOTAL: \$	7,018.11

GRAND TOTAL: \$ 198,099.69