

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

2. MOMENT OF SILENCE: Mayor Fernandes asked that all present remain standing for a Moment of Silence as Borough Clerk Smeltzer read the names for the following persons who passed away in 2009.

- Calvin J. Siciliano
- Paul A. Gayer
- William R. "Bill" Cousins
- John H. "Jack" Lacey, Jr.
- Victor C. Perotti, Jr.
- Robert E. "Bob" Crowley
- Eva Louise Eilenberger
- George J. Cottrell
- Gertrude "Gay" Donnelly Walton
- Virginia Boag
- Rev. John J. Higgins
- Stanley Arasin
- Kevin Ruddy
- Josephine A. "Jo Ann" Brosious
- James J. Walton
- Frederick Hitzman
- Allton E. Brown
- Margaret E. "Peggy" Regan

3. STATEMENT OF DETERMINATION:

Borough Clerk Smeltzer read the following statement:

"A statement of the determination of the Board of County Canvassers relative to an election held in the Borough of Sea Bright on the 3rd day of November, in the year Two Thousand and Nine for the election of Municipal Officers for said

BOROUGH OF SEA BRIGHT

The said board to determine that at the said election

WILLIAM J. KEELER and **DINA LONG** WERE DULY ELECTED MEMBERS OF THE BOROUGH COUNCIL, FULL TERM.

William J. Keeler was sworn in by Lieutenant Governor elect Kim Guadagno as Attorney Oxley held the Bible.

Lieutenant Governor elect Kim Guadagno swore in Dina Long with her mother and son held the Bible.

4. Mayor Fernandes read the following statement:

"GOOD AFTERNOON, LADIES AND GENTLEMEN. THIS MEETING IS 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 REORGANIZATION MEETING

HAS BEEN PROVIDED ON DECEMBER 14, 2009 TO THE LINK, HUB, TWO RIVER TIMES AND ASBURY PARK PRESS 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."

5. ROLL CALL:

PRESENT: Keeler, Kelly, LoBiondo, Long, Murphy, Mayor Fernandes, Attorney Oxley, Borough Administrator/Clerk Smeltzer, Deputy Borough Clerk Branagan.

ABSENT: Bills

6. Councilman LoBiondo introduced and offered the following Resolution for adoption and Joseph W. Oxley, Esq. was sworn in by Lieutenant Governor elect Kim Guadagno:

**RESOLUTION NO. 2-2010
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT
FOR BOROUGH ATTORNEY**

WHEREAS, request for proposals for professional services for a Borough Attorney in a fair and open contract were advertised and received on December 16, 2009; 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, 2010 through December 31, 2010; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 **JOSEPH W. OXLEY, ESQ.** of the law firm of SCARINCI HOLLENBECK as described herein; and,

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

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

Ayes: Keeler, Kelly, Long, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills

7. INVOCATION: Father Michael Manning delivered the invocation.

8. COUNCIL PRESIDENT WILLIAM J. KEELER - 2009 ADDRESS President Keeler said Sea Bright operates under the weak Mayor form of government with six Councilmembers. The Mayor only votes when there is a tie vote.

Sea Bright's Governing Body has six committees. Councilwoman Long chairs the Beach, Education and Environment Committees. Councilman LoBiondo chairs the Public Works Committee. Councilman Keeler said that he heads the Police, Emergency

Management, Insurance and Court Committees. Councilman Murphy heads the Finance, Grant and Fire Committees. Councilwoman Bills chairs the Personnel, Administration, Cultural Arts and Recreation Committees. Councilman Kelly heads the Smart Growth, Flood Mitigation and Beautification Committees.

Council President Keeler thanked Borough Administrator/Clerk Smeltzer and her staff for their professionalism. He said that he appreciated all the members of the Police, Public Works, Courts and the Library for their work. He thanked all the many people who served as volunteers on the Committees and his opportunity to serve Sea Bright's residents.

9. MAYOR MARIA D. FERNANDES - 2010 NEW YEAR MESSAGE: Good afternoon ladies and gentlemen and welcome to Sea Bright's 2010 Reorganization Day. I would like to congratulate Council members Dina Long and William "Jack" Keeler on their re-election. I will share with you my goals for 2010. As I did in 2009, I am asking the Council to introduce a budget ten (10) per cent lower than last year's to try to achieve a zero tax increase.

Here are some cost savings ideas the Council may want to consider.

Eliminate mailing the quarterly Sea Breeze to all postal patrons. Post the Sea Breeze on our website, and we can have it automatically emailed to whoever requests it. For those who do not have computers, we would have copies available at Borough Hall and the library. We would save mailing and printing costs. Let us all try to make decisions before spending money on professional services. Indecisiveness has become too expensive.

We have asked all of our professionals to retain the same rates as in 2009, and in a few cases they will be lower thanks to the efforts of our Borough Administrator Maryann Smeltzer and her staff. By June 2010, I would like to be able to offer to our residents and business owners the option of paying their property taxes and sewer charges using credit or debit cards, and any other services where the Borough can accept credit or debit card payments by statute. Our Finance Chairman, Councilman C. Read Murphy can coordinate this effort.

I would also like the Council to work towards the following goals:

- a. Permanent cell tower - April 2010
Council President Jack Keeler, Chairman Police and OIM
- b. Beach Way/Normandie Place Repaving - May 2010 - we received a \$215,000 grant to help for this
Councilman James LoBiondo, Chairman Public Works
- c. Beach Pavilion - September 2010
Councilwoman Dina Long, Chairwoman Beach Committee
- d. Bulkheads - Beach and Center Streets - October 2010 - funding available. Councilman James LoBiondo, Chairman Public Works

We are optimistic that the litigation with the DEP will be resolved soon. Since it is not yet finalized, all I am at liberty to state is that you will be seeing some much needed enhancements to our municipal beach as soon as the Council makes some decisions. A successful program that was initiated last

year by Beach Chairwoman, Councilwoman Dina Long was the half-price pre-season beach badge sales. We have already sold 215 badges for the 2010 beach season. Keep in mind that this is January 2. This is a win-win for beachgoers and the Borough. We will extend this program until March 31, after that date, the price will go back to \$100 per badge.

Coming soon will be Family Fun Fridays (on the fourth Friday of the month), a new program which the Recreation Advisory Committee and Chairwoman, Councilwoman Peggy Bills are organizing.

The Smart Growth Committee Chairman, Councilman Brian Kelly will be providing us with a schedule of quarterly meetings at the January 19 council meeting. At the final Smart Growth meeting in 2009, we had a guest speaker with an interesting concept for a bulkhead. We had good public participation, and Councilman Kelly will pursue this.

There has been much discussion as to whether we should or should not build a pool. Should it be seasonal or year round. How many lockers, should we have day lockers? Will it generate enough revenue to pay down the construction debt? These are all good questions and valid concerns. We have received professional cost estimates for a seasonal pool with amenities at approximately \$15 million. Some say that this number is not accurate and that it will not cost more than \$3 million. What I can tell you is that, based on my experience with construction projects in Sea Bright, the proposed pool project will probably be a lot closer to the \$15 million than to the \$3 million. The residents I have spoken to about the pool are evenly split on this issue. I urge the council to decide what you would like to do before spending any additional money on architects, engineers, attorneys, plans, studies, etc., for the pool project. Then let the people decide through a referendum in November.

With the consolidation of Sea Bright with the Oceanport School District, we were concerned as to what the financial impact would be for Sea Bright taxpayers. So ,I sent a letter to State Education Commissioner Davy petitioning her to determine in accordance with A-4141 the apportionment methodology that will remain in effect for the duration of Sea Bright's consolidation with Oceanport District. Commissioner Davy advised, "the methodology used was a combination of equalized value and enrollment to achieve a neutral tax impact on Sea Bright and Oceanport taxpayers. That methodology will continue as the basis for taxes in this new district for the duration of the Sea Bright - Oceanport K-8 relationship. That was the written response that we had hoped for. But as soon as Governor elect Christie appoints a new Education Commissioner, I will write to the new commissioner and hope for the same response as Commissioner Davy's.

Two Rivers Mayors Council, of which I am a member, has initiated a Mayors Task Force for School Funding Reform that would require the State to fund per pupil education costs from a source other than property taxes. New Jersey is one of only seven states that continues to use property taxes to fund education. The New Jersey League of Municipalities has sent a School Funding Reform Initiative Statement Of Support to all the Mayors in the State for our signature, which I have done.

We are working with the NJ Boat Commission to amend their rules

so that from shore to shore the Shrewsbury River from Sedge Island in Sea Bright to Plum Island in Highlands is designated as a "slow speed/no wake" area. Speeding on the River is hazardous and the wake increases riverfront beach erosion as well as damage to bulkheads, boats and property. I would like to thank Jo and Re Van Holt and Mary Ann Chevalier for encouraging us to look into this. I was able to persuade the commission to hold their next meeting in Sea Bright instead of Trenton. It will be on Wednesday, January 13 at 10 AM in our meeting room. We encourage all to attend.

Police Chairman, Council President Jack Keeler and Police Chief John Sorrentino's main focus is public safety. The Chief and his Department are committed to being proactive rather than reactive with enforcement.

We lost quite a lot of sand with the recent nor'easters, and we had to do something about this. I was able to convince the Bureau of Coastal Navigation to allow us to scrape the sand from the waterline to build a berm in areas where we did not have permits. Hopefully, these berms will give us more protection than we had in the past. In the future, we should include sand scraping as a normal maintenance project. I would like to thank Public Works Chairman, Councilman James LoBiondo, Director of Public Works Dave Bahrle and his crew for coordinating this project.

This year the Sea Bright Business Alliance will be hosting, not one, but two "A Taste of Sea Bright" events, on the first Saturdays, May 1 and October 2. Tickets will be limited to 1000. Visit www.visitseabright.com for details.

We would like to recognize and thank all of our employees, whose names and titles appear on today's agenda, for a superb job in the day-to-day operations of the Borough. We cannot thank our volunteers enough who selflessly devote many hours to organizations such as the Fire Department, Fire Ladies, First Aid, and Emergency Management; our advisory committees; namely, beatification, library, recreation, environment, public relations; and cats; Board of Health, and the Planning and Zoning Board. We thank you for all your services, your devotion and your dedication to Sea Bright.

If you would like to join one or more volunteer groups, Council or Planning/Zoning Board, please feel free to contact us. Our contact information is on our website www.seabrightnj.com or you can telephone Borough Hall.

I hope that this Council will continue to communicate with each other, and respect each other's position. It is important for the governing body to hear from you. Tell us if you like or do not like what we are doing. If you think you have a good idea, please share it with us. And, now in closing, it has been an honor and a pleasure to serve as Mayor. I enjoy every phone call, email and letter that I receive. It is never a bother. I look forward to the New Year, and I wish everyone a Happy and Healthy 2010, and may God bless Sea Bright.

10. COMMITTEE APPOINTMENTS:

The following Committee Appointments are presented by the Council President for the year 2010:

A. BEACH, EDUCATION, ENVIRONMENT:

1. DINA LONG, CHAIR
2. JAMES LOBIONDO, III
3. PEGGY BILLS

B. PUBLIC WORKS, BUILDING DEPARTMENT, PUBLIC RELATIONS:

1. JAMES LOBIONDO, III CHAIR
2. BRIAN KELLY
3. C. READ MURPHY

C. POLICE, EMERGENCY MANAGEMENT, INSURANCE, COURT

1. WILLIAM J. KEELER, CHAIR
2. DINA LONG
3. JAMES LOBIONDO, III

D. FINANCE, GRANT, FIRE:

1. C. READ MURPHY, CHAIR
2. PEGGY BILLS
3. BRIAN KELLY

E. PERSONNEL, ADMINISTRATION, CULTURAL ARTS, RECREATION:

1. PEGGY BILLS, CHAIR
2. C. READ MURPHY
3. WILLIAM J. KEELER

F. SMART GROWTH, FLOOD MITIGATION, BEAUTIFICATION:

1. BRIAN KELLY, CHAIR
2. WILLIAM J. KEELER
3. DINA LONG

11. APPOINTMENTS FOR 2010:

A. Councilman Murphy introduced and offered for adoption the following resolution:

**RESOLUTION NO. 1-2010
2010 Council President**

WHEREAS, it is necessary that a member of the Council be elected President of said Council to fulfill the duties of the Mayor during her absence for the year ending December 31, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Sea Bright that **WILLIAM J. KEELER** be and is hereby elected **President** of said Council.

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

Ayes: Kelly, Long, LoBiondo, Murphy
Nays: None
Abstain: Keeler
Absent: Bills

C. Councilman Murphy introduced and offered the following Resolution for adoption:

**RESOLUTION NO. 3-2010
BOROUGH OF SEA BRIGHT
MUNICIPAL COURT JUDGE**

BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that **THOMAS F.X. FOLEY**, be appointed to the position of MUNICIPAL COURT

JUDGE for the Borough of Sea Bright for the term of three (3) years commencing January 1, 2010 through December 31, 2012.

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available for the purpose stated herein.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

D. Councilman Murphy introduced and offered the following Resolution for adoption:

RESOLUTION NO. 4-2010
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT
FOR BOROUGH ENGINEER

WHEREAS, request for proposals for professional services for a Borough Engineer in a fair and open contract were advertised and received on December 16, 2009; 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, 2010 through December 31, 2010; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 **JACLYN J. FLOR of the firm of T & M ASSOCIATES** as described herein; and,

BE IT FURTHER RESOLVED that a notice of this action shall be printed one time in the "Asbury Park Press" newspaper. Second by Councilman LoBiondo and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: Long

Abstain: None

Absent: Bills

E. Councilman Murphy introduced and offered the following Resolution for adoption:

RESOLUTION NO.5 2010
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT
FOR SPECIAL PROJECT ENGINEER

WHEREAS, request for proposals for professional services for a Special Project Engineer in a fair and open contract were advertised and received on December 16, 2009; 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, 2010 through December 31, 2010; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 DAVID HODER, P.E. of the firm of MASER CONSULTING as described herein; and,

BE IT FURTHER RESOLVED that a notice of this action shall be printed one time in the "Asbury Park Press" newspaper. Second by Councilman Councilwoman Long and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

F. Councilman Keeler introduced and offered the following Resolution for adoption:

RESOLUTION NO.6 2010
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT
FOR SPECIAL PROJECT ENGINEER

WHEREAS, request for proposals for professional services for a Special Project Engineer in a fair and open contract were advertised and received on December 16, 2009; 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, 2010 through December 31, 2010; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 PETER AVAKIAN, P.E. of the firm of Leon Avakian as described herein; and,

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

Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

G. Councilman Keeler introduced and offered the following Resolution for adoption:

RESOLUTION NO.7 2010
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT
FOR SPECIAL PROJECT ENGINEER

WHEREAS, request for proposals for professional services for a Special Project Engineer in a fair and open contract were advertised and received on December 16, 2009; 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, 2010 through December 31, 2010; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 ROBERT MAINBERGER, P.E. of the firm of HATCH, MOTT, MACDONALD as described herein; and,

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

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

RESOLUTION NO.8 2010
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT
FOR SPECIAL PROJECT ENGINEER

WHEREAS, request for proposals for professional services for a Special Project Engineer in a fair and open contract were advertised and received on December 16, 2009; 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, 2010 through December 31, 2010; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 TETRA TECH, EM. INC. as described herein; and,

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

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

I. Councilman LoBiondo made a motion carrying Resolution No. 9-2010 appointment Of **KATHLEEN A. SHEEDY, ESQUIRE** as Municipal Prosecutor to the January 19, 2010 Council Meeting.

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

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: Long

Abstain: None

Absent: Bills

J. Councilman Keeler made a motion carrying **Resolution No. 10-2010** appointment of **JOHN T LANE, JR.,** as **Alternate Municipal Prosecutor** to the January 19, 2010 Council Meeting.

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

Ayes: Keeler, Kelly, LoBiondo, Murphy

Nays: Long

Abstain: None

Absent: Bills

K. Councilman Murphy introduced and offered the following Resolution for adoption:

**RESOLUTION NO. 11-2009
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT FOR
BOROUGH PUBLIC DEFENDER**

BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that **THOMAS J. SMITH, III** be appointed to the position of MUNICIPAL PUBLIC DEFENDER for the Borough of Sea Bright for the term of one year commencing January 1, 2010 through December 31, 2010.

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available for the purpose stated herein.

Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

L. Councilman Murphy introduced and offered the following Resolution for adoption:

RESOLUTION NO.12-2010
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT
FOR BOROUGH BOND COUNSEL

WHEREAS, request for proposals for professional services for a Borough Bond Counsel in a fair and open contract were advertised and received on December 16, 2009; 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, 2010 through December 31, 2010; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 **JOHN DRAIKIEWICZ, ESQ.** of the law firm of GIBBONS. P.C. as described herein; and,

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

Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Bills

M. Councilman Murphy introduced and offered the following Resolution for adoption:

RESOLUTION NO. 13-2010
AUTHORIZING THE AWARD OF A
FAIR AND OPEN CONTRACT
FOR BOROUGH LABOR ATTORNEY

WHEREAS, request for proposals for professional services for a Borough Labor Attorney in a fair and open contract were advertised and received on December 16, 2009; 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, 2010 through December 31, 2010; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available 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 **MATTHEW J. GIACOBBE, ESQ. of the firm of SCARINCI HOLLENBECK** as described herein; and,

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

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

N. Councilman Murphy made a motion carrying **Resolution No. 14-2010** appointment of **ROBERT HULSART, RMA** as **Auditor**. Second by Councilman Keeler and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

RESOLUTION NO. 30-2010
BOROUGH OF SEA BRIGHT
EMERGENCY MANAGEMENT COORDINATOR

BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that **PATRICK S. MASON, JR.** be appointed to the position of **EMERGENCY MANAGEMENT COORDINATOR** for the Borough of Sea Bright for the term of three (3) years commencing January 1, 2010 through December 31, 2012.

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available for the purpose stated herein.

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

Ayes: Keeler, Kelly, LoBiondo, Long

Nays: None

Abstain: Murphy

Absent: Bills

P. Councilman Keeler made a motion appointing the following individuals to the position of Emergency Management Deputy Coordinators.

- a) JOHN SORRENTINO - No Salary
- b) CANDACE BRUNSWICK
- c) JOSEPH ESKRIDGE
- d) C. READ MURPHY - No Salary
- e) DANIEL DROGIN

Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long

Nays: None

Abstain: Murphy

Absent: Bills

12. CONSENT AGENDA:

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

RESOLUTION NO.15-2010
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
CODIFICATION SERVICES
BOROUGH OF SEA BRIGHT

WHEREAS there exists a need for codification services in the Borough of Sea Bright, County of Monmouth, State of New Jersey; and

WHEREAS, funds are or will be available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Sea Bright, County of Monmouth, as follows:

1. The Mayor is hereby authorized and directed to execute an agreement with GENERAL CODE CODIFICATION COMPANY for a one year term from January 1, 2010 to December 31, 2010.
2. This contract is awarded without competitive bidding as a Professional Service" in accordance with N.J.S.A. 40A:11-5(x) of the Local Public Contracts Law for the codification of municipal ordinances.
3. A notice of this action shall be printed once in "Asbury Park Press".

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

RESOLUTION NO. 16-2010
BOROUGH OF SEA BRIGHT

WHEREAS, there exists a need for the appointment of a **Community Development Block Grant Representative** for the Borough of Sea Bright, County of Monmouth, State of New Jersey; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Sea Bright, County of Monmouth, that **William J. Keeler** is appointed **Community Development Block Grant Representative** and **Maryann M. Smeltzer** is appointed **Alternate Representative** for the year 2010.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

**RESOLUTION NO.17-2010
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright that the time and place for the **Regular Council Meetings** in 2010 be and the same is hereby fixed as the first and third Tuesday of every month except as noted.

WHEREAS, it is the desire of the Governing Body to adjourn their meetings, both Public and Executive Sessions, no later than 9:30 p.m., and

WHEREAS, it is also established that the deadline for all agenda items shall be the Thursday prior to the meeting date no later than 4:30 p.m. The deadline for the January 8, 2011 Reorganization Agenda shall be December 20, 2010 no later than 4:30 P.M. for Distribution on December 21, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright that the dates, as set forth below, comprise the **Annual Schedule Notice** of evening meetings which will be held at **7:30 P.M.** prevailing time, at the Cecile F. Norton Community Center, 1167 Ocean Avenue, Sea Bright, New Jersey:

**MEETING DATES OF MAYOR AND COUNCIL
BOROUGH OF SEA BRIGHT
2010 ANNUAL SCHEDULE NOTICE**

January	2 Reorg, 19	July	6
February	2, 16	August	3
March	2, 16	September	7, 21
April	6, 20	October	5, 19
May	4, 18	November	15 (Monday)
June	1, 15	December	7, 21

2011 Reorganization Meeting
will take place on
Saturday, January 8, 2011 at 10:00 a.m.

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

Ayes: Keeler, Kelly, Long, LoBiondo, Murphy

Nays: None

Abstain: None

Absent: Bills

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

**RESOLUTION NO. 18-2010
BOROUGH OF SEA BRIGHT**

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies, a bank or trust company having its place of business in the State, and organized under the laws of the United States or this State:

NOW, THEREFORE, BE IT RESOLVED on the 2nd day of January 2010, by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, New Jersey, that:

1. Valley National Bank
2. Wachovia
3. New Jersey Cash Management Fund
4. TD Bank
5. Bank of New York
6. US Bank
7. JP Morgan Chase

be, and hereby are, designated as depositories for the Borough of Sea Bright for the year 2010.

Prior to the deposit of any municipal funds in the above-mentioned depositories, the bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act (R.S. 17:9-41).

BE IT FURTHER RESOLVED that the aforesaid banks are hereby authorized and directed to honor checks drawn upon the Borough funds signed by Michael J. Bascom, Chief Financial Officer; Maria D. Fernandes, Mayor and Maryann M. Smeltzer, Borough Clerk, with the exception of:

***Municipal Court Account, #07100651-6,** Patti Aurilio, Acting Court Administrator, or Municipal Judge Thomas F. X. Foley, as Authorized Signatory.

***Bail Account #07106652-4** Patti Aurilio, Acting Court Administrator or Municipal Judge, Thomas F. X. Foley, as authorized signatory.

***Law Enforcement MAC Account, #071-00721-0,** Chief John Sorrentino Detective John Arias Signatories.

***Health Insurance Fund #07100702-4** D. Couto, or D. Cowles or W. Garnett of Benemax as authorized signatories.

***Redemption Account, #054-178312,** Patricia Spahr, Tax Collector or Maryann M. Smeltzer, Municipal Clerk

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

e. Councilman Keeler introduced and offered for adoption the following Resolution:

RESOLUTION NO.19-2010
INTEREST RATE ON DELINQUENT TAXES,
SEWER AND OTHER MUNICIPAL CHARGES
BOROUGH OF SEA BRIGHT

WHEREAS, N.J.S.A. 54:5-67 permits the governing body of each municipality to fix the rate of interest to be charged for non payment of taxes, sewer and other municipal charges or assessments subject to any abatement or discount for the late payment of taxes, sewer and municipal charges as provided by law; and

WHEREAS, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of

\$1,500.00 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year;

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

1. The Tax/Sewer Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes, sewer and other municipal charges becoming delinquent after the due date and 18% per annum on any amount of taxes, sewer and other municipal charges in excess of \$1,500.00 becoming delinquent after the due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency.

2. Effective January 1, 2010, there will be a ten (10) day grace period of quarterly tax/sewer/payments made by cash, check or money order.

3. Any payments not made in accordance with paragraph two of this Resolution shall be charged interest from the due date as set forth in paragraph one of this Resolution.

4. This Resolution shall be published in its entirety once in an official newspaper of the Borough of Sea Bright.

5. A certified copy of this Resolution shall be provided by the Borough Clerk to the Tax/Sewer Collector.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

f. Councilman Keeler introduced and offered for adoption the following Resolution:

RESOLUTION NO. 20-2010
BOROUGH OF SEA BRIGHT
CASH MANAGEMENT PLAN

WHEREAS, the Borough Council wishes to adopt a Cash Management Plan for the year 2010;

NOW, THEREFORE, BE IT RESOLVED, that the Cash Management Plan for the year 2010 be and is hereby approved.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

RESOLUTION NO.21-2010
PETTY CASH FUNDS AND CHANGE FUNDS

BOROUGH OF SEA BRIGHT

WHEREAS, the New Jersey Division of Local Government Services pursuant to N.J.S.A. 40A:5-21 has established rules governing the issuance of **Petty Cash Funds**.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright that application be made to the Director, Division of Local Government Services, for approval to maintain the following **Petty Cash Funds** for the year 2010 for the following department in the following amount:

Finance Department:

Petty Cash Checking Account	\$200.00
Petty Cash	<u>\$100.00</u>
Total	\$300.00

BE IT FURTHER RESOLVED that the following **change funds** be maintained in the Borough of Sea Bright:

Library/Cultural Arts: Change Fund	\$ 25.00
Office of the Municipal Clerk	\$ 50.00
Tax and Sewer Collector	\$ 250.00
Municipal Court Administrator	\$ 100.00
Recreation/Public Event Change Fund	\$ 200.00
Beach	\$4,000.00

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Bills

h Councilman Keeler introduced and offered for adoption the following resolution:

RESOLUTION NO. 22-2010
OFFICIAL NEWSPAPERS
BOROUGH OF SEA BRIGHT

BE IT RESOLVED by the Council of the Borough of Sea Bright that the **ASBURY PARK PRESS, ATLANTICVILLE, HUB, TWO RIVER TIMES, AND STAR LEDGER** be designated as the official newspapers for the advertising of legal notices for the year ending December 31, 2010.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Bills

i. Councilman Keeler introduced and offer for adoption other Appointments - Salaries set by Ordinance:

- MUNICIPAL COURT DEPUTY ADMINISTRATORS** (hourly part-time): PATTILEE AURILIO
STEPHANIE SEYR
- MUNICIPAL COURT ASSISTANT** (hourly part-time temporary): MARGARET GATTO
- BOROUGH ADMINISTRATOR:** MARYANN M. SMELTZER

4. **BOROUGH BOOKKEEPER/FISCAL OFFICER** (part-time):
NELDA DEL RE.
5. **SEWER UTILITY COLLECTOR**: PATRICIA M. SPAHR.
6. **FINANCE MANAGER**: ANA DEBEVEC.
7. **OFFICIAL TAX SEARCHER**: PATRICIA M. SPAHR.
8. **OFFICIAL ASSESSMENT SEARCHER**: MARYANN M. SMELTZER.
9. **BOROUGH ADMINISTRATIVE ASSISTANT, CONSTRUCTION DEPARTMENT SECRETARY, AND TECHNICAL ASSISTANT**:
KAREN DiBERARDINO.
10. **DEPUTY BOROUGH CLERK**: SUZANNE BRANAGAN.
11. **DEPUTY REGISTRAR**: KAREN DiBERARDINO
12. **ALTERNATE DEPUTY REGISTRAR**: SUZANNE BRANAGAN.
13. **PART-TIME EMPLOYEE/OFFICE - HOURLY**: KATHY MORRIS.
14. **CONSTRUCTION OFFICIAL/BUILDING SUBCODE OFFICIAL**
(part-time): EDWARD WHEELER
15. **HOUSING INSPECTOR** (part-time): THOMAS HAEGE
16. **CODE ENFORCEMENT OFFICER** (part-time): THOMAS HAEGE
17. **FIRE INSPECTOR/FIRE SUB-CODE OFFICIAL** (part-time):
THOMAS HAEGE
18. **ZONING OFFICER** (part-time): MARY TANGOLICS
19. **ELECTRICAL SUBCODE OFFICIAL** (part-time): EDWARD
WHEELER
20. **PLUMBING SUBCODE OFFICIAL** (part-time): AL HOPPING
21. **PLANNER** (part-time): MARY TANGOLICS
22. **DIRECTOR-DEPARTMENT OF PUBLIC WORKS/RECYCLING
COORDINATOR**. DAVID BAHRLE
23. **SUPERINTENDENT OF BOROUGH MAINTENANCE/DEPUTY
RECYCLING COORDINATOR**: DOUGLAS CLARK
24. **PUBLIC WORKS MAINTENANCE PERSONS**:
 - a) ROBERT LORAY
 - b) CHARLES YINGLING
25. **LIBRARY/CULTURAL ARTS DIRECTOR** (part-time):
JOAN WALSH
26. **LIBRARY/CULTURAL ARTS ASSISTANT** (part-time hourly):
 - a) EMMA PRASKAC
 - b) PATRICIA ANDRIOLA
27. **BOARD OF HEALTH: SECRETARY** (part-time):
PATRICIA SPAHR
28. **RECREATION DIRECTOR** (part-time): KATHY MORRIS
29. **WATER SAFETY DIRECTOR/BEACHFRONT OPERATIONS
MANAGER**: WILLIAM MACK
30. **BOROUGH PHYSICIAN**:
MONMOUTH MEDICAL CENTER OCCUPATIONAL HEALTH
31. **POLICE CLERK/DISPATCHER**:
KHRISTI JACOBS
32. **CLASS I SPECIAL OFFICER**:
 - a) WILLIAM FABIAN
 - b) RYAN CHIPPENDALE
33. **CLASS II SPECIAL POLICE OFFICERS**: One year, no
salary, unless called to duty, subject to Rules and
Regulations of the Police Dept.
 - a) KHRISTI JACOBS
 - b) RICHARD HUEGAL
 - c) KENNETH ERRICKSON
 - d) TRAVIS MORGAN
 - e) RALPH LATHAM
 - f) KELLY LEIMBURG
34. **DISPATCHERS**:
 - a) WILLIAM FABIAN
 - b) RYAN CHIPPENDALE
 - c) RICHARD HUEGAL
 - d) KENNETH ERRICKSON
 - e) TRAVIS MORGAN

- f) RALPH LATHAM
- g) KELLY LEIMBURG
- 35. **POLICE MATRON:** KERRY GOWAN
- 36. **SCHOOL CROSSING GUARD:** TAMMY YINGLING
- 37. **POLICE JANITOR:** MICHAEL NORMILE
- 38. **ANIMAL CONTROL OFFICER:** KERRY GOWAN
- 39. **REPRESENTATIVE TO MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND:**
 - a) WILLIAM J. KEELER
 - b) MARYANN M. SMELTZER, Alternate
- 40. **SENIOR CITIZEN LIAISON:**
 - a) MARIA D. FERNANDES, MAYOR
- 41. **NEWSLETTER EDITOR:**
 - a) FELECIA STRATTON, Newsletter Editor/Designer
- 42. **BOARD OF HEALTH REPRESENTATIVES:**
 - a) PETER LANG, III (1/1/10 to 12/31/12)
 - b) ALTERNATE LIAISON (1/1/10 TO 12/31/12)
DANIEL DROGIN

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

13. 2010 FIRE DEPARTMENT APPOINTMENTS:

1. **FIRE DEPARTMENT LINE OFFICERS APPOINTMENTS:**
 - Fire Chief - JOHN MATEJCZYK
 - Assistant Fire Chief - C. CHAD MURPHY
 - Captain - PETER LANG, IV
 - First Lieutenant - JOHN SANDERS
 - Second Lieutenant - PATRICK MASON
2. **AUXILIARY FIRE DRIVERS:** Salary set by Ordinance.
 - a) JAMES FORSMAN
 - b) DAVE ESTELLE
 - c) C. CHAD MURPHY
 - d) AARON ROCK
 - e) EDWARD SMACK
 - f) PAT MASON
 - g) JOHN SANDERS
 - h) PETER LANG, III
 - i) PETER PERRINE SR.
 - j) PETER LANG, IV
 - k) ANGELO CIAGLIA
 - l) STEVEN SPAHR
 - m) CLAY WILBANKS, SR.
 - n) STEVEN J. LANG
3. **FIRE POLICE:** One year, no salary unless called to duty, subject to the Rules & Regulations of the Police Department.
 - a) PAT MASON
 - b) DAVE ESTELLE
 - c) PATRICK COVERT
 - d) DAN DROGIN
 - e) C. READ MURPHY
 - f) JOHN SANDERS, SR.
 - g) CHARLES YINGLING
4. **PROBATIONARY DRIVERS:**
 - a) SCOTT SERVILLA
 - b) JOSEPH ESKRIDGE
 - c) PAUL HALLIGAN

- d) ERIC HENNESSEY
- e) GREG LAYTON
- f) TOM FORSMAN
- g) PETER PERRINE, JR.
- h) ANTHONY NOLAN
- i) JYLL JAKES
- j) C. READ MURPHY
- k) MICHAEL ESTELLE
- l) BRETT MURPHY
- m) MICHAEL DROGIN
- n) JOHN MATEJCZYK
- o) JOHN "JAY" ROCK

5. **PURCHASING AGENTS - FIRE DEPARTMENT.** No Salary.

- a) Fire Chief - JOHN MATEJCZYK
- b) Assistant Fire Chief - C. CHAD MURPHY

6. **ENGINEERS - FIRE DEPARTMENT.**

- a) Chief Engineer: JAMES FORSMAN
- b) Assistant Chief Engineer: PETE LANG, III
- c) Assistant Chief Engineer: C. CHAD MURPHY

MOTION ON FIRE DEPARTMENT APPOINTMENTS was made by Councilwoman Long. Second by Councilman Keeler and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long

Nays: None

Abstain: Murphy

Absent: Bills

14. PLANNING/ZONING BOARD APPOINTMENTS:

(a) MAYOR'S ACKNOWLEDGEMENT. Mayor Fernandes thanked Ralph Clauer for his volunteerism and service for all the years he was a member of Sea Bright's Planning/Zoning Board.

(b) OATHS OF OFFICE:

Class II - (1 year term) 1/1/10 to 12/31/10 - **JONATHAN BEER**

Class IV - (4 year term unexpired term 1/1/08 to 12/31/11)
BENEDICT J. TORCIVIA, JR.

Class IV - Alternate I Member (2 year term unexpired 1-1-09 to 12-31-10) - **STEPHEN J. SMITH** was sworn in by Mayor Fernandes

Class IV - Alternate II Member (2 year term)
1/1/10 to 12/31/11 - **MARC A. LECKSTEIN** was sworn in by Mayor Fernandes.

(c) Councilwoman Long introduced and offered for adoption the following resolution:

RESOLUTION NO. 23-2010
COUNCIL LIASON TO THE PLANNING BOARD
BOROUGH OF SEA BRIGHT

WHEREAS, it is necessary that a member of the Council be appointed as liaison to the Sea Bright Planning/Zoning Board to represent the Governing Body as a Class III member for the year ending December 31, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright that **C. READ MURPHY** be and is hereby appointed to this position.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

15. COMMUNITY ADVISORY COMMITTEES:

A. BEAUTIFICATION:

- **BRIAN KELLY, Chair**
- Anna Panayiotou
- Penelope Dehle
- Ralph Clauer
- Clariza Muratore

B. CAT COMMITTEE:

- **DINA LONG, Chair**
- Chris Doxey
- Natalie Nicol
- Patricia Paddie Miller
- Susan Dulczak
- Frieda Finegan
- Steve Garelli
- Kerry Gowan, Animal Control Officer
- Police Chief John Sorrentino
- Maryann M. Smeltzer, Administrator/Clerk

C. 2010 CENSUS - COMPLETE COUNT COMMITTEE

- Maria D. Fernandes, Mayor
- Maryann M. Smeltzer, Administrator/Clerk
- John Sorrentino, Police Chief
- Joan Walsh, Library Director

D. ENVIRONMENTAL PARTNERSHIP:

- **DINA LONG Chair**
- Thomas Scriven, Representative
- Diane Glaser, Alt. Representative

E. LIBRARY & CULTURAL ARTS:

- **PEGGY BILLS, Chair**
- THOMAS SCRIVEN
- SUSANA MARKSON
- MARY ANN CHEVALIER
- LIZ VON ZIEGESAR
- JOAN NEUHOFF
- MARGARET SAXTON
- DIANA BURICH
- HARRIET PRIMACK
- ELIZABETH DEGIULIO

F. LOCAL EMERGENCY PLANNING COMMITTEE:

- **WILLIAM J. KEELER, Chair**
- Maria D. Fernandes, Mayor
- Maryann M. Smeltzer, Adm/Clerk - Information Officer
- Peter Lang, III OEM

- Fire Chief
- John Sorrentino, Police Chief, Deputy OEM
- C. Chad Murphy, Fire/Police
- Tom Haege, Fire Official
- Patrick Mason, Fire
- Daniel Drogin, EMS
- John McDonald, Health Department
- Thomas Scriven, Environmental
- David Bahrle, Director Public Works
- Rob Long, Social Services
- Stephen Scott Kelly, Business
- John and Michael Chimento, Beach
- Alexander "Sandy" Mulheren, Beach
- Charles and Brett McQuillan, Marina

G. PUBLIC RELATIONS:

- **JAMES LOBIONDO, Chair**
- Norma Ryan
- Felecia Stratton
- Joan Osgoodby
- Murphy Anderson
- Laurie Calabrese
- Leigh Maris

H. RECREATION:

- **PEGGY BILLS, Chair**
- Felecia Stratton
- Cristine Sinnott
- Rob Long
- Beth Hojraj
- Patricia (Paddie) Miller
- Frieda Finegan
- Lindsey Davenport
- Anna Panayiotou
- Madeline Jackson

I. SAFETY & LOSS COMMITTEE:

- **WILLIAM J. KEELER, Executive Member**
- Maryann M. Smeltzer, Executive Member
- Chief John Sorrentino
- William Mack
- David Bahrle
- Nancy Descenza
- Peter Lang, III
- Patrick Mason
- Kathy Morris
- John McDonald, MCRHS No. 1

J. SCHOOL FORMULA ADVISORY COMMITTEE:

- **DINA LONG, Chair**
- Serafina Banich
- William Friedel
- Cecelia Mercedes
- Maryann Chevalier
- Elizabeth DeGuilio
- Danielle Reid

- Lynn Shapiro
- Kristen Goetze
- Jonathan Beer

16. AWARD RECOGNITION: Sea Bright Business Alliance. Mayor Fernandes congratulated the Sea Bright Business Alliance for their huge success running the "Taste of Sea Bright" on October 3, 2009. Treasurer Joan Osgoodby received the award on behalf of the SBBA.

17. TEMPORARY BUDGET APPROPRIATIONS:

A. Councilman Murphy introduced and offered for adoption the following Resolution:

RESOLUTION NO. 24-2010
TEMPORARY BUDGET
BOROUGH OF SEA BRIGHT

WHEREAS, N.J.S. 40A:4-19 provides that where any contract commitment or payments are to be made prior to the final adoption of the 2010 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and,

WHEREAS, the date of this resolution is within the first thirty days of January 2010; and,

NOW, THEREFORE, BE IT RESOLVED that the following 2010 temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

TEMPORARY APPROPRIATIONS - 2010

Administrative & Executive:

Salaries & Wages	20-100-111	\$ 1,500.00
Other Expenses	20-100-299	\$ 14,000.00

Municipal Clerk:

Salaries & Wages	20-120-111	\$ 29,000.00
Other Expenses	20-120-299	\$ 3,500.00

Financial Administration:

Salaries & Wages	20-130-111	\$ 14,000.00
Other Expenses	20-130-299	\$ 2,500.00

Audit Services:

Other Expenses	20-135-220	\$ 1,500.00
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Collection of Taxes:

Salaries & Wages	20-145-111	\$ 12,000.00
Other Expenses	20-145-299	\$ 2,000.00

Assessment of Taxes:

Salaries & Wages	20-150-111	\$ 5,600.00
Other Expenses	20-150-299	\$ 1,000.00

Legal Services and Costs:

Salaries & Wages	20-155-111	\$ -0-
Other Expenses	20-155-299	\$ 25,000.00

Engineering Services and Costs:

Salaries & Wages	20-165-111	\$ -0-
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Other Expenses	20-165-299	\$ 10,000.00
Planning Board:		
Salaries & Wages	21-180-111	\$ 5,500.00
Other Expenses	21-180-299	\$ 2,000.00
State Uniform Const. Code		
Salaries & Wage	22-195-111	\$ 23,000.00
Other Expenses	22-195-299	\$ 500.00
Fire Marshall		
Salaries & Wage	22-200-111	\$ 2,400.00
Other Expenses	22-200-299	\$ 300.00
Insurance:		
Liability Insurance	23-210-290	\$ 24,000.00
Workers Compensation Ins.	23-215-290	\$ 31,000.00
Group Ins for Employees	23-220-292	\$ 85,000.00
Other Insurance Premiums	23-225-299	\$ 0.00
Police Department:		
Salaries & Wages	25-240-111	\$250,000.00
Other Expenses	25-240-299	\$ 35,000.00
Police Dispatch:		
Salaries and Wages	25-250-111	\$ 27,000.00
Other Expenses:	25-250-299	\$ 500.00
Emergency Management Services:		
Salaries and Wages	25-252-111	\$ 1,000.00
Other Expenses	25-252-299	\$ 2,000.00
First Aid Organizations:		
		\$ 0.00
Volunteer Fire Co:		
Other Expenses	25-265-299	\$ 13,000.00
Fire Hydrant Rental:		
Hydrants	25-266-273	\$ 6,500.00
Municipal Prosecutor:		
Salaries and Wages	25-275-111	\$ 4,000.00
Road Repairs and Maint:		
Salaries and Wages	26-290-111	\$ 57,000.00
Other Expenses	26-290-299	\$ 15,000.00
Maintenance of Bulkheads	26-291-298	\$ 500.00
Solid Waste Collection		
	26-305-245	\$ 27,000.00
Public Buildings and Grounds:		
Salaries & Wages	26-310-111	\$ 2,400.00
Other Expenses	26-310-299	\$ 12,500.00
Beautification	26-311-295	\$ 1,000.00
Board of Health:		
Salaries and Wages	27-330-111	\$ 250.00
Other Expenses	27-330-299	\$ 11,000.00
Animal Control:		
Other Expenses	27-340-220	\$ 500.00
Recreation Services and Programs:		
Salaries and Wages	28-370-111	\$ 1,800.00

Other Expenses	28-370-299	\$ 3,000.00
Library:		
Salaries and Wage	29-390-111	\$ 15,500.00
Other Expenses	29-390-299	\$ 3,200.00
Utility Expenses and Bulk Purchases:		
Electricity	31-430-271	\$ 9,500.00
Street Lighting	31-435-275	\$11,000.00
Telephone	31-440-276	\$ 5,400.00
Water	31-445-272	\$ 1,500.00
Natural Gas and Propane	31-446-270	\$ 4,500.00
Gasoline	31-460-274	\$ 7,000.00
Landfill/Disposal Costs:	32-465-299	\$20,000.00
Statutory Expenditures:		
Contribution to:		
Public Employees		
Retirement System (PERS)	36-471-100	\$72,412.00
Social Security System	36-472-100	\$22,000.00
Police & Firemen's		
Retirement System (PFRS)	36-475-100	\$197,815.00
Matching Funds for Grants:	41-714-301	\$ -0-
Fire Marshall Vehicle:	42-200-235	\$ 225.00
9-1-1 Emergency System:	42-250-299	\$ 1,000.00
Municipal Court:		
Salaries and Wages	43-490-111	\$25,000.00
Other Expenses	43-490-299	\$ 4,000.00
Public Defender:		
Salaries and Wages	43-495-111	\$ -0-
Municipal Debt Service - Excluded from "CAPS"		
Payment of Bond Principal	45-920-100	\$160,000.00
Interest on Bonds	45-930-100	\$42,780.00
NJ Economic Development Authority:		
Principal	45-940-005	\$ 0.00
Interest	45-940-006	\$ 67.50
MCIA - Capital Lease Loan	45-940-007	\$19,583.50
<u>Sewer Utility:</u>		
Operating:		
Salaries and Wages	07-55-501-111	\$28,000.00
Other Expenses	07-55-502-299	\$25,000.00
Two Rivers Water		
Water Reclamation	07-55-503-240	\$190,000.00
Debt Service:		
Payment of Bond Principal	07-55-520-804	\$35,000.00
Interest on Bonds	07-55-520-805	\$ 4,485.00
Interest on Notes		\$ 0.00
Statutory Expenditures:		
Social Security Systems	07-55-541-303	\$ 2,100.00
<u>Beach Utility:</u>		

Operating:		
Salaries and Wages	09-55-501-111	\$ 9,000.00
Other Expenses	09-55-502-299	\$25,000.00
Statutory Expenditures:		
Social Security System	09-55-541-303	\$ 1,000.00

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

17. OTHER BUSINESS:

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

RESOLUTION NO. 25-2010
FOR SPECIAL DUTY ASSIGNMENT
FOR POLICE OFFICERS

WHEREAS, various businesses working within the Borough of Sea Bright from time to time make requests for assistance from members of the municipal police department to perform special duty assignment services; and

WHEREAS, it is deemed to be in the interest of safety that personnel specially trained to undertake these activities be used in the performance of these duties; and

WHEREAS, work performed is to be considered a "special duty assignment from independent contractors" and as such is exempt from Fair Labor Standards Act; and

WHEREAS, the Chief of Police has recommended that the hourly rates (minimum of four (4) hours be amended as follows:

<u>Assignment</u>	<u>Salary</u>	<u>Insurance</u>	<u>Admin.</u>	<u>Total</u>
Construction Work	\$50.00	\$4.00	\$3.00	\$57.00
Security Work	\$50.00	\$4.00	\$3.00	\$57.00
Sporting Events	\$50.00	\$4.00	\$3.00	\$57.00
Enhanced Local Business Patrols	\$12.00	\$0.00	\$0.50	\$12.50

IN ADDITION to the hourly rates above to be charged, when the Chief of Police deems that it is in the best interest of police officers assigned to construction work, the interest of the Borough and the construction workers, that police officers assigned to special duty utilize a marked police car or police equipment, an additional charge to be paid for utilization of said police vehicle or equipment shall be at the rate of \$5.00 per hour (minimum of four (4) hours); and

WHEREAS, such assignments are to be approved through the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright that the Chief of Police is hereby authorized to and on behalf of the Borough to enter into agreements providing for special duty assignments for which the municipality shall be compensated at the rates herein above mentioned; and

BE IT FURTHER RESOLVED, that the rate and authority given by virtue of this resolution may be amended or revoked at any time by the Governing Body.

MAY IT FURTHER BE RESOLVED, that any and all municipal officials required to take any and all action as a result of the adoption of this resolution are hereby empowered to do so. Second by Councilwoman Long and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

B. Councilwoman Long introduced and offered for adoption the following resolution:

RESOLUTION NO.26-2010
COMMUNITY CENTER RENTAL FEES
BOROUGH OF SEA BRIGHT

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby establish the following fees for the Cecile F. Norton Community Center for the year 2010 pursuant to Ordinance No. 3-2002, Article II, Section 214-2:

A. User Fees (per use):

1. Non-Resident Private Parties	\$250.00
2. Any For Profit Activity	\$400.00
3. Sea Bright Resident Private Parties	\$ 50.00
4. Sea Bright Non Profits/Community Organizations	N/C
5. Organizations or Meetings	\$ 50.00
6. Sea Bright not regularly scheduled recreation	N/C
7. League style organized recreation per use	\$ 25.00
8. League style organized recreation ongoing *per month	\$ 75.00*
9. Oceanport or Shore Regional School Organizations	\$ 25.00
10. Kitchen Use Fee (upon special arrangements)	\$ 50.00

B. In addition to the user fee, a \$200.00 refundable deposit fee will be required for all parties and a \$300.00 refundable deposit fee for any for profit activity. This deposit fee will be returned to the applicant, by the Recreation Director, provided the facility is left in a condition deemed satisfactory within ten days after the event.

C. Any for profit person, business or organization may use the Community Center, schedule permitting, for up to three (3) consecutive days, but no more than twice per year. The consecutive use will be deemed as a one-time use. The daily fee of \$400.00 will apply for each day. Criteria for applications submitted will include the effects on the community, infrastructure or recreation center and what benefit to the community the activity will have.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright that the above fees for the year 2010 are hereby approved effective immediately.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

C. Councilman Keeler introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 27-2010
APPLIANCE FEES
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright have amended the code of Sea Bright to include in Section 178-6 Paragraph H a residential appliance and white goods collection; and

WHEREAS, any resident who wishes curbside collection of appliances and white goods shall complete a form and pay a permit fee; and

WHEREAS, the Mayor and Council wish to establish a fee for the year 2010 for each appliance and white goods collected at curbside as follows:

<u>COLLECTION FEE PAID TO HAULER ADMINISTRATION FEE</u>	<u>TOTAL</u>
\$20.00	\$25.00
\$5.00	

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright that a fee of \$25.00 for each residential appliance and white goods collected at curbside is hereby established.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

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

**RESOLUTION NO. 28-2010
BEACH FEES**

WHEREAS, the Borough Council of the Borough of Sea Bright have recommended the beach fees for the calendar year 2010.

NOW, THEREFORE, BE IT RESOLVED that the fees and charges of the Municipal Beach Authority for the year 2010 are as follows:

DAILY BADGE (including weekends) per person	\$ 8.00
SENIOR (65+)and DISABLED per person	\$ 35.00
SEASON BADGE (per person) purchased between January 1, 2010 to March 31, 2010.	\$ 50.00
SEASON BADGE (per person)	\$100.00
CHILDREN (under 12)	FREE
BEACH PARKING	FREE
ACTIVE MILITARY AND FAMILY MEMBERS PERSONNEL	FREE

Required ID: Senior/Disabled - Photo ID and Medicare Card. Military personnel/Family must produce Active Duty Identification.

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

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None
Abstain: None
Absent: Bills

E. Councilman Keeler introduced and offered for adoption the following Resolution:

RESOLUTION NO. 29-2010

LIBRARY FEES

BOROUGH OF SEA BRIGHT

WHEREAS, the Borough Council of the Borough of Sea Bright have recommended the Library fees for the calendar year 2010.

NOW, THEREFORE, BE IT RESOLVED that the fees and charges for the Library for the year 2010 are as follows:

FINES FOR OVERDUE MATERIALS (PER DAY)

Books, Audio Tapes	\$0.20
AV/CD Records	\$0.20
Videotapes/DVDs	\$1.00

SERVICES

Fax(per call)	\$1.00
Fax(per sheet)	\$.15
Copies	\$.15

SCHEDULING, RESERVATION AND FEE FOR MEETING ROOM (PER USE)

- Use of Meeting Room by Non-Profit Organizations \$15.00
- Any Sea Bright Organization, Sea Bright Condominium or Townhouse Associations \$35.00
- Any out of town Organization or Condominium/Townhouse \$45.00
- Artists or photographers exhibits*or Ten (10%) Per Cent of sales as a donation, whichever is greater. \$25.00*

FEE FOR USE OF LIBRARY BY NON RESIDENTS (ANNUALLY)

Library Use fee by Nonresident	\$35.00
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FEE FOR USE BY SUMMER SEA BRIGHT RENTERS \$25.00*

(Fee will be returned when all material have been returned)

FEE FOR SEA BRIGHT RESIDENTS	\$ 0.00
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FEE FOR ALL ACTIVE MILITARY PERSONNEL AND FAMILY WITH PROOF OF I.D.	\$ 0.00
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Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Keeler, Kelly, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Bills

19. BENEDICTION: Pastor Rob Long said the Benediction.

20. ADJOURNMENT There being no further business before the Governing Body. Councilman Murphy made a motion to adjourn the meeting at 1:25 A.M. Second by Councilman LoBiondo and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer
Municipal Clerk