

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, Long, Markson, Mayor Fernandes, Attorney Arnette, Chief Financial Officer Bascom, Engineer Hoder, Municipal Clerk Smeltzer.

ABSENT: Kelly, Scriven

**4. PROCLAMATION OF THE MAYOR - PROCLAMATION NO. 6-2008
SEA BRIGHT BUSINESS ALLIANCE "TASTE OF SEA BRIGHT".**

WHEREAS, The Sea Bright Business Alliance, A Newly Formed Business Organization Encompassing The Various Establishments Within The Borough Of Sea Bright Planned An Event Entitled "Taste Of Sea Bright Which Took Place On September 27, 2008; And

WHEREAS, There Were Many Business Owners Who Gave An All Out Effort To Make The First Annual "Taste Of Sea Bright" A Spectacular Event For The Borough Of Sea Bright; And

WHEREAS, Promoting The Spirit Of Camaraderie Between The Businesses, Town Officials, Residents And Visitors Provides A Valuable Necessity For The Community As Well As The Good Of All Who Were Involved In Coordinating This Effort And Those That Were Lucky Enough To Participate In This Well Run Event; And

WHEREAS, The Mayor And Council Hereby Recognize The Contributions Of All Those Businesses Who Volunteered In One Way Or Another To Make The "Taste Of Sea Bright" A Most Memorable Event And Offer Thanks To Them For Their Dedicated Service To The Community.

NOW, THEREFORE, I, Maria D. Fernandes, Mayor Of The Borough Of Sea Bright, Do Recognize The Sea Bright Business Alliance For Their Efforts And Further Extend Appreciation To All Those Who Were A Part Of This Fabulous Event.

Dated This 7th Day Of October, Maria D. Fernandes, Mayor

Mayor Fernandes awarded letters of commendation to the following for their assistance during the "Taste of Sea Bright".

5. LETTERS OF COMMENDATION

- Captain Steven Spahr
- Patrolman Christopher Fisler
- Special Officer Richard Huegel

6. Attorney Arnette called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of September 16, 2008.

A. Councilwoman Markson moved to approve this Ordinance upon Second Reading.

**ORDINANCE NO. 8-2008
AN ORDINANCE AMENDING CHAPTER 70
BUILDING CONSTRUCTION,
ARTICLE I UNIFORM CONSTRUCTION CODE,
SECTION 70-3 FEES**

BE IT ORDAINED by the Mayor and Council of the Borough of Sea Bright, Monmouth County, New Jersey, that the following be inserted into the code as follows:

A. Minimum fee for **BUILDING PERMITS**: \$45.

B. **PLAN REVIEW FEE** shall be 20% of the amount to be charged for a new construction permit. Plan review fees are not refundable. There shall be an additional fee of \$45 per hour for review of any amendment or change to a plan that has already been released.

C. **THE BASIC CONSTRUCTION FEE** shall be the sum of the parts computed on the basis of the volume or the cost of construction, and the number of plumbing fixtures and devices, and the number of electrical fixtures and devices, and the number of sprinklers, standpipes and the heat & smoke detectors at the unit rates provided herein plus any special fees.

D. **NEW CONSTRUCTION** based on the volume of the structure: The new construction fee for all **USE GROUPS** shall be \$.027 per cubic foot.

E. **ADDITIONS** The fees for additions shall be computed on the same basis as for new construction for the added portion.

F. RENOVATIONS, ALTERATIONS AND REPAIRS.

The fee for **ALL USE GROUPS**, shall be:

FEE
\$24 per thousand for the first \$50,000 of estimated cost.
\$18 per thousand from \$50,001 to and including \$100,000 of estimated cost.
\$15 per each additional thousand above \$100,000 of estimated cost.

The applicant shall submit to the Construction Official such data as may be available to provide a bona fide estimated cost. The Construction Official shall make the final decision regarding estimated cost.

G. **COMBINATION FEE FOR RENOVATIONS & ADDITIONS** shall be computed as the sum of the fees computed separately in accordance with items C, D & E.

H. **ROOFING AND SIDING** fees: as per alteration fee.

I. PLUMBING FEES:

TYPE	FEE
The minimum fee for plumbing permits	\$45.00

Fixtures and appliances connected to or components of a plumbing system.	\$15 per fixture appliance
Waste/vent stacks.	\$15 each
Special devices including, but not limited to: grease traps, separators, interceptors, air conditioning units, refrigeration units, sewer connections, water service connections, backflow preventors, sewer pumps and fuel oil piping.	\$65 per device
Steam/hot-water boilers	\$45 each
Gas-piping service	\$45 per system
Appliances added to a gas-piping system	\$15 per appliance
Hot-water heaters	\$45 each

J. FIRE PROTECTION FEES

TYPE	FEE
Fire permits minimum fee	\$45
Alarm devices (heat, pulls, water flow, smoke, CO)	
5 or less	\$45
Each additional 15	\$30
Supervisory devices (tamperers, low/high air) or signaling devices (horns/strobes bells)	
5 or less	\$45
Each additional 15	\$30
Sprinkler heads (wet or dry):	
10 or fewer	\$65
11-100	\$120
101-200	\$250
201-400	\$600
401-600	\$1,000
Standpipes	\$150 each
Kitchen exhaust systems (commercial)	\$65 each
Independent pre-engineered systems (CO2, Halon, Foam, wet or dry chemical, etc.)	\$65 each
All fireplaces (wood or gas)	\$45 each
Gas and oil-fired appliances	\$45 each
Tank installation:	
Up to 550 gallons of water capacity	\$45 each
Over 550 gallons of water capacity	\$75 each
Incinerators	\$260 each
Crematoriums	\$260 each
Alarm panel	\$50 each
Fire Pumps	\$200 each
Pre-action valves	\$45 each
Dry pipe/alarm valve	\$25 each
Smoke-control systems	\$65 each

K. ELECTRICAL FEES

TYPE	FEE
Electrical permits minimum fee.	\$45
Switching, lighting and receptacle (devices of less than one horsepower or one kilowatt included).	
One to 50	\$55
Each additional 25	\$15
Service panels, entrances and sub-panels:	
Each service panel, entrance or sub-panel up to 200 amperes	\$65
Up to 1,000 amperes	\$100
TYPE	FEE
Larger than above	\$400

Transformers and generators:	
Up to 10 kilowatts	\$45
Up to 45 kilowatts	\$65
Up to 112.5 kilowatts	\$125
Larger than above	\$500
Motors and electrical devices (control equipment, heating, air handling, compressor, heat pump, air handler, strip heater, water heater, dryer, oven, range, furnace and dishwasher).	
Up to 10 horsepower	\$45
Up to 50 horsepower	\$60
Up to 100 horsepower	\$125
Larger than above	\$450
Feeders:	
First 100 amperes	\$45
Each additional 100 amperes	\$10
Annual Electrical Inspection Fee for bonding and grounding certificates for public swimming pools, spas and hot tubs.	\$75
L. FURNACE AND AIR CONDITIONER REPLACEMENT.	
TYPE	FEE
Furnace replacement: electric, fire and plumbing.	\$45
Air conditioner compressor replacement for electric and plumbing.	\$45
M. DECKS – AS PER ALTERATION FEE	
N. SWIMMING POOL INSTALLATION	
TYPE	FEE
Installation of an above-ground pool more than 18 inches deep or more than 750 gallons in capacity (R-3, R-4).	\$75
Installation of a private in-ground pool more than 18 inches deep or more than 750 gallons in capacity (R-3, R-4).	\$150
Installation of a public in-ground or above ground pool.	\$250
O. CONSTRUCTION OF ACCESSORY AND STORAGE STRUCTURES	
TYPE	FEE
Construction or installation of a pool cabana or similar accessory structures up to 100 square feet.	\$45
Construction of accessory storage sheds, pool cabana or similar accessory structures over 100 square feet.	\$75
P. DEMOLITION AND REMOVAL OF STRUCTURES	
TYPE	FEE
Demolition or removal for a structure less than 5,000 sq. ft. in area and less than 30 ft. in height for 1 & 2 family residences (R-3 & R-4) and structures on farms under N.J.A.C. 5:23-3.2(d).	\$75
Demolition of farm out-buildings and minor accessory structures (Use group U).	\$45
Demolition of all other buildings, structures and use groups.	\$200
Removal of buildings and structures from one lot to another lot or to a new location on the same lot, the fee shall be \$20 for the first \$1,000 of estimated cost plus \$15 for each additional \$1,000 of cost or part thereof.	

Estimated shall be the sum of the following:
 the estimated cost of moving, plus the cost
 of the new foundations and all work necessary
 to place the building or structure in its
 completed condition in the new location.

Q. DEMOLITION OR REMOVAL OF TANKS.

TYPE	FEE
Demolition or removal of tanks up to 1000	\$75 per tank
Demolition of removal of tanks above 1000	\$200 per tank

R. SATELLITE DISHES & RADIO TRANSCEIVER EQUIPMENT.

TYPE	FEE
Installation of a satellite dish, radio, television or other transceiver equipment for residential use.	\$45
Installation of a satellite dish, radio, television or other transceiver equipment for non-residential or commercial use.	\$200

S. NEW FENCE.

TYPE	FEE
Permit is not required for fences 6' or less in height. This exception does not apply to pool barriers.	\$45

T. ASBESTOS HAZARD ABATEMENT

TYPE	FEE
Asbestos hazard abatement for each construction permit issued.	\$70

U. LEAD ABATEMENT

TYPE	FEE
Lead Hazard Abatement	\$70

V. TENTS

TYPE	FEE
Tents without appurtenances in excess of 900 square feet or more than 30 feet in any dimension excluding canopies.	\$100

W. SIGNS

The fee to construct a sign shall be in the amount of \$3 per square foot of surface area of the sign, computed on one side only for double faced signs. No Construction permit is required for signs under 25 sq. ft.

X. TEMPORARY STRUCTURE

The permit fee for a temporary structure used in the course of construction or other activities whose life is limited to not more than one year shall be \$100.

Y. CERTIFICATE OF OCCUPANCY

TYPE	FEE
New construction/additions/tenant fix up shall be	\$100
Change in Use Group	\$100
Continuation under N.J.A.C. 5:23-2.23(c)	\$120
The fee for the first issuance and the renewal of a temporary certificate of occupancy shall be \$28.00. Exception: There shall be no fee for the first issuance of the temporary certificate of occupancy provided the certificate of occupancy fee is paid at that time.	

Z. VARIATION. The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$450 for Class I structures and \$75 for Class II and Class III structures. The fee for resubmission of an application for a variation shall be \$229 for Class I structures and \$45 for Class II and Class III structures.

AA. WAIVER OF BUILDING PERMIT FEES

(1) No person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure or any of the facilities contained therein.

(2) A disabled person or a parent, sibling or child of a disabled person shall not be required to pay a municipal fee or charge in order to secure a construction

permit for any construction, reconstruction, alteration or improvement designed and /or undertaken solely to promote accessibility to his or her living unit.
(3) "Disabled person" shall mean any person who meets the requirements as set forth in the definition of N.J.S.A. 52:27D-126e and N.J.S.A. 40:55D-8 as the same may be amended from time to time.

BB. ELEVATORS

(1) D.C.A. See 5:23-4.20 Department Fees

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 Bills and approved by the following vote:

AYES: Bills, Keeler, Long, Markson,

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

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

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

Councilman Keeler made a motion to approve Ordinance No. 8-2008 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Long and approved upon the following vote:

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

7. 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. 184-2008
PAYMENT OF BILLS 10/07/2008**

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

NOW, THEREFORE, BE IT RESOLVED, that these vouchers totaling \$498,651.85 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.			
	08-0634	05/22/08	POLICE DEPT-BODY ARMOR	OPEN 1,176.00
00019	NJ AMERICAN WATER			
	08-1275	10/01/08	AUG 2008 WATER UTILITY	OPEN 1,156.78
00053	SHORE REGIONAL HIGH SCHOOL			
	08-1068	08/19/08	HIGH SCHOOL TAX - OCT 2008	OPEN 182,200.00

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00063	CHESAPEAKE EXTERMINATING CO.			
	08-1120 08/25/08 BLDGS/GRNDS-AUG 2008 EXTERM	OPEN		30.00
00071	MOORE-WALLACE N. AMERICA, INC.			
	08-1069 08/19/08 MUNI CLERK-VITAL STAT PAPER	OPEN		66.58
00075	NEW JERSEY PUBLIC SAFETY			
	08-0997 08/07/08 POLICE DEPT-2008 CONFERENCE	OPEN		300.00
00077	FLEET SERVICES			
	08-1225 09/23/08 GASOLINE - SEP 2008	OPEN		5,995.23
00091	DIGIROLAMO, LOUIS			
	08-1205 09/11/08 2008 PYMT 10/12 HEALTH REIMB	OPEN		1,638.82
00113	NJ NATURAL GAS COMPANY			
	08-1251 09/26/08 BLDGS/GRNDS-REPAIR A/C SYSTEM	OPEN		458.75
00119	SEA BRIGHT BOARD OF EDUCATION			
	08-1061 08/15/08 GRADE SCHOOL TAX - OCT 2008	OPEN		74,912.67
00138	MACCCONCHIE, JAMES			
	08-1215 09/18/08 PUBLIC REL-DJ:SEA BRIGHT DAY	OPEN		400.00
00141	MUNICIPAL RECORD SERVICE			
	08-1010 08/12/08 COURT-ATS MAILERS	OPEN		115.00
00158	PITNEY BOWES CREDIT CORP.			
	08-1046 08/15/08 A&E-3/Q/08 METER RENTAL+MAINT	OPEN		384.00
00164	RAIN, WILLIAM			
	08-1212 09/11/08 2008 PYMT 10/12 HEALTH REIMB	OPEN		660.81
00171	AURILIO, PATTI			
	08-1216 09/18/08 COURT-REIMB:9/13/08 BATTERIES	OPEN		32.08
00198	COMCAST			
	08-1259 09/29/08 POLICE DEPT-INTERNET:SEP 2008	OPEN		95.00
	08-1260 09/29/08 LIBRARY-INTERNET:SEP 2008	OPEN		99.95
	08-1261 09/29/08 FIRE DEPT-INTERNET:OCT 2008	OPEN		95.00

				289.95
00213	SEELY EQUIPMENT & SUPPLY			
	08-1071 08/20/08 BLDGS/GRNDS-RECYCLING SIGNS	OPEN		231.00
00230	CERTIFIED SPEEDOMETER			
	08-1184 09/05/08 POLICE DEPT-CALIBRATE VEHICLES	OPEN		108.00
00262	TRATTORIA G			
	08-1166 09/02/08 REC-PIZZA:9/6/08 SKIM BASH	OPEN		125.00
00270	JOHNSON, KENNETH			
	08-1213 09/11/08 2008 PYMT 10/12 HEALTH REIMB	OPEN		948.13
00285	STAPLE'S, INC.			
	07-0338 03/19/07 POLICE DEPT-OFFICE SUPPLIES	OPEN		269.47
	08-1136 08/26/08 POLICE DEPT-OFFICE SUPPLIES	OPEN		63.66
	08-1159 09/02/08 POLICE DEPT-OFFICE SUPPLIES	OPEN		657.14

				990.27
00297	JESSE A. HOWLAND & SONS, INC.			
	08-0951 07/29/08 GARAGE RENT - OCT 2008	OPEN		1,654.00
	08-0952 07/29/08 DPW-ADDT'L GARAGE RENT-OCT'08	OPEN		833.00

				2,487.00
00300	NJ STATE ASSN CHIEFS OF POLICE			
	08-1209 09/11/08 POLICE DEPT-TRAINING	OPEN		30.00
00302	SEA BRIGHT GULF STATION			
	08-0881 07/16/08 DPW-BLANKET:VEHICLE MAINT	OPEN		153.95
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
00317	MONMOUTH BUILDING CENTER			
	08-1180 09/05/08 BEACH-(2) NEW DOORS:PAVILION	OPEN		750.00
00328	EASYLINK SERVICES CORPORATION			
	08-1211 09/11/08 POLICE DEPT-08/08 AMBER ALERTS	OPEN		1.68
00339	NAPA AUTO PARTS			
	08-0097 01/22/08 DPW-BLANKET:VEHICLE MAINT	OPEN		74.59
00350	ABSOLUTE FIRE PROTECTION, INC.			
	08-0614 05/16/08 FIRE DEPT-VALVE ASSEMBLY #4375	OPEN		4,531.06
00384	AT & T MOBILITY			
	08-1241 09/26/08 DPW-SEP 2008 CELL BILL	OPEN		138.27
00419	DRAEGER SAFETY DIAGNOSTICS, INC			
	08-1008 08/12/08 POLICE DEPT-ALCOTEST SUPPLIES	OPEN		416.35
00425	THE NEW YORK TIMES			
	08-1264 09/30/08 LIBRARY-1 YEAR SUBSCRIPTION	OPEN		542.46
00427	STRATTON, FELECIA			
	08-1105 08/21/08 A&E-EDIT/DESIGN:SEP'08 SEA BRZ	OPEN		700.00

00436	SOFFEL, ANN			
	08-1170	09/03/08 REC-TENT RENTAL:9/6,9/7 SKIM	OPEN	500.00
00467	PALMISANO, ELSALYN			
	08-1102	08/21/08 A&E-RECORDS MANAGEMENT	OPEN	584.60
00533	RUTGERS, THE STATE UNIVERSITY			
	08-1118	08/22/08 MUNI CLERK-ELECTION COURSE	OPEN	394.00
00662	FEDERAL EXPRESS			
	08-1210	09/11/08 POLICE-8/13 & 8/26/08 SERVICE	OPEN	57.01
00895	JOHNNY ON THE SPOT, INC.			
	08-0686	05/30/08 PORTO-POTS - SEP 2008	OPEN	539.28
00973	THE TWO RIVER TIMES			
	08-1233	09/25/08 LIBRARY-2 YEAR SUBSCRIPTION	OPEN	45.00
00975	SMACK, EDWARD			
	08-1147	08/27/08 2008 PYMT 10/12 HEALTH REIMB	OPEN	660.81
01003	CLARK, J.R.			
	08-1178	09/05/08 ELECTRICAL REPAIRS:P.HOUSE LOT	OPEN	355.50
01110	NFPA			
	08-1017	08/13/08 FIRE MARSHALL-HATS/BROCHURES	OPEN	155.65
01241	BAIN'S HARDWARE, INC.			
	08-1182	09/05/08 AUG 2008 PURCHASES	OPEN	439.67
01275	ALL TRAFFIC SOLUTIONS			
	08-1208	09/11/08 POLICE DEPT-SPEED SIGN BATTERY	OPEN	215.00
01277	TANGOLICS, MARY			
	08-1214	09/18/08 P/L BOARD-REIMB:EXPRESS MAIL	OPEN	12.60
01286	INDUSTRIAL MARINE			
	08-1199	09/10/08 REIMB:08/06-09/05 GARAGE ELECT	OPEN	129.44
01297	HATCH, MOTT & MACDONALD, LLC			
	07-1208	08/29/07 DIIP#2-ENGINEERING	OPEN	6,151.00
	07-1599	12/13/07 COMMUNITY RATING SYSTEM PROGRM	OPEN	2,326.74

				8,477.74
01320	DEMAIO, R.N.			
	08-0959	07/30/08 BEACH-BLANKET:JANITORIAL SUPP	OPEN	148.89
01365	HARTER EQUIPMENT, INC.			
	08-1149	08/28/08 DPW-REPAIRS TO KUBOTA	OPEN	1,174.68
01374	INTERNATIONAL CODE COUNCIL			
	08-1171	09/03/08 BLDG DEPT-CODE BOOK	OPEN	36.00
01400	THE ARNETTE LAW FIRM, LLC			
	08-0790	06/23/08 LEGAL-RETAINER:OCT 2008	OPEN	312.50
	08-1272	09/30/08 SEP 2008 LEGAL SERVICES	OPEN	7,262.50

				7,575.00
01408	AT & T			
	08-1256	09/29/08 COURT-09/18/08 BILL VIDEO CONF	OPEN	29.38
01526	JCP & L			
	08-1257	09/29/08 AUG 2008 ELECTRIC SERVICE	OPEN	8,903.19
01589	THE HARTFORD STEAM BOILER INSP			
	08-1187	09/08/08 BLDGS/GRNDS-ANNUAL BOILER INSP	OPEN	50.00
01692	TROPICANA CASINO & RESORT			
	08-0750	06/17/08 DPW-ROOM RESERV:CONFERENCE	OPEN	232.00
01731	CAESARS ATLANTIC CITY			
	08-0987	08/05/08 TAX COLL-ROOM RESERVATION	OPEN	318.00
	08-1163	09/02/08 RECREATION-ROOM RESERVATION	OPEN	318.00

				636.00
01746	LANG, PETE			
	08-1036	08/15/08 FIRE DEPT-2008 MEMBER DUES	OPEN	700.00
01790	YINGLING, CHARLES			
	08-1219	09/18/08 DPW-TRAVEL REIMB:09/13/08	OPEN	18.43
01801	MASER CONSULTING, P.A.			
	08-0784	06/23/08 ENGINEERING-RETAINER:OCT 2008	OPEN	250.00
01863	THE QUAY			
	08-1223	09/23/08 LIBRARY-DEPOSIT:11/14 DINNER	OPEN	500.00
01960	VERIZON			
	08-1268	09/30/08 LOCAL/LONG DISTANCE-AUG 2008	OPEN	1,821.57
01974	BOROUGH OF SEA BRIGHT COURT			
	08-1089	08/21/08 COURT-08/08 CREDIT CARD REIMB	OPEN	217.58
01985	THE MOBILE STORAGE GROUP, INC.			
	08-1050	08/15/08 POLICE-TRAILER 2008 PYMT 10/13	OPEN	265.00
	08-1051	08/15/08 COURT-TRAILER 2008 PYMT 11/13	OPEN	255.31

				520.31
01988	COMPTON, BARBARA			
	08-1146	08/27/08 MUNI CLERK-RETURN ELECTION BKS	OPEN	30.00

02036	BAHRLE, DAVID				
	08-1250	09/26/08	DPW-REIMB:SOLAR BATT CHARGERS	OPEN	193.80
02061	VERIZON WIRELESS				
	08-1239	09/26/08	POLICE:9/16-10/15/08 CELL BILL	OPEN	444.31
02114	TWO RIVERS WATER RECLAMATION				
	08-1254	09/26/08	2008 PYT 4/4-SEWER CUST CHARGE	OPEN	94,968.75
02177	WALSH, JOAN				
	08-1218	09/18/08	LIBRARY-REIMB:09/16 DVDS+MISC	OPEN	131.33
02181	GATEWAY PRESS				
	08-0916	07/22/08	TAX COLL-BILL INSERTS/ENVS	OPEN	123.00
	08-1156	09/02/08	POLICE DEPT-CARDS & ENVELOPES	OPEN	188.00

					311.00
02194	THE COURIER				
	08-0001	01/16/08	MUNI CLERK-BLANKET:ADS	OPEN	25.85
AOL (10/08 SERVICE)					32.90
BORO OF SEA BRIGHT PAYROLL A/C (9/30/08 P/R)					83,085.55
MONMOUTH COUNTY SPCA (8/08 BOARDING)					100.00
U.S. POSTAL SERVICE (POSTAGE:3/Q/08 SEWER BILLING)					<u>184.60</u>
Total					\$498,651.85

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

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

B. Councilman Keeler made a motion approving the September 16, 2008 Council Meeting Minutes. Second by Councilwoman Markson and adopted upon the following roll call vote:

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

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

**RESOLUTION NO. 185-2008
 BOROUGH OF SEA BRIGHT**

WHEREAS, a request has been received from the Police Chief for a Halloween Curfew in the Borough of Sea Bright.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey that a curfew be imposed between the hours of 9:00 P.M. and 6:00 A.M. for those under the age of eighteen, except those accompanied by an adult or on their way to or from work.
 for the dates of October, 30 and 31, 2008.

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

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

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

**RESOLUTION NO. 176-2008
AMENDING RESOLUTION NO. 172-2008
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, that the Mayor and Council of the Borough of Sea Bright authorizes the Library Committee to charge the cost of computer courses from \$40.00 to \$50.00

BE IT FURTHER RESOLVED, that the courses would be conducted as follows: Session I - Basic Microsoft Word courses will run on Mondays, October 6, 13, 20, & 27. Session II - Intermediate Windows course will run on Mondays, November 3, 10, 17 & December 1. Session III - Intro to the Internet course will run on Mondays and Wednesdays, December 8, 10, 15 & 17. All sessions will be two hour classes beginning at 10:00 a.m. at a cost of \$50.00 per person per session to be deposited into the Library Trust Fund.

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

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

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

**RESOLUTION NO. 177-2008
BOROUGH OF SEA BRIGHT**

WHEREAS, the Library Committee requests from the Mayor and Council of the Borough of Sea Bright to provide free Movie Night on the first Friday for Children and third Friday for Adults beginning October 18, 2008 to April 17, 2009 at 7:00 p.m. to be held at the Sea Bright Library.

WHEREAS, as there will be no charge for movie admission the Library Committee will have water, soft drinks and snacks for sale at the cost of \$1.00 each to be deposited into the Library Trust Fund.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council hereby authorize the Library Committee to conduct free Movie Nights at the Sea Bright Library and to sell beverages and snacks.

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

AYES: Bills, Keeler, Kelly, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

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

**RESOLUTION NO. 178-2008
AMENDING RESOLUTION NO. 174-2008
BOROUGH OF SEA BRIGHT
AWARD OF CONTRACT
Downtown Stormwater Improvement Project
And the Reconstruction of Various Roads**

BE IT RESOLVED that the bid awarded to Ace Manzo, Inc., 436 Charles Street, Aberdeen, NJ 07747, Inc. for the Downtown Stormwater Improvement Project and the Reconstruction of Various Roads under Resolution No. 174-2008 had an incorrect amount of \$723,396.10. This resolution serves to amend Resolution No. 174-2008 to reflect the correct total amount of **\$722,396.10**.

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

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

G. Councilman Keeler made a motion approving the request from Red Bank Catholic High School to conduct Beach Clean-up on public beach on October 14, 2008 at 9:00 a.m. Second by Councilwoman Markson and adopted upon the following roll call vote:

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 180-2008**

WHEREAS, the Chief of Police has indicated that the unused cash guarantee for the Police digital in-car video systems may now be refunded to:

**ENFORCEMENT VIDEO, L.P.
t/a Watchguard Video
3001 Summit Avenue
Plano, Texas 75074**

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize the cash guarantee in the amount of \$2,997.00 be refunded.

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

AYES: Bills, Keeler, Long, Markson

ABSENT: Kelly, Scriven

NAYS: None

ABSTAIN: None

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

**RESOLUTION NO. 181-2008
BOROUGH OF SEA BRIGHT**

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 2008 in the sum of **\$8,470.48** which is now available as a revenue from **FY 2008 Drunk Driving Enforcement Fund**; and

BE IT FURTHER RESOLVED, that a like sum of **\$ 8,470.48** is hereby appropriated under the caption **FY 2008 FY 2008 Drunk Driving Enforcement Fund**; 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 Markson and adopted upon the following roll call vote:

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

8. OLD BUSINESS:

A. DISCUSSION - Personnel Policy Amendments - Councilwoman Bills said that only the last paragraph regarding sick leave occurrence on Page 28 is to be deleted. Municipal Clerk Smeltzer would make the changes to the Personnel Policy for it to be on the October 21, 2008 agenda for adoption.

B. DISCUSSION - Local Emergency Planning Committee - Councilman Keeler made a motion appointing Thomas Haege, Fire Marshall to the Local Emergency Planning Committee. Second by Councilwoman Long and adopted upon the following roll call vote:

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

9. NEW BUSINESS:

A1. Councilwoman Long made a motion denying the request from RBA Homes to temporarily store four modular home sections on the Municipal Parking Lot on Monday, October 13, 2008. Second by Councilwoman Markson and adopted upon the following roll call vote:

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

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

**RESOLUTION NO. 179-2008
BOROUGH OF SEA BRIGHT**

WHEREAS, the Emergency Management Official has recommended that Chief William S. Moore be appointed to the position of Deputy Emergency Management Official.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that Chief William S. Moore be appointed OEM Deputy effective October 7, 2008 at no salary.

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

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

C. Councilwoman Markson introduced and offered for adoption the following resolution:

**RESOLUTION NO.183-2008
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright that permission is hereby given to Sea Bright Methodist Church for a waiver of all construction permit and zoning fees for the installation of awnings over the Church Street entrance and emergency exit on Ocean Avenue.

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

AYES: Bills, Keeler, Markson, Mayor Fernandes

NAYS: None

ABSTAIN: Long

ABSENT: Kelly, Scriven

D. Councilwoman Bills introduced and offered for adoption the following resolution:

**RESOLUTION NO. 186-2008
BOROUGH OF SEA BRIGHT**

WHEREAS, there is a need for a full time Municipal Court Administrator.

BE IT RESOLVED, that Janice Swaggerty is hereby appointed as the full time Municipal Court Administrator in accordance with the Borough of Sea Bright Personnel Policies and procedures effective October 15, 2008 at a salary of \$37,000.00.

CERTIFICATION OF FUNDS

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

MICHAEL J. BASCOM, CFO

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

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

10. CORRESPONDENCE AND COMMUNICATIONS:

Mayor Fernandes said that the Recreation Committee's Holiday Party is Friday December 5th not 6th as reported.

A. Recreation Director Report September 2008.

B. Monmouth County Regional Health Commission Minutes of July 16, 2008.

C. Construction Department report August 2008.

11. MAYOR'S REPORT AND COMMUNICATIONS:

Mayor Fernandes thanked the Recreation, Fire Ladies Auxiliary, Fire Department, Public Works and Public Relations for making Sea Bright Day successful.

Mayor Fernandes said that there will political signs posted in town during this election because the two political parties were not able to reach an agreement.

Councilwoman Long made a motion rescheduling the November 18, 2008 Council Meeting to Monday, November 17, 2008. Second by Councilwoman Markson and adopted upon the following roll call vote:

AYES: Bills, Keeler, Markson, Mayor Fernandes

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

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

13. Councilwoman Bills introduced and offered for adoption the following resolution at 7:55 p.m.:

**RESOLUTION NO. 182-2008
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 Councilwoman Long and adopted upon a unanimous voice vote.

AYES: Bills, Keeler, Long, Markson

NAYS: None

ABSTAIN: None

ABSENT: Kelly, Scriven

The Governing Body returned to the regular Order of Business at 8:10 P.M. Councilwoman Bills made a motion to receive a \$35,000 public access fund/waterfront Development Contribution from Waterford Properties. Second by Councilwoman Markson and adopted upon a unanimous voice vote.

AYES: Bills, Markson, Mayor Fernandes

NAYS: Keeler, Long

ABSTAIN: None

ABSENT: Kelly, Scriven

14. ADJOURNMENT: There being no further business before the Governing Body. Councilman Keeler made a motion to adjourn the meeting at 8:17 P.M. Second by Councilwoman Long and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer, RMC
Municipal Clerk