

Sea Bright, New Jersey
Council Meeting Minutes
January 16, 2007
7:01 P.M.

Councilwoman Fernandes called the meeting to order and requested those present to join her in the Pledge of Allegiance to the Flag.

Attorney Arnette read the following statement:

"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 HAS BEEN ADVERTISED IN THE COURIER ON JANUARY 11, 2007 AND POSTED ON THE BULLETIN BOARD IN THE BOROUGH OFFICE. IN EACH INSTANCE, THE DATE, TIME AND LOCATION OF THIS MEETING WERE PROVIDED IN THE NOTICE. THIS MEETING IS OPEN TO THE PUBLIC."

Council President Keeler arrived at 7:02 p.m.

3. ROLL CALL:

Present: Councilmembers Bills, Fernandes, Keeler, Kelly, Long, Scriven, Chief Financial Officer Bascom, Police Chief Moore

Absent: Mayor Kalaka-Adams, Borough Engineer Hoder

4. CONSENT AGENDA: A Certification of Funds supports any items requiring expenditure; any items requiring discussion will be removed from the Consent Agenda:

Item F was removed from the Consent Agenda.

A. Councilwoman Fernandes introduced and offered the following Resolution for adoption:

RESOLUTION 33-2007
BOROUGH OF SEA BRIGHT

BE IT RESOLVED, by the Mayor and Council of Sea Bright, County of Monmouth, State of New Jersey that the proper officers, be and are hereby authorized to refund a tax redemption and tax premium.

BLOCK	LOT	NAME	AMOUNT
4	1	Culmac Investors Certificate 03-2003	\$25,457.06
4	1	Culmac Investors Premium	\$ 300.00

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following refund of \$25,757.06.

Second by Councilman Scriven and approved upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

B. Councilwoman Fernandes made a motion to approve a Raffle Application from Newcomers' Club for 50/50 on premise raffle on March 14, 2007 at Merri-Makers. Second by Councilman Scriven and approved upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

C. Councilwoman Fernandes made a motion to approve a Raffle Application from Newcomers' Club for Silent Auction off premise on March 14, 2007 at Merri-Makers. Second by Councilman Scriven and approved upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

D. Councilwoman Fernandes made a motion to approve a request from Donovan's Reef to conduct annual St. Patrick's Day race on Sunday, March 11, 2007 at 11 a.m. Second by Councilman Scriven and approved upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

E. Councilwoman Fernandes introduced and offered for adoption the following Resolution:

RESOLUTION NO. 35-2007
BOROUGH OF SEA BRIGHT

WHEREAS, a sealed proposal for a new Tiger Star Cab 4 x 4 Pickup with Refuse Tipper was received on December 19, 2006; and

WHEREAS, based upon the review of the bid and since there was only one bid received from Lincoln Service & Equipment Co. for \$23,478.00, an amount exceeding the budgeted amount for this vehicle, it has been decided by the Public Works Committee that the bid should be rejected.

NOW THEREFORE BE IT RESOLVED that the Governing Body rejects the bid as mentioned above.

Second by Councilman Scriven and adopted upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

Regarding item F, Attorney Arnette said that Monmouth Municipal is our new Joint Insurance Fund and they are requesting us to adopt their tort claim form. Attorney Arnette explained that tort claim notices are required under statute to be given to any municipality or entity of a State agency when the potential of a lawsuit is presented by action or incident

F. Councilwoman Fernandes introduced and offered for adoption the following resolution:

RESOLUTION NO. 36-2007
BOROUGH OF SEA BRIGHT

WHEREAS, representatives of the Monmouth Municipal Joint Insurance Fund have requested that the Borough of Sea Bright adopt the attached "Notice of Tort Claim" form; and

WHEREAS, the Notice of Tort Claim form shall be used by any one wishing to make a claim against the Borough of Sea Bright; and

WHEREAS, a claim will not be considered filed as required by the New Jersey Tort Claims Act until the adopted Notice of Claim form is completed and filed with the Borough Clerk of the Borough of Sea Bright.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby adopt the Notice of Tort Claim form as provided by the Monmouth Municipal Joint Insurance Fund.

Second by Councilwoman Bills and adopted upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

5. OLD BUSINESS:

Discussion: Court Office Facility - Councilman Keeler said this matter would be discussed in the Executive Session.

6. NEW BUSINESS:

A. Councilwoman Long introduced and offered for adoption the following Resolution:

RESOLUTION NO. 32-2007
AWARD OF CONTRACT
FOR POLICE DIGITAL IN-CAR VIDEO SYSTEMS

WHEREAS, sealed proposals for Police Digital In-Car Video Systems were received and found in accordance with the specifications prepared by the appropriate Borough Officials and approved by the Governing Body of the Borough of Sea Bright, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright to award the contract for the Police Digital In-Car Video Systems to:

WATCH GUARD
3001 SUMMIT AVENUE
PLANO, TEXAS 75074

For the following contract amount: \$29,970.00 plus \$1,350.00 for on site installation for a total amount of \$31,320.00, which is the total of the Lowest Bid. All Bid Bonds shall be returned to other Bidders.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Bond Ordinance #9-2005 appropriation for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

Second by Councilman Kelly and adopted upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

B. Councilman Keeler introduced and offered for adoption the following resolution:

RESOLUTION NO. 34-2007
BOROUGH OF SEA BRIGHT

WHEREAS, the Fire Official for the Township of Ocean Fire District No. 2 is also the fire official for the Borough of Sea Bright; and

WHEREAS, the entities have an arrangement whereby, the Borough of Sea Bright will pay to the Township of Ocean Fire District No. 2, an annual rental fee for the use of the fire official vehicle owned by the Township

of Ocean Fire District No. 2 avoiding the necessity of Sea Bright having to provide such a vehicle; and

WHEREAS, the Borough of Sea Bright and Township of Ocean Fire District No. 2 wish to enter into a shared service agreement for the term of January 1, 2007 through December 31, 2007; and

WHEREAS, under the terms of the Agreement, the Borough of Sea Bright will pay to the Township of Ocean Fire District No. 2 \$600.00 annually; and

WHEREAS, it has been determined by the Borough of Sea Bright and Township of Ocean Fire District No. 2 that it is in the best interest of both entities to share the expenses for a vehicle by eliminating unnecessary cost; and

WHEREAS, the sharing of a fire official vehicle will in no way lessen the services provided by the Borough Fire Official in the performance of his duties.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the shared service agreement be authorized as above-mentioned and that the Mayor and Borough Clerk are hereby authorized to sign the agreement for 2007.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in 07-01-42-200-235 appropriation for the purpose stated herein.

MICHAEL J. BASCOM, CFO

Second by Councilwoman Long and adopted upon the following roll call vote:
AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

7. MONTHLY REPORTS FOR DECEMBER 2006:

A. Recreation Administrator

B. Chief of Police

C. Court Administrator

D. Tax/Sewer Collector

E. Library Director

F. Sewerage System Operation & Maintenance Report

8. CORRESPONDENCE AND COMMUNICATIONS:

A. Sea Bright First Aid end of Year Report for 2006

Councilwoman Fernandes said that we need to respond to Sea Bright First Aid in writing. They should know we received their report and we are working on it. Councilman Keeler said that he and the Mayor told them that in the past. Councilwoman Fernandes said they keep coming back. Councilman Keeler said yes they do but it is not that we have ignored them and we have addressed this and the First Aid is aware of the stages we are in.

Councilwoman Long said she thought there was some action we could do in the meantime. They have repeatedly requested property to build their new building. However, we are not prepared to talk about location size etc. There are some legal questions with regard to how that is handled. This has come up before, a couple of meetings ago, Attorney Arnette mentioned different ways this could be handled, and when the time came, he could advise us on that. In the meantime, we could look into how the property is transferred to them or will we lease to them.

Councilman Keeler said he is not necessarily in favor of conveying property. It might be better if we keep the property and build the

building and then we would lease it to them. He asked Attorney Arnette how much lead-time he needed on this.

Attorney Arnette said he would require some time. He needed to see what their plans were for the facility and how they wanted it handled. Perhaps the Governing Body should sit down at some point and inform him as to what they believe the First Aid Department wants to do. He said he can suggest what could be done under the law. This would include something akin to what Councilman Keeler just said and there are other options as well.

Councilwoman Bills said as the new chairperson of the First Aid. She has not had a chance to sit down with Peter Lang to officially have a formal meeting with him and go over this. They have spoken frequently on the phone but have not met yet.

Councilwoman Long said that should happen first.

Councilwoman Bills said she hoped a meeting with Pete Lang would be this week.

Councilwoman Fernandes said Thank you.

- B. Tax/Sewer Collector report for October 2006
- C. Tax/Sewer Collector report for November 2006
- D. Director of Public Works report for November 2006
- E. Sea Bright Planning Board minutes of November 14, 2006
- F. Sea Bright Planning Board minutes of November 28, 2006
- G. Monmouth County Regional health Commission Minutes of November 15, 2006.

9. COMMITTEE REPORTS:

A. Beach/Environment/Cultural Arts: Councilman Scriven said that the beach committee had been reviewing the Beach Plan regarding costs and available funding.

B. Public Works/Building Maintenance/Beautification:

Councilwoman Fernandes said that Public Works Director Bahrle arranged with the Monmouth County Sheriff's prisoners to assist Sea Bright from January 16 through the 19 and again in March. The prisoners do a great job and I am asking the Borough Clerk's office to have a thank you letter sent to Sheriff Oxley.

Councilwoman Fernandes said that Engineer Howarth is almost completed with the sewer aspect of the Downtown DIIP project. In addition, Engineer Hoder is waiting on permit information from DEP for the second phase, of the storm control for that area. He continues to work on the River Street project with the contractor.

C. Personnel/Office Administration/Court/Public Relations:

Councilman Kelly reported that the court submitted the new municipal court security plan to Judge Lawson. All bids have been received for the new video conferencing system, which would greatly assist court proceedings.

Councilman Kelly reported that The Sea Breeze Editor, Felecia Stratton told him that its next issue should be out by the end of this January.

Councilwoman Long asked if Sea Bright's website could be updated. Borough Clerk Smeltzer said she spoke with the Web Master before the meeting and all updates were done except for new photographs of the Council which

should be shot in February, when all Councilmembers could be present. Councilwoman Long suggested having an email list for residents to receive Council Meeting minutes. Councilman Kelly said they have already looked into posting the meeting's schedule, the agenda and minutes on the website to encourage more resident participation.

D. Finance/Insurance/Flood Control/Capital Projects:

Councilman Keeler said that the Budget Hearings would be held January 18 for all departments. Councilmembers are welcomed to sit in during their committees budget planning.

He said that he and Borough Clerk Smeltzer just attended the first meeting with the new joint insurance fund, Monmouth Municipal held in Wall Township. The Monmouth JIF is more formal than the former Middlesex JIF. Department heads have expressed that they were impressed with Monmouth Municipal's presentation and attention to detail.

Councilman Keeler said that there are two important Smart Growth meetings, which will be scheduled in February. The first meeting would be among the Councilmembers and the second would be open to the public.

E. Fire & First Aid/Emergency Management/Code Enforcement/Recreation:

Councilwoman Bills said that a meeting among all committee chairs would be scheduled soon to discuss the 2007 event's calendar. This would strongly prevent overlapping among the various committees

Councilwoman Bills said the recreation center would be hosting line dancing sessions on Thursdays for a thirty-dollar fee. The sessions would end in March with a St. Patrick's dance. The committee would be distributing flyers to the schools and there would be a press release. In addition, we are selling car wash tickets for five dollars as another fundraiser.

Councilwoman Bills reported meeting with Fire Chief Patrick Mason recently. There were 122 hours of calls, 1057 man hours and the average member's calls monthly was 12. Fire Chief Mason expressed a need for a new ladder truck.

Councilwoman Bills stated that a meeting with Emergency Management Official Pete Lang would be scheduled soon.

Councilwoman Bills made a motion to charge a \$30.00 fee per person for line dancing for the rec. Second by Councilwoman Fernandes and adopted upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

F. Police/Education/Grants: Councilwoman Long said they awarded the contract for the Police Department's digital in car video. All of the police control cars would be equipped with a digital camera and this would serve as protection for both police and residents.

Councilwoman Long reported that there were no police incidents for New Year's Eve. The Police Department did an admirable job with the Toys for Tots drive organized every year for families in Sea Bright. They also successfully collected over five hundred pounds of food for the town's food drive.

Councilwoman Long said that in December the police made 249 motor vehicle stops and issued 126 speeding tickets. Sea Bright philosophy is to educate drivers about the speed limits and not write tickets for every stop.

Chief Moore had researched traffic calming for Sea Bright, which is a combination of mainly physical measures that reduce negative effects of motor vehicle use and improve conditions for bicyclists and pedestrians

For example, install a center island in the downtown area of Ocean Avenue and provide speed tables, which are textured raised pedestrian crossings. This would slow down traffic and add to the driver's visual awareness of pedestrian crossings.

Councilwoman Long issued thanks to the police for submitting a budget with significant cuts. They provided cost saving measures and would continue to pursue grants and private donations.

Councilwoman Long reported that Shore Regional High School's School Board meeting is Thursday January 25 at 7:30 pm at the High School.

10. REMARKS FROM THE AUDIENCE:

Mr. Adler of New York City commented that the Department of Transportation is close to approving the Highlands Bridge project

Jim Parla asked what the Council was doing to stop the Highlands Bridge project.

Attorney Arnette said that Sea Bright's Governing Body continues to work on trying to accomplish many goals that suit both the Municipality and its constituents.

Fran Benson of Highlands asked if Sea Bright Council was in dialogue with Highland and Atlantic Highland Councils about the Highlands Bridge project. Attorney Arnette said that dialogue exists.

Conrad Paulus of Sea Bright said that a coalition of all three towns would prove to be a stronger defense against the Department of Transportation in its fight against the Highlands Bridge Project.

Donna Calahan said that she was in contact with the Historical Council and the Commissioner would be making her decision this month regarding the bridge.

Attorney Arnette said that this Council is astutely aware of the time parameters that are confronting them and are working to affect some type of event before any decision is handed down.

Janet Peterson of Highlands asked if there was anything Highland residents could do to help.

Attorney Arnette said to encourage your Council to get even more involved.

Maureen Kraner asked if the traffic plans proposed by the Department of Transportation was shared with Sea Bright.

Attorney Arnette we are not aware of what traffic plans the Department of Transportation has decided to execute.

Regina Smith asked if the Department of Transportation could be asked to hold a public meeting to update residents regarding the bridge.

Attorney Arnette said to contact Martine Culbertson at Department of Transportation to schedule a meeting.

Councilman Keeler said certain information from DOT was under review.

11. Executive Session: At 7:35 P.M., Councilwoman Fernandes introduced and offered for adoption the following resolution:

RESOLUTION NO. 37-2007
EXECUTIVE SESSION
BOROUGH OF SEA BRIGHT

WHEREAS, N.J.S.A. 20:40.12 et seq. provides for closed session of the Council as appropriate; and,

WHEREAS, the Public Meetings Act provides for closed session of the Council; and,

WHEREAS, the matters to be discussed involve litigation.

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

BE IT FURTHER RESOLVED that the Mayor and Council may come back into Regular Session to conduct additional business.

Second by Councilman Kelly and adopted upon a unanimous voice vote.

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

A motion was made by Councilman Scriven at 8:25 p.m. to return back to regular session of business. Second by Councilwoman Long and unanimously approved by voice vote.

Councilwoman Long made a motion to authorize discussions with Monmouth Beach and Oceanport regarding sharing court office facilities, to prepare a shared services grant application with those communities and to prepare a resolution supporting this action for the next meeting. Second by Councilman Scriven and approved upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

Councilwoman Long made a motion to authorize retention of Attorney Janine Bauer for a meeting with the DEP and other support services regarding the proposed Highlands Bridge Project. Second by Councilwoman Fernandes and approved upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

12. ADJOURNMENT:

There being no further business before the Governing Body. Councilwoman Fernandes made a motion to adjourn the meeting at 8:27 P.M. Second by Councilwoman Long and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer
Municipal Clerk