

Chairman Cunningham called the meeting to order and requested those present to join him in the Pledge of Allegiance to the Flag.

Chairman Cunningham read the following statement:

2. OPENING STATEMENT: The Borough of Sea Bright, in compliance with the "Open Public Meetings Act" has advertised the date, time and location of this meeting in the *Courier* on January 17, 2008, filed it with the Clerk, and posted a notice on the bulletin board in the Borough Office.

3. OATHS OF OFFICE

Boardmember Cashmore was sworn in by Attorney Higgins. Boardmembers Torcivia, Smith and Murphy were sworn in at the January 3, 2009 Sea Bright Reorganization meeting.

4. ROLL CALL:

PRESENT: Cashmore, Cunningham, DeSio, Fernandes, McBride, Murphy Torcivia, Smith
ABSENT: Clauer, Nott

5. APPOINTMENTS

A. CHAIRPERSON

Boardmember DeSio introduced a motion appointing Lance Cunningham as Chairperson of the Planning/Zoning Board. Second by Boardmember McBride and adopted upon the following roll call vote:
Ayes: Cashmore, Cunningham, DeSio, Fernandes, McBride, Murphy Torcivia, Smith
Nays: None
Absent: Clauer, Nott
Abstain: None

B. VICE-CHAIRPERSON

Boardmember DeSio introduced a motion appointing Ralph Clauer as Vice-Chairperson of the Planning/Zoning Board. Second by Boardmember Murphy and adopted upon the following roll call vote:
Ayes: Cashmore, Cunningham, DeSio, Fernandes, McBride, Murphy Torcivia, Smith
Nays: None
Absent: Clauer, Nott
Abstain: None

C. SECRETARY

Boardmember DeSio introduced a motion appointing Suzanne Branagan as Secretary of the Planning/Zoning Board. Second by Boardmember McBride and adopted upon the following roll call vote:

Ayes: Cashmore, Cunningham, DeSio, Fernandes, McBride, Murphy Torcivia, Smith

Nays: None

Absent: Clauer, Nott

Abstain: None

D. Chairman Cunningham introduced and offered the following Resolution for adoption:

**RESOLUTION NO. PBZ1-2009
AUTHORIZING THE AWARD OF A
NON-FAIR AND OPEN CONTRACT
FOR PLANNING/ZONING BOARD ATTORNEY**

WHEREAS, the Borough of Sea Bright has a need to acquire professional services of a Planning/Zoning Board Attorney as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5 as appropriate*; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition is expected to exceed \$17,500; and,

WHEREAS, the term of this contract is for one year commencing January 1, 2009 through December 31, 2009; and

WHEREAS, KERRY HIGGINS, Esquire has submitted a proposal dated: January 1, 2009 which is on file in the Borough Clerk's Office.

WHEREAS, KERRY HIGGINS, Esquire has completed and submitted a Business Entity Disclosure Certification which certifies that **KERRY HIGGINS, Esquire** has not made any reportable contributions that would bar award of this contract pursuant to N.J.S.A. 19:44A-1 and PL 2004, c.19 to a political or candidate committee in the Borough of Sea Bright in the previous one year, and that the contract will prohibit the **KERRY HIGGINS, Esquire** from making any reportable contributions through the term of the contract; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available in other Professional Services/Planning Board and other expense appropriation for the purpose stated herein.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright authorizes the Mayor to enter into a contract with **KERRY HIGGINS, Esquire** as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that a notice of this action shall be printed one time in the "Asbury Park Press" newspaper.

Second by Boardmember Cashmore and approved upon the following roll call vote:

Ayes: Cashmore, Cunningham, DeSio, Fernandes, McBride, Murphy Torcivia, Smith

Nays: None

Absent: Clauer, Nott

Abstain: None

E. Boardmember Smith introduced a motion approving Resolution PZB-2009 for the meeting dates as follows: Meetings are held on the second and fourth Tuesdays; the first Tuesday to be a workshop meeting at 7:30 p.m. if necessary, followed b a public meeting. All public meetings start at **8 p.m. and end at 10:30 p.m.**

January 13	Reorganization followed by Public Meeting
January 27	Public Meeting 8 p.m.
February 10	Workshop 7:30 p.m. (If necessary): Public Meeting 8 p.m.
February 24	Public Meeting 8 p.m.
March 10	Workshop 7:30 p.m. (If necessary): Public Meeting 8 p.m.
March 24	Public Meeting 8 p.m.
April 14	Workshop 7:30 p.m. (If necessary): Public Meeting 8 p.m.
April 28	Public Meeting 8 p.m.
May 12	Workshop 7:30 p.m. (If necessary): Public Meeting 8 p.m.
May 26	Public Meeting 8 p.m.
June 23	Public Meeting 8 p.m.
July 14	Workshop 7:30 p.m. (If necessary): Public Meeting 8 p.m.
August 11	Workshop 7:30 p.m. (If necessary): Public Meeting 8 p.m.
September 8	Workshop 7:30 p.m. (If necessary): Public Meeting 8 p.m.
September 22	Public Meeting 8 p.m.

October 13 Workshop 7:30 p.m. (If necessary): Public Meeting
8 p.m.
October 27 Public Meeting 8 p.m.
November 10 Workshop 7:30 p.m. (If necessary): Public Meeting
8 p.m.
December 8 Workshop 7:30 p.m. (If necessary): Public Meeting
8 p.m.
January 12. 2010 Reorganization

Second by Boardmember McBride and adopted upon the following
roll call vote:

Ayes: Cashmore, Cunningham, DeSio, Fernandes, McBride, Murphy
Torcivia, Smith

Nays: None

Absent: Clauer, Nott

Abstain: None

6. 2009 REORGANIZATION MEETING ADJOURNED

There being no further business before the Planning Board
Boardmember DeSio made a motion to adjourn the meeting at 8:18
P.M. Second by Boardmember McBride and approved upon unanimous
voice vote.

Respectfully Submitted,

Suzanne Branagan
Planning Board Secretary

AGENDA
SEA BRIGHT PLANNING/ZONING BOARD
REGULAR MEETING 8 P.M.
TUESDAY, JANUARY 13, 2009
8 P.M.

1. OPENING STATEMENT: The Borough of Sea Bright, in compliance with the "Open Public Meetings Act" has advertised the date, time and location of this meeting in the *Courier* on January 17, 2008, filed it with the Clerk, and posted a notice on the bulletin board in the Borough Office.

2. ROLL CALL:

Cashmore _____ Clauer _____ Cunningham _____ DeSio _____
Fernandes _____

McBride _____ Murphy _____ Nott _____ Alternates: Torcivia (Alt.
#1) _____ Smith (Alt. #2)

3. MINUTES

- A.** Planning Board Minutes of October 14, 2008.
- B.** Planning Board Minutes of November 11, 2008

Motion: _____ Second: _____
Vote:

Cashmore _____ Clauer _____ Cunningham _____ DeSio _____
Fernandes _____

McBride _____ Nott _____

4. MEMORIALIZATION OF RESOLUTION

A.

LINDA O'MARA
"D" Use Variance required for height
6 West Front Street
Block 13, Lots 19.01 & 19.02
B-1 Zone

Motion: _____ Second: _____
Vote:

Clauer _____ Cunningham _____ DeSio _____ McBride _____ Cashmore
_____.

5. NEW BUSINESS

A.

RALPH CLAUER
Bulk Variance Relief required for setbacks
32 Waterview Way
Block 30, Lots 7

Motion: _____ Second: _____

Vote:

Cashmore _____ Cunningham _____ DeSio _____ Murphy _____
Markson _____

McBride _____ Nott _____ Alternates: Torcivia (Alt. #1) _____ Smith
(Alt. #2)

B.

RICHARD FAHRENHOLZ
Seeking retroactive approval to renovate and
upgrade an existing two-family. Construction
of a new 2nd story fireplace
402 Ocean Avenue
Block 30, Lots 33 & 33.02

Motion: _____ Second: _____

Vote:

Cashmore _____ Clauer _____ Cunningham _____ DeSio _____
Fernandes _____

McBride _____ Murphy _____ Nott _____ Alternates: Torcivia (Alt.
#1) _____ Smith (Alt. #2)

6. ADJOURNMENT:

Motion to Adjourn: _____ Second: _____

Time: _____ P.M.