

Mayor Kalaka-Adams 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."

3. ROLL CALL:

PRESENT: Councilmembers Bills, Fernandes, Keeler, Long, Scriven, Mayor Kalaka-Adams, Attorney Arnette, Chief Financial Officer Bascom, Borough Engineer Hoder, Police Chief Moore.

ABSENT: Councilman Kelly

4. Attorney Arnette called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of October 2, 2007.

Councilman Scriven moved to approve this Ordinance upon Second Reading.

A.

ORDINANCE NO.21-2007
AN ORDINANCE AMENDING CHAPTER 61 ANIMALS
ARTICLE IV FEEDING OF WILDLIFE

BE IT ORDAINED, by the Mayor and Council of the Borough of Sea Bright That the following amendments shall be made:

Section 61-22. Purpose: This article is to prohibit the feeding of unconfined wildlife (excepting the feeding of birds utilizing a bird feeder on private property) in any public park or beach or on any other property so as to protect public health, safety and welfare and to prescribe penalties for failure to comply.

Section 61-23. Definitions.

FEED. To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game or the baiting of traps for trapping of unlicensed or feral cats and/or dogs.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its adoption, passage and publication according to law.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its adoption, passage and publication according to law and moved the Public Hearing to be held. Second by Councilwoman Fernandes and approved by the following vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

There being no members of the Public who wished to be heard a motion to close the Public Hearing was made by Councilwoman Fernandes. Second by Councilwoman Long and approved by the following voice vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilman Scriven made a motion to approve Ordinance No. 21-2007 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Fernandes and approved upon the following vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

Councilman Keeler requested the removal of Item B and Councilman Scriven requested the removal of Item L.

A. Councilman Keeler introduced and approved for adoption the following:

**RESOLUTION NO. 184-2007
PAYMENT OF BILLS 10-16-2007**

WHEREAS, the following listed vouchers have been audited and found to be correct.

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$998,180.79 are to be paid; and

BE IT FURTHER RESOLVED, that proper Officers are hereby authorized to execute and issue warrants for payments of said vouchers, but only if and when conditions of the Borough Treasury shall permit, and the said vouchers be approved by the proper Committees.

00015	LANIGAN ASSOCIATES, INC.			
	07-1299	09/24/07	FIRE DEPT-CAUTION TAPE+FLARES	OPEN 240.00
00019	NJ AMERICAN WATER			
	07-1371	10/11/07	8/24-9/26/07 HYDRANTS	OPEN 2,002.00
00027	SEABOARD WELDING SUPPLY, INC.			
	07-0013	01/23/07	DPW - 2007 CYLINDER RENTAL	OPEN 11.50
00053	SHORE REGIONAL HIGH SCHOOL			
	07-1308	09/25/07	HIGH SCHOOL TAX - NOV 2007	OPEN 152,000.00
00063	CHESAPEAKE EXTERMINATING CO.			
	07-0986	07/20/07	BLDGS/GRNDS-SEP 2007 EXTERM	OPEN 25.00
00075	NEW JERSEY PUBLIC SAFETY			
	07-1271	09/12/07	POLICE DEPT-2007 CONFERENCE	OPEN 250.00
00080	MURPHY FIRE & SAFETY, INC.			
	07-1257	09/07/07	FIRE DEPT-HOSE ADAPTERS	OPEN 290.00
00088	CROWN TIRE MART			
	07-1254	09/07/07	DPW-NEW TIRE:STREET SWEEPER	OPEN 370.00
00091	DIGIROLAMO, LOUIS			
	07-1349	10/05/07	2007 PYT 11/12 HEALTH REIMB	OPEN 1,475.19
00106	MGL FORMS-SYSTEMS, LLC			
	07-1199	08/28/07	MUNI CLERK-BOOKS/SHEETS/BINDER	OPEN 460.00
	07-1260	09/11/07	TAX COLL-DELINQUENT NOTICES	OPEN 378.00
	07-1261	09/11/07	SEWER COLL-DELINQUENT NOTICES	OPEN 352.00

				1,190.00
00164	RAIN, WILLIAM			
	07-1340	10/03/07	2007 PYT 11/12 HEALTH REIMB	OPEN 569.62
00198	COMCAST			
	07-1334	10/02/07	FIRE DEPT-INTERNET:10/5-11/4	OPEN 95.00
	07-1362	10/10/07	A&E-INTERNET:10/8-11/7/07	OPEN 95.00

				190.00
00202	KAY PRINTING & ENVELOPE CO, INC			
	07-1248	09/06/07	BLDG DEPT-VARIOUS FORMS	OPEN 142.14
00223	TREASURER, COUNTY OF MONMOUTH			

07-1363	10/10/07	4/Q/2007	COUNTY TAXES	OPEN	623,087.16
00228	THOMSON WEST/WEST GROUP				
07-1280	09/13/07	ZONING-1	YEAR SUB:BULLETIN	OPEN	168.00
00249	CLARK, DOUGLAS				
07-1332	10/02/07	SEWER-REIMB:C-1	LICENSE FEE	OPEN	20.00
00270	JOHNSON, KENNETH				
07-1369	10/11/07	2007 PYT 11/12	HEALTH REIMB	OPEN	909.82
00273	BORGATA HOTEL & CASINO				
07-1267	09/11/07	COURT-ROOM RESERV:11/07	CONVEN	OPEN	336.00
00275	M & S WASTE SERVICES, INC.				
07-1217	08/30/07	DUMPSTER+DISP FEE:ASPHALT		OPEN	400.00
07-1229	08/31/07	DUMPSTER+DISP FEE:DRIFTWOOD		OPEN	609.36
07-1292	09/19/07	DUMPSTER+DISP FEE:ASPHALT		OPEN	400.00
07-1312	09/26/07	DUMPSTER+DISP FEE:DRIFTWOOD		OPEN	500.00
07-1366	10/10/07	09/07 GARBAGE/RECYCLING PICKUP		OPEN	7,900.00
07-1367	10/10/07	SEP 2007 LANDFILL TIPPING FEES		OPEN	7,910.37

					17,719.73
00285	STAPLE'S, INC.				
07-1275	09/13/07	POLICE DEPT-JANITORIAL SUPP		OPEN	193.85
00297	JESSE A. HOWLAND & SONS, INC.				
07-0976	07/19/07	GARAGE RENT - NOV 2007		OPEN	1,575.00
00302	SEA BRIGHT GULF STATION				
07-1216	08/30/07	POLICE-BLANKET:VEHICLE MAINT		OPEN	633.58
00305	GORCEY PLUMBING & HEATING, INC				
07-1304	09/24/07	SEWER-9/22 CLEAR CLOGGED LINE		OPEN	325.00
07-1322	09/27/07	SEWER-9/26 CLEAR CLOG/TELEWISE		OPEN	625.00
07-1323	09/27/07	SEWER-REPLACE MAIN SEWER LINE		OPEN	2,700.00

					3,650.00
00309	PRECISION LANDSCAPING &				
07-0233	02/26/07	BLDGS/GRNDS-2007 BRUSH CLEANUP		OPEN	700.00
07-0438	04/10/07	BLDGS/GRNDS-2007 WEED CONTROL		OPEN	1,125.00

					1,825.00
00351	MASON, JR., PATRICK				
07-1272	09/12/07	POLICE DEPT-RADIO FOR #4301		OPEN	487.00
00425	THE NEW YORK TIMES				
07-1326	09/28/07	LIBRARY-1 YEAR SUBSCRIPTION		OPEN	522.73
00439	TREASURER, COUNTY OF MONMOUTH				
07-1364	10/10/07	4/Q/2007 LIBRARY TAXES		OPEN	35,714.15
00443	GEORGE KLINE SALES				
07-0999	07/25/07	FIRE DEPT-TURNOUT GEAR		OPEN	1,850.00
00513	A.R. COMMUNICATIONS				
07-1302	09/24/07	FIRE DEPT-MOTOROLA PAGERS		OPEN	849.00
00523	TREASURER, COUNTY OF MONMOUTH				
07-1365	10/10/07	4/Q/2007 OPEN SPACE TAXES		OPEN	41,187.02
00615	DMR LAWNS & LANDSCAPES, INC.				
07-0437	04/10/07	BLDGS/GRNDS-2007 MOWING SERV		OPEN	1,200.00
00671	NJ DEPT OF COMMUNITY AFFAIRS				
07-1374	10/11/07	3/Q/2007 STATE PERMIT FEES		OPEN	1,972.00
00788	SCARINCI & HOLLENBECK, LLC				
07-1347	10/05/07	LEGAL-8/10-9/7/07 SERVICES		OPEN	421.10
00975	SMACK, EDWARD				
07-1318	09/27/07	2007 PYT 11/12 HEALTH REIMB		OPEN	569.62
01011	SEMCOR EQUIPMENT CORPORATION				
07-1221	08/30/07	DPW-RENTAL:JACKHAMMER+AIR COMP		OPEN	339.00
01027	SHORE BUSINESS SOLUTIONS				
07-1335	10/03/07	COURT-2007 COPIER MAINT		OPEN	200.00
01092	RED BANK RECYCLING & AUTO				
07-1352	10/05/07	DPW-TIRE DISPOSAL FEE		OPEN	21.00
01164	WATCHUNG SPRING WATER CO, INC.				
07-1007	07/25/07	OCT 2007 SPRING WATER		OPEN	181.34
01293	COLLINE LOCK & SAFE CO., LLC				
07-1131	08/10/07	BLDGS/GRNDS-COURTROOM SECURITY		OPEN	7,520.00
01368	PHCC OF NEW JERSEY				
07-1319	09/27/07	BLDG DEPT-2006 PLUMBING CODE		OPEN	85.00
01374	INTERNATIONAL CODE COUNCIL				
07-1276	09/13/07	BLDG DEPT-(4) CODE BOOKS		OPEN	308.00
01403	TREASURER, STATE OF NEW JERSEY				
07-1336	10/03/07	3/Q/2007 MARRIAGE LICENSE FEES		OPEN	300.00
01408	AT & T				
07-1328	10/02/07	COURT-09/18/07 BILL VIDEO CONF		OPEN	29.95
01465	DEPTCOR, BUREAU OF STATE USE				
07-0542	04/30/07	POLICE-CHAIRS/VERTICAL FILES		OPEN	1,410.00
01493	COOPERATIVE INDUSTRIES, L.L.C.				
07-1370	10/11/07	JUL 2007 NATURAL GAS		OPEN	844.10
01526	JCP & L				
07-1372	10/11/07	SEP 2007 ELECTRIC SERVICE		OPEN	7,208.87
01578	AMERICAN MESSAGING				

07-1012	07/25/07	DPW-OCT 2007 PAGER SERVICE	OPEN	35.84
01699		VOSS SIGNS, LLC		
07-1287	09/18/07	POLICE DEPT-VARIOUS SIGNS	OPEN	220.50
01701		ONE CALL SYSTEMS, INC.		
07-1184	08/28/07	A&E - 3/Q/2007 BILLS	OPEN	63.66
01736		TRENTON HARLEY DAVIDSON		
07-1252	09/07/07	POLICE DEPT-TUNE UP (2) BIKES	OPEN	1,428.40
01794		TURNER, TERRI		
07-1346	10/05/07	COURT-REIMB:11/14/07 BRUNCH	OPEN	55.00
01887		HEIM ELECTRONICS, INC.		
07-1324	09/27/07	COURT SECURITY-JUDGES PANIC	OPEN	40.00
07-1358	10/10/07	BLDGS/GRNDS-10/4 SERVICE ALARM	OPEN	86.00

				126.00
01984		AVAYA, INC.		
07-0070	01/24/07	A&E-4/Q/2007 PHONE MAINT	OPEN	211.80
01985		THE MOBILE STORAGE GROUP, INC.		
07-1088	08/06/07	COURT-9/30-10/28/07 TRAILER	OPEN	249.31
02008		E.J. SCHUSTER'S OFFICE SUPPLY		
07-1343	10/05/07	COURT-(3) CHAIRS	OPEN	276.66
02021		STUART APPRAISAL, LLC		
07-0614	05/08/07	A&E-APPRAISE BLOCK 7, LOT 9	OPEN	2,500.00
02181		GATEWAY PRESS		
07-0952	07/16/07	DPW-VEHICLE EMBLEMS	OPEN	356.10
02186		THE PENWORTHY COMPANY		
07-1306	09/25/07	LIBRARY-BOOKS & PUBLICATIONS	OPEN	153.35
02189		SHARP ELECTRONICS CORPORATION		
07-0150	02/05/07	POLICE-2007 COPY MACHINE LEASE	OPEN	148.19
AOL (ON-LINE SERVICE:SEPT/OCT 2007)				61.80
BAGLEY, MAUREEN (DOG LICENSE O/P REFUND)				16.40
BORO OF SEA BRIGHT PAYROLL A/C (9/28/07 P/R)				78,874.06
MCKENNA, DUPONT,HIGGINS & STONE (ESCROW)				1,000.00
RED BANK VETERINARY HOSPITAL (SEPT 2007 SERV)				310.25
GRAND TOTAL				<u>998,180.79</u>

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSENT: Kelly

ABSTAIN: None

C. Councilman Keeler made a motion to approve the Council Meeting Minutes of October 2, 2007. Second by Councilwoman Long and adopted upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSENT : Kelly

ABSTAIN: None

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 185-2007**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright in the County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of **\$637.83** which is now available as a revenue from **FY 2007 Recycling Tonnage Grant**; and

BE IT FURTHER RESOLVED, that a like sum of **\$637.83** is hereby appropriated under the caption **FY 2007 Recycling Tonnage Grant**; and

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.
Second by Councilwoman Long and adopted upon the following roll call vote:
AYES: Bills, Fernandes, Keeler, Long, Scriven
NAYS: None
ABSENT : Kelly
ABSTAIN: None

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

**RESOLUTION NO. 186-2007
BOROUGH OF SEA BRIGHT
AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH
STEPHAN J. MIRANTI AUCTION LIQUIDATION SERVICES TO CONDUCT A
PUBLIC AUCTION OF PROPERTY NO
LONGER OF USE TO THE BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright has a need to acquire professional services of an auctioneer 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 Borough of Sea Bright has declared certain vehicles and equipment as surplus and no longer of use to the Borough; and,

WHEREAS, the Governing Body wishes to participate in an auction with Tinton Falls Borough to dispose of the surplus vehicles and equipment; and,

WHEREAS, the Borough of Tinton Falls has awarded a contract to Stephan J. Miranti Auction Liquidation Services and the Borough of Sea Bright wishes to participate in this joint auction; and,

WHEREAS, the Local Public Contract Law, N.J.S.A. 40A:11-6.1, requires that the resolution authorizing the award of contracts for "Extraordinary Unspecifiable Services" without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT THAT:

1. The Mayor and the Municipal Clerk be and are hereby authorized to execute an agreement with Stephan J. Miranti Auction Liquidation Services to conduct a public auction, on Saturday, November 3, 2007 at 10:00 a.m. at the Borough of Tinton Falls Department of Public Works Yard, 556 Tinton Avenue, Tinton Falls, NJ of surplus vehicles and equipment no longer needed for public use by the Borough of Sea Bright at a 7.5% commission of the gross sales plus a proportionate share of the advertising and out of pocket expenses not to exceed \$500.00.

2. This appointment is awarded without competitive bidding as an 'Extraordinary Unspecifiable Service in accordance with N.J.S.A. 40A:11-8.1 of the Local Public Contracts Law.

3. A copy of this resolution shall be published in the Courier as required by the law within 10 days of its passage.

Seconded by Councilwoman Long and approved upon the following vote:
AYES: Bills, Fernandes, Keeler, Long, Scriven
NAYS: None
ABSENT: Kelly
ABSTAIN: None

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

**RESOLUTION NO. 187-2007
BOROUGH OF SEA BRIGHT**

WHEREAS, there are certain vehicles and equipment owned by the Borough of Sea Bright which are no longer of use to the Borough and the Borough Council have recommended that they be sold; and

WHEREAS, Local Public Contracts Law N.J.S.A. 40A:11-36 requires authorization of municipal surplus via the adoption of a Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Sea Bright that the Borough Clerk be authorized to dispose of the following items of municipality owned property not needed for public use through the process of a public auction to be held on Saturday, November 3, 2007 at 10:00 a.m. at the Borough of Tinton Falls Department of Public Works Yard, 556 Tinton Avenue, Tinton Falls, NJ.

Items belonging to the Borough of Sea Bright for public auction are as follows:

1988 Dodge Van
VIN No. 2B7HB23Y4JK144452
Mileage - 142,500
Condition - Poor

2004 Ford Police Interceptor
VIN No. 2FAFP71WX4X105904
Mileage - 118,000
Condition - Good

Plus any other miscellaneous vehicles or equipment as acquired before November 3, 2007.

Second by Councilwoman Long and adopted upon the following roll call vote:
AYES: Bills, Fernandes, Keeler, Long, Scriven
NAYS: None
ABSENT: Kelly
ABSTAIN: None

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

**RESOLUTION NO. 188-2007
BOROUGH OF SEA BRIGHT**

WHEREAS, the Sea Bright Fire Department is requesting authorization from the Mayor and Council of the Borough of Sea Bright to accept a 2002 Crown Victoria for a dollar from the Borough of Rumson Fire Department and;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright, County of Monmouth hereby authorize the acceptance of a 2002 Crown Victoria as aforementioned.

Second by Councilwoman Long and approved upon the following vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven
NAYS: None
ABSENT: Kelly
ABSTAIN: None

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

**RESOLUTION NO. 189-2007
BOROUGH OF SEA BRIGHT**

WHEREAS, a sewer main at 1246 Ocean Avenue near the Marius Lane intersection needs to be repaired by D&D Utility Contractor, Inc.; and

WHEREAS, pursuant to Sea Bright Code, Chapter 144 Noise, Section 144-3.1 Exceptions, projects deemed to be in the public's welfare, safety and for the public's good may with prior approval expand the hours of operation for construction.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the sewer main repair hours of operation be for twenty-four hours.

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSENT: Kelly

ABSTAIN: None

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

**RESOLUTION NO. 190-2007
BOROUGH OF SEA BRIGHT**

WHEREAS, a Police Generator is to be installed by Electro Maintenance, Inc. at Sea Bright Police Headquarters, 1099 Ocean Avenue; and

WHEREAS, pursuant to Sea Bright Code, Chapter 144 Noise, Section 144-3.1 Exceptions, projects deemed to be in the public's welfare, safety and for the public's good may with prior approval expand the hours of operation for construction.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the police generator hours of installation start daily at 7:00 a.m.

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

**RESOLUTION NO. 192-2007
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright, County of Monmouth authorizes the Tuesday, November 20, 2007 Council Meeting moved to Monday, November 19, 2007 at 7P.M. in the Cecile F. Norton Community Center Meeting Room.

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

M. Councilman Keeler made a motion to approve the request from Shore Regional Senior Class for a ¼-page ad in the 2007 Fashion Show booklet. Second by Councilwoman Long and adopted upon the following roll call vote:
AYES: Bills, Fernandes, Keeler, Long, Scriven
NAYS: None
ABSTAIN: None
ABSENT: Kelly

B. Councilman Keeler made a motion to approve the amended Smart Growth Workshop Minutes of September 27, 2007. Second by Councilman Scriven and adopted upon the following roll call vote:
AYES: Bills, Fernandes, Keeler, Long, Scriven
NAYS: None
ABSENT : Kelly
ABSTAIN: None

L. Councilman Scriven made a motion to approve the request from Sarah Lilley to have her wedding on Municipal Public Beach on Friday, May 9, 2008 at 4:30 p.m. Second by Councilwoman Long and adopted upon the following roll call vote:
AYES: Bills, Fernandes, Keeler, Long, Scriven
NAYS: None
ABSTAIN: None
ABSENT: Kelly

7. NEW BUSINESS:

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

**RESOLUTION NO. 191-2007
BOROUGH OF SEA BRIGHT**

WHEREAS, the State Department of Transportation has set the speed limit for State Highway 36 (a/k/a Ocean Avenue) within the Borough of Sea Bright at 40 miles per hour; and

WHEREAS, this highway is the only single thoroughfare through Sea Bright's oceanfront community which separates the residential areas and public access parking on the west side of Highway 36 from the beach area on the east side; and

WHEREAS, the speed limit of 40 m.p.h. on Highway 36 poses an imminent threat and safety hazard to the general public attempting to cross the highway to use the beach, shops and restaurants. The Mayor and Council and the Sea Bright Police Department has had consistent complaints from residents and visitors alike who could not cross Highway 36, even at marked crosswalks.

WHEREAS, the Governing Body feels the solution to this problem would be to lower the speed limit on State Highway 36 in Sea Bright to 35 m.p.h. permanently; and

WHEREAS, this action would not be unprecedented as there are several other oceanfront communities that have a reduction in speed limits on their sections of State Highway. Furthermore, a reduction in the speed limit would have a minimal effect on vehicles using State Highway 36 adding two minutes to travel time through Sea Bright. Most importantly, however, the increase in safety for pedestrians would be immense.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Sea Bright hereby appeal to the New Jersey State Department of Transportation to lower the speed limit on Highway 36 in the Borough of Sea Bright to 35 mph permanently.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Governor Jon S. Corzine, the Commissioner of the New Jersey Department of

Transportation, Congressman Frank Pallone, Senator Joseph A. Palaia, Assemblyman Steven J. Corodemus, Assemblyman Sean T. Kean and Mayor Susan Howard of the Borough of Monmouth Beach.

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

B. Councilman Scriven made a motion to approve the request from New Jersey Ancient Order of Hibernians to conduct a Polar Plunge in February of 2008. Second by Councilwoman Bills and adopted upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

8. MONTHLY REPORTS FOR September 2007:

A. Recreation Director

B. Sewerage System Operation & Maintenance

C. Library Director

D. Chief of Police

E. Chief Financial Officer

F. Municipal Clerk

G. Court Administrator

9. CORRESPONDENCE AND COMMUNICATIONS:

A. Letter from Betsey Bernard of 23 Tradewinds Lane requesting relocation of flood warning siren. Attorney Arnette said he would answer Betsey Bernard's letter stating that the flood-warning siren has been there a very long time.

B. Monmouth County Regional Health Commission minutes of August 15, 2007.

C. NJ Superior Court letter regarding annual visit to Sea Bright Municipal Court.

D. PMK Group 2007 environmental JIF audit.

E. Letter from Monmouth County Park System regarding Skateboard Park grant application. Councilwoman Bills said that Engineer Hoder has addressed all issues in this letter.

10. COMMITTEE REPORTS:

A. Beach/Environment/Cultural Arts: Councilman Scriven said that the Beach Committee would be meeting with a fourth architect Thursday, October 18, regarding schematic plans for Beach Improvements. The Committee is waiting on the results for a Feasibility Study.

The Library's fundraising dinner and dance will be Friday, November 2, 2007. Tickets are available at the Library for the fundraiser and the raffle.

Councilman Scriven said that Timmy's Tour De Shore bike tour was on Sunday, October 6, 2007. Volunteers came from the NJ State Police, First Aid and other departments keeping the event running smooth and organized. Sea Bright's Police Department recommended that there were a few areas needed to be addressed for future events.

Councilwoman Long said that the Police Committee is working on a revision of a resolution regarding bike races through Sea Bright and this ordinance would be presented before the Governing Body for a vote at their Council Meeting on November 19.

B. Public Works/Building Maintenance/Beautification:

Councilwoman Fernandes reported that Engineer Hoder is redesigning the DIIP project's plans and would make an application for a modification of

permits to the Army Corp of Engineers and the Department of Environmental Protection

Councilwoman Fernandes made a motion authorizing Engineer Hoder to prepare specifications and begin bidding for the Via Ripa, South Way, Water view and North Ways DOT project for drainage and road paving. Second by Councilman Keeler and adopted upon the following roll call vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilwoman Fernandes said that Public Works finished removing the macadam from the sidewalk area on Ocean Avenue by the Library. The sprinkler system installation has begun. Next year, the Beautification Committee will begin landscaping. Beautification's Advisory Committee met on October 13 and is planning holiday decorations.

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

Councilwoman Long reported progress in Councilman Kelly's absence. The Personnel Committee is working on revisions to the Personnel Policy and delivered to the Governing Body for review before November's Council Meeting.

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

Councilman Keeler said that the Finance Committee will confer with CFO Bascom regarding recommendations for transfers, which starts November 1, 2007. The 2008 Budget preparation packages will be distributed to all Department Supervisors soon. CFO Bascom has informed us in his monthly report that the CAP laws will be more restrictive next year.

Sea Bright qualifies for the 2008-2009 JIF incentive programs that would allow for lower premiums and deductibles.

The Smart Growth Finance Committee will meet on October 17 with engineers and architects regarding a technical analysis report for all municipal buildings. The Finance Committee has heard back from Verizon regarding a temporary cell tower.

Councilman Keeler said that Residents of Beach and Center have complimented the performance of the new Godwin pumps. They are happy that with the improved capacity and substantial less noise with the new pumps.

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

Councilwoman Bills said that during an Office of Emergency Management Committee meeting there was discussion regarding the First Aid building. They received a proposal from Engineer Hoder for professional survey and engineering services for the future construction of the new First Aid building. They discussed the OEM equipment and truck and would be looking to purchase a truck supplied through Army surplus.

Councilwoman Bills said that the Governing Body approved the purchase of a car from Rumson for one dollar for the Fire Department.

The Fire Department failed an annual inspection of hoses. One of the hoses needs to be replaced, costing about \$8,000. The Fire Department received an increase of 152 calls for this year. The Fire Department's Field Day was a success with good weather. Everyone had a great time. Sea Bright came in fourth place. Firefighters Chad Murphy, Read Murphy, Joe Eskridge and Pete Lang of the Fire Department received Valor Awards and medals. The new fire truck will go on the assembly line November 15 and we are anticipating a March delivery. The Fire Department is replacing the garage door with a new door. They have received an inflatable boat donated by Sea Bright's Police Department. They are seeking a motor donation for the boat. On October 23rd, the Fire Dept will attend a training seminar.

On Thursday, October 18, 2007, at 7 P.M. there will be an informative Red Cross presentation in the Recreation Center regarding hurricane, fire, disaster preparedness. Sea Bright's Police, Fire and First Aid will also be participating.

Councilwoman Bills said that Children's Yoga classes will be at the Recreation Center starting October 17 through November 28. This program is free for Sea Bright children through the ages of 7 through 12.

John Gomez, a Sea Bright resident will volunteer martial arts instruction to residents at no charge, for ages 16 and older 8 weeks starting October 27.

The Monmouth County Park System will host a Soccer program at the Recreation Center for children from 4-7 years old. The program starts October 26 and continues through December 15.

Sea Bright's Recreation Department will be hosting a Halloween poster-painting contest on October 21 from 12- 4P.M. The winning Masterpieces will be displayed in the windows of participating business owners.

This year's Children's Holiday Party is scheduled for December 2 starting at noon to 2 P.M. This year Elizabeth Marie Photography Studio will have digital photography at the cost of \$20.00 per photo. The children will be treated to a pizza luncheon.

Councilwoman Bills said that she would be looking into bringing Bingo back to Sea Bright and would be requesting support from the Governing Body.

F. Police/Education/Grants: Councilwoman Long thanked Councilwoman Bills for her involvement concerning the Red Cross program that Councilwoman Bills spoke of early during her report. This year marks the 15th anniversary of the 1992 Flood that caused havoc in Sea Bright and other neighboring towns.

Councilwoman Long said the summer traffic program was successful with new cross walks, new signage and the speed limit on Ocean Avenue was reduced from 40 mph to 35 mph from Memorial Day to Labor Day. There was in place pedestrian safety and radar checkpoints. Vehicles stopped by Sea Bright's Police department at the checkpoints doubled from last year. Tickets written for speeding violations were significantly higher. After the speed limit was resumed at 40 mph, there was a significant impact on Sea Bright's residents. A letter campaign was started by residents calling themselves the Concerned Citizens of Sea Bright. The Governing Body received 37 form letters and of those only 7 letters was actually signed. We are unable to respond to the anonymous letters. The letters were equally split on whether the town was doing enough for pedestrian traffic safety. There was an equal number in support of the police praising their efforts. Those letters show an overwhelming support of a permanent 35 mph speed limit on Ocean Avenue, which required a resolution.

Councilwoman Long said that the traffic safety detail continues and statistics show that motorists are complying with the speed limit. The Police department purchased a new radar device with the capability of gathering data and produces statistics.

The Police Committee is working on an Ordinance for resident permit parking and one regarding bike races and tours. The Police's New Standard Operations manuals need revision to be in accordance with the Accreditation process and this would need approval by Resolution.

11. REMARKS FROM THE AUDIENCE: No one wished to be heard.

12. Councilman Scriven introduced and offered for adoption the following resolution:

RESOLUTION NO. 193-2007
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 matter to be discussed involves 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 Councilwoman Fernandes and adopted upon a unanimous voice vote.

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

At 7:40 P.M., the Mayor and Council came back into Regular Session to resume business.

13. ADJOURNMENT: There being no further business before the Governing Body. Councilman Scriven made a motion to adjourn the meeting at 7:47 P.M. Second by Councilwoman Long and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer
Municipal Clerk