

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

Mayor Fernandes 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 10, 2008 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, Keeler, Kelly, Long, Markson, Scriven, Mayor Fernandes, Attorney Arnette, Borough Engineer Hoder, Police Chief Moore, Borough Clerk Smeltzer

ABSENT: CFO Bascom

4. AWARD OF LIFE SAVING MEDAL - Chief William S. Moore

- Special Officer Josh Black

5. LETTERS OF COMMENDATION

- James Casazza
- Dr. Ted Kutzin
- Peter O'Mara
- Sean T. Smyth
- Dr. Brian M. Torpey

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

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

**RESOLUTION NO. 187-2008
PAYMENT OF BILLS 10/21/2008**

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

NOW, THEREFORE, BE IT RESOLVED, that these vouchers totaling \$609,425.75 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.

00003	ASBURY PARK PRESS				
	08-1207	09/11/08	P/L BOARD-9/23/08 MEETING	OPEN	2.98
00006	AVAYA, INC.				
	08-0052	01/17/08	POLICE-4/Q/2008 BOX/MOD MAINT	OPEN	50.31
00019	NJ AMERICAN WATER				
	08-1276	10/01/08	SEP 2008 HYDRANTS	OPEN	2,002.00
00025	REALTY APPRAISAL CO.				
	08-1263	09/30/08	TAX ASSESSOR-2008 ADDED ASSESS	OPEN	660.00
00027	SEABOARD WELDING SUPPLY, INC.				
	08-0095	01/22/08	DPW - 2008 CYLINDER RENTAL	OPEN	11.50

00091	DIGIROLAMO, LOUIS	08-1270 09/30/08 2008 PYMT 11/12 HEALTH REIMB	OPEN	1,638.82
00104	LORAY, ROBERT	08-1305 10/03/08 DPW-10/01/08 TRAVEL REIMB	OPEN	10.19
00106	MGL FORMS-SYSTEMS, LLC	08-1296 10/01/08 SEWER-BLANK SEWER BILLS	OPEN	1,064.50
00110	MONM CNTY REGIONAL HEALTH	08-1303 10/03/08 4/Q/2008 PUBLIC SERVICE HEALTH	OPEN	10,507.75
00135	COOPER ELECTRIC SUPPLY COMPANY	08-1258 09/29/08 BLDGS/GRNDS-SERVICE GENERATOR	OPEN	250.00
00140	MOORE, WILLIAM	08-1350 10/14/08 POLICE-REIMB:MADD CONFERENCE	OPEN	1,289.00
00143	LOVGREN, KEVIN	08-1243 09/26/08 POLICE-TRAVEL REIMB:9/9/08	OPEN	65.96
00161	LOU'S UNIFORMS, INC.	08-1188 09/08/08 DPW-T-SHIRTS:ENTIRE DEPT	OPEN	279.00
00187	JACOBS, RICHARD	08-1244 09/26/08 POLICE-TRAVEL REIMB:9/15,9/16	OPEN	102.68
00198	COMCAST	08-1194 09/08/08 A&E-INTERNET:OCT 2008	OPEN	95.00
		08-1352 10/15/08 POLICE DEPT-INTERNET:OCT 2008	OPEN	95.00
00223	TREASURER, COUNTY OF MONMOUTH	08-1293 10/01/08 4/Q/2008 COUNTY TAXES	OPEN	455,641.89
00228	THOMSON WEST/WEST GROUP	08-1262 09/29/08 MUNI CLERK-STATUTE BOOK	OPEN	122.50
00270	JOHNSON, KENNETH	08-1292 10/01/08 2008 PYMT 11/12 HEALTH REIMB	OPEN	948.13
00275	M & S WASTE SERVICES, INC.	08-0974 08/01/08 09/08 GARBAGE/RECYCLING PICKUP	OPEN	8,325.00
		08-1312 10/03/08 SEP 2008 LANDFILL TIPPING FEES	OPEN	7,656.97

				15,981.97
00285	STAPLE'S, INC.	08-1284 10/01/08 POLICE DEPT-OFFICE SUPPLIES	OPEN	471.53
00297	JESSE A. HOWLAND & SONS, INC.	08-0954 07/29/08 GARAGE RENT - NOV 2008	OPEN	1,654.00
		08-0955 07/29/08 DPW-ADDT'L GARAGE RENT-NOV'08	OPEN	833.00

				2,487.00
00315	MORGANO, PAUL	08-0470 04/15/08 BLDGS/GRNDS-2008 WEED CONTROL	OPEN	560.00
		08-0471 04/15/08 BLDGS/GRNDS-2008 MOWING SERV	OPEN	1,160.00

				1,720.00
00341	SCHWARZ, CHARLES	08-1242 09/26/08 DPW-REPAIRS:SIDEWALK/MONUMENT	OPEN	648.25
00350	ABSOLUTE FIRE PROTECTION, INC.	08-1234 09/25/08 FIRE DEPT-ADAPTER & CAP	OPEN	164.00
00439	TREASURER, COUNTY OF MONMOUTH	08-1294 10/01/08 4/Q/2008 LIBRARY TAXES	OPEN	28,940.63
00463	RUTGERS, THE STATE UNIVERSITY	08-1235 09/25/08 FINANCE-2008 FINANCE MANUAL	OPEN	40.00
00489	LAMB, JOSEPH	08-1326 10/09/08 POLICE-09/24/08 ATTEND COURT	OPEN	10.72
00523	TREASURER, COUNTY OF MONMOUTH	08-1295 10/01/08 4/Q/2008 OPEN SPACE TAXES	OPEN	32,548.67
00620	MAD HATTER	08-1165 09/02/08 REC-PIZZA:9/6/08 SKIM BASH	OPEN	75.00
00671	NJ DEPT OF COMMUNITY AFFAIRS	08-1351 10/15/08 3/Q/2008 STATE PERMIT FEES	OPEN	726.00
00700	JACOBS, KRISTI	08-1327 10/09/08 POLICE DEPT-TRAVEL REIMB 09/30	OPEN	22.68
00757	ARIAS, JOHN	08-1245 09/26/08 POLICE-TRAVEL REIMB:9/8-9/12	OPEN	185.27
00761	B & P FUN BUS	08-1206 09/11/08 REC-FUN BUS:9/20 S/BRIGHT DAY	OPEN	550.00
00895	JOHNNY ON THE SPOT, INC.	08-0687 05/30/08 PORTO-POTS - OCT 2008	OPEN	554.65
00975	SMACK, EDWARD	08-1291 10/01/08 2008 PYMT 11/12 HEALTH REIMB	OPEN	660.81
01061	RITTENHOUSE-KERR FORD	08-1240 09/26/08 POLICE DEPT-REPAIRS:4309	OPEN	431.25
01075	DESIGN IDEA GROUP ARCHITECTURE	08-0291 03/05/08 BEACH-SCHEMATIC DESIGN	OPEN	3,650.53
		08-1140 08/26/08 A&E-EVALUATE 3 CHURCH STREET	OPEN	2,500.00

				6,150.53

01164	WATCHUNG SPRING WATER CO, INC.			
	08-1095 08/21/08 OCT 2008 SPRING WATER	OPEN		329.69
01241	BAIN'S HARDWARE, INC.			
	08-1306 10/03/08 SEP 2008 PURCHASES	OPEN		502.26
01249	BRANAGAN, SUZANNE			
	08-1111 08/21/08 MUNI CLERK-9/20-10/3/08 TRAVEL	OPEN		225.04
01285	THE HOME DEPOT			
	08-1302 10/02/08 BLDGS/GRNDS-BLANKET:MISC SUPP	OPEN		47.90
01318	CONOVER BEYER ASSOCIATES, INC.			
	08-1269 09/30/08 VOLUNTEER INSURANCE RENEWAL	OPEN		3,124.00
01353	ATLAS FLASHER & SUPPLY CO INC.			
	08-1152 08/28/08 POLICE DEPT-PED XING SIGNS	OPEN		5,635.00
01363	IRON MOUNTAIN, INC.			
	08-0179 02/07/08 A&E-VAULT:SERVER BACKUPS	OPEN		120.00
01403	TREASURER, STATE OF NEW JERSEY			
	08-1299 10/02/08 3/Q/2008 MARRIAGE LICENSE FEES	OPEN		350.00
01492	ALAN'S RUMSON FLORIST			
	08-1175 09/04/08 A&E-FRUIT BASKET:P.GATTO	OPEN		50.00
	08-1267 09/30/08 A&E-FRUIT BASKET:D.CLARK	OPEN		60.95

				110.95
01493	COOPERATIVE INDUSTRIES, L.L.C.			
	08-1329 10/09/08 JUL 2008 NATURAL GAS	OPEN		714.99
01499	MONMOUTH SPRINKLER CO., INC.			
	08-1273 10/01/08 BLDGS/GRNDS-REPAIR SPRINKLER	OPEN		86.00
01556	ESTELLE, DAVID			
	08-1035 08/15/08 FIRE DEPT-2008 MEMBER DUES	OPEN		1,435.00
01565	BOROUGH OF SEA BRIGHT			
	08-1330 10/09/08 T/F ADMIN FEE:10/15/08 PAYROLL	OPEN		338.00
01578	AMERICAN MESSAGING			
	08-1313 10/03/08 DPW-OCT 2008 PAGER SERVICE	OPEN		36.96
01612	GAYLORD BROTHERS, INC.			
	08-1186 09/08/08 A&E-STORAGE BOXES & CASES	OPEN		100.24
01701	ONE CALL SYSTEMS, INC.			
	08-1109 08/21/08 A&E - 3/Q/2008 BILLS	OPEN		54.14
01714	ARCADIA PUBLISHING			
	08-1222 09/23/08 LIBRARY-SEA BRIGHT BOOKS	OPEN		126.44
01754	EDMUNDS & ASSOCIATES, INC.			
	08-1236 09/25/08 TAX COLL-ADDED/OMITTED BILLS	OPEN		270.00
	08-1237 09/25/08 TAX COLL-2008/2009 TAX BILLS	OPEN		382.30

				652.30
01900	MCKENNA, DUPONT, HIGGINS &			
	08-1320 10/07/08 P/L BOARD-LOBI LITIGATION	OPEN		430.00
	08-1322 10/07/08 P/L BOARD-7/8-9/23/08	OPEN		1,470.00

				1,900.00
01957	BENEMAX BENEFIT MANAGEMENT CO.			
	08-1315 10/06/08 10/08 DENTAL PLAN MANAGEMENT	OPEN		312.00
01984	AVAYA, INC.			
	08-0056 01/17/08 A&E-4/Q/2008 PHONE MAINT	OPEN		211.80
01985	THE MOBILE STORAGE GROUP, INC.			
	08-1052 08/15/08 POLICE-TRAILER 2008 PYMT 11/13	OPEN		265.00
02008	E.J. SCHUSTER'S OFFICE SUPPLY			
	08-1185 09/08/08 TAX COLL/REC/A&E-OFFICE SUPP	OPEN		496.39
02036	BAHRLE, DAVID			
	08-1337 10/14/08 DPW-REIMB:10/10 INK CARTRIDGES	OPEN		48.98
02061	VERIZON WIRELESS			
	08-1331 10/14/08 BLDG/FIRE/COURT:OCT 2008 CELL	OPEN		194.35
02181	GATEWAY PRESS			
	08-1217 09/18/08 COURT-3 BOXES REG ENVELOPES	OPEN		105.00
	08-1221 09/23/08 LIBRARY-HARVEST DINNER INVITES	OPEN		880.00
	08-1304 10/03/08 TAX COLL-STUBS:TAX,MISC,SEWER	OPEN		126.00

				1,111.00
02189	SHARP ELECTRONICS CORPORATION			
	08-0038 01/17/08 POLICE-2008 COPY MACHINE LEASE	OPEN		148.19
LOGAN, GERARD (ESCROW REFUND)				5.00
MONMOUTH COUNTY SPCA (9/08 BOARDING)				175.00
NJSHBP (SEPT2008)				23,010.45
U.S. POSTALSERVICE (POSTAGE:LIBRARY MAILING)				352.51
TOTAL				<u>609,425.75</u>

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

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

B. Councilman Keeler made a motion approving the September 25, 2008 Smart Growth Workshop Meeting Minutes. Second by Councilwoman Long and adopted upon the following roll call vote:
AYES: Bills, Keeler, Kelly, Long, Markson, Scriven
NAYS: None
ABSTAIN: None
ABSENT: None

C. Councilman Keeler made a motion approving the October 7, 2008 Council Meeting Minutes. Second by Councilwoman Long and adopted upon the following roll call vote:
AYES: Bills, Keeler, Kelly, Long, Markson, Scriven
NAYS: None
ABSTAIN: None
ABSENT: None

6. NEW BUSINESS:

A. Resolution No. 189-2008 adopting Police Standard Operating Procedures would be moved to the November 17, 2008 Council Meeting.

B. Councilwoman Markson introduced and offered for adoption the following Resolution:

**RESOLUTION NO.190-2008
BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright is in need of a NJDEP Air Quality permit for the on-site combustion equipment (generator) required for the River Street Pump Station; and

WHEREAS, David Hoder, P.E., of Maser Consulting has submitted a proposal dated October 14, 2008 requesting authorization from the Mayor and Council of the Borough of Sea Bright to prepare the NJDEP General Permit Application; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright, hereby authorizes the proposal submitted by David Hoder, P.E., of Maser Consulting in the amount of \$6,750.00 of which \$6,250 shall be allotted for engineering costs and \$500.00 for the NJDEP Air Quality permit fee.

CERTIFICATION OF FUNDS

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

MICHAEL J. BASCOM, CFO

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

C. Councilman Scriven approved a request from Donovan's Reef to have a Bonfire on their property on November 1, 2008 from 8 p.m. to 10 p.m.

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

AYES: Bills, Keeler, Kelly, Long, Scriven

NAYS: None

ABSTAIN: Markson

ABSENT: None

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

**RESOLUTION NO. 191-2008
BOROUGH OF SEA BRIGHT**

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 of various roads for the DIIP project; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that Chapter 144 Noise, Section 144-3.1 be waived and permit this project begin at 7:30 a.m.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

7. OLD BUSINESS:

A. Resolution No. 188-2008 amending Personnel Policy would be moved to November 17, 2008.

8. MONTHLY REPORTS FOR September 2008:

A. Library Director

B. Tax/Sewer September report

C. Police Chief

D. Public Works Director

E. Sewerage System Operation & Maintenance Report.

9. CORRESPONDENCE AND COMMUNICATIONS:

A. Health Officer Report October 2008

B. Sea Bright First Aid, Inc., third quarter report for 2008.

10. COMMITTEE REPORTS:

A. Beach/Environment/Cultural Arts:

Councilman Scriven reported that because of the library addition the gas line would be re-routed to the Lifeguard Building so there is heat in the vehicle storage and supply room. The Library Committee presented Sex and the City as it's first movie.

Councilman Scriven said that the oyster planting showed amazing growth but one of the oyster floats managed to break away and is lost.

The Library's annual fundraiser will be at the Quay on November 17, 2008.

B. Public Works/Construction Department/Public Relations:

Councilwoman Markson reported that the DIIP project was to begin on October 22nd for Center, Beach, Surf, New and Front Streets.

Signs were posted on the Public Beach for unprotected beach information. Garbage cans were removed from the Beach. Pedestrian crossing signs were removed from Ocean Avenue.

Superintendent Clark installed two solar battery charging systems on the pump stations on Beach and Center.

C. Public Safety/Insurance/Court:

Councilman Keeler reported that the Fire Department received information from American LaFrance regarding the truck's construction. The loaner truck will be delivered around Dec. 1st.

Corp. Lovgren attended a high speed pursuit course for all emergency vehicles.

Councilman Keeler met with Chief Moore regarding bike traffic in the center of town and North Beach.

There is a meeting about the Monmouth County Coastal evacuation route on October 28th at 7 p.m. at Monmouth University which he plans to attend.

D. Finance/Education/Grants:

Councilwoman Long said that Sea Bright's cash management plan outlines the types of risk that the finance office is permitted to be exposed to when investing. This plan is in compliant with all state and federal regulations concerning the investment of government funds. Sea Bright invests in only guaranteed American funds. The Borough does not purchase stock, all funds deposited are protected by the Governmental Unit Deposit Protection Act or GUDPA and the FDIC.

The Borough does not invest in rapid market swings or in areas in which the maturity value can be less than the purchase value.

Councilwoman Long said that the Borough maintains a strong tax collection rate which has had a major stabilizing impact on our local budget. This could have a negative impact in 2009 if taxpayers can not pay their taxes in a timely manner for the end of 2008. This is also impacted by the number of foreclosures and bankruptcies that are occurring. We do not know how this may impact the Borough, but the Tax Sale statutes provide some level of protection.

The largest impact is the decreased yield on investments. We have seen investment yields in the 4% range and now it's dropping to 2% or less. This will result in a decrease in revenues from interest on investments which can impact the 2009 budget.

Municipalities are generally seen as a safe investment for municipal bond buyers. There is an upward movement in borrowing rates and even some bond sales offered without interest from buyers. The Borough can avoid some of this risk by participating in the Monmouth County Improvement Authority Pooled Bond Program.

This will offer the Borough the use of the AAA rating of Monmouth County and lower interest rates.

Councilwoman Long said that the Borough is protected and not exposed to the types of risk that are inherent on Wall Street. The overall market conditions will have an impact on the revenue collected in 2008 to support the 2009 budget.

E. Personnel/Administration/Recreation:

Councilwoman Bills made a motion to keep the sign on Ocean Avenue at the foot of the Rumson Bridge and the sign on the south end of town for future events. Second by Councilwoman Markson and adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

F. Smart Growth/Flood Mitigation/Beautification:

Councilman Kelly said that he and his committee would be meeting with the architect to review the beach front plans next week. They will examine the options for relocating Borough Hall to Church Street. They should be receiving the Army Corp of Engineers' report concerning flood control for downtown Sea Bright

11. MAYOR FERNANDES - REPORT AND COMMUNICATIONS.

Mayor Fernandes announced that on October 31 beginning at 6 p.m. the Halloween Parade would begin at Rooney's Park and end at the Fire House with a party sponsored by First Aid.

The General Election is Tuesday November 4th. Polls will be open from 6.a.m. to 8 p.m.

On Monday, November 17 at 6 p.m. there will be a special workshop meeting to discuss the possibilities of purchasing 3 Church Street.

12. REMARKS FROM THE AUDIENCE:

Chris Doxey of 9 Church Street stated that she was against the Borough purchasing land on Church Street as a new location for Borough Hall.

Richard MacMullen of 9 Church Street said that he agreed with Ms. Doxey's stance against the land purchase.

Bill Greenwald of 42 Church Street said that it is not a good location to have Borough Hall located on Church Street.

13. Councilman Scriven introduced and offered for adoption the following resolution at 8:26 p.m.:

**RESOLUTION NO. 192-2008
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 negotiation of real property.

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 issue as herein set forth and when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

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

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

14. ADJOURNMENT: There being no further business before the Governing Body. Councilwoman Scriven made a motion to adjourn the meeting at 9:34 P.M. Second by Councilwoman Markson and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer, RMC
Municipal Clerk