

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 OCTOBER 20, 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, Chief Financial Officer Bascom, Borough Engineer Hoder, Borough Clerk Smeltzer.
ABSENT: Police Chief Moore

4. SCHOOL FORMULA ADVISORY COMMITTEE - Councilwoman Long

- APPOINTMENT OF JONATHAN BEER

Councilwoman Bills made a motion appointing Jonathan Beer to the School Formula Advisory Committee. 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

5. Councilwoman Long introduced and approved for adoption the following Resolution:

RESOLUTION NO. 194-2008
AUTHORIZE TRANSFER OF FUNDS

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of current year appropriations during the last two months of the fiscal year; and

WHEREAS, the Chief Financial Officer has recommended that the following appropriation transfer be authorized:

<u>Appropriation</u>	<u>Amount From</u>	<u>Amount To</u>
Tax Assessor OE		\$ 1,200.00
Legal OE		\$12,000.00
Planning Board OE		\$ 3,000.00
Insurance/Liability – Surety - Flood	\$15,200.00	
Employee Health Insurance		\$ 1,000.00
Police OE	\$ 5,000.00	
Emergency Management OE	\$ 3,000.00	
Bulkhead Maintenance OE	\$ 1,000.00	
Public Health Services OE	\$ 1,000.00	
Electric OE		\$5,000.00
Gasoline OE		\$3,000.00
TOTAL	\$25,200.00	\$25,200.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the 2008 Budget appropriations be transferred as stated herein; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Chief Financial Officer and Auditor.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

6. Attorney Arnette read by title only and Councilwoman Long introduced an Ordinance entitled:

ORDINANCE # 9-2008
AN ORDINANCE GRANTING RENEWAL
OF MUNICIPAL CONSENT TO COMCAST
TO CONSTRUCT, CONNECT, OPERATE AND
MAINTAINS CABLE TELEVISION AND
COMMUNICATIONS SYSTEM

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on December 2, 2008. Second by Councilman Keeler and approved upon the following vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

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 Kelly introduced and approved for adoption the following:

RESOLUTION NO. 193-2008
PAYMENT OF BILLS 11-17-2008

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$1,120,098.29 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.

00019	NJ AMERICAN WATER				
	08-1277	10/01/08	SEP 2008 WATER UTILITY	OPEN	828.67
	08-1278	10/01/08	OCT 2008 HYDRANTS	OPEN	2,002.00

					2,830.67
00031	SORRENTINO, JOHN				
	08-1332	10/14/08	POLICE-REIMB:DMV REG FEE	OPEN	20.00
00053	SHORE REGIONAL HIGH SCHOOL				
	08-1070	08/19/08	HIGH SCHOOL TAX - NOV 2008	OPEN	182,200.00

00063	CHESAPEAKE EXTERMINATING CO.			
	08-1121	08/25/08	BLDGS/GRNDS-SEP 2008 EXTERM	OPEN 30.00
00070	LANG, III, PETER			
	08-1342	10/14/08	FIRE DEPT-2008 DRIVER	OPEN 110.00
00077	FLEET SERVICES			
	08-1365	10/22/08	GASOLINE - OCT 2008	OPEN 4,685.17
00106	MGL FORMS-SYSTEMS, LLC			
	08-1325	10/08/08	FINANCE-1000 A/P CHECKS	OPEN 274.35
00119	SEA BRIGHT BOARD OF EDUCATION			
	08-1425	11/06/08	GRADE SCHOOL TAX - NOV 2008	OPEN 74,912.67
00122	WARNOCK FLEET, INC.			
	08-0966	07/31/08	POLICE-2008 FORD CROWN VIC	OPEN 30,964.80
00124	SPAHR, STEVEN			
	08-1344	10/14/08	FIRE DEPT-2008 DRIVER	OPEN 110.00
00141	MUNICIPAL RECORD SERVICE			
	08-1384	10/29/08	COURT-VARIOUS FORMS	OPEN 455.00
00164	RAIN, WILLIAM			
	08-1266	09/30/08	2008 PYMT 11/12 HEALTH REIMB	OPEN 660.81
00178	UNITED STATES POSTAL SERVICE			
	08-1107	08/21/08	POSTAGE FOR POSTAGE METER	OPEN 1,450.00
00198	COMCAST			
	08-1195	09/08/08	A&E-INTERNET:NOV 2008	OPEN 95.00
	08-1360	10/22/08	LIBRARY-INTERNET:OCT 2008	OPEN 94.72
	08-1381	10/28/08	FIRE DEPT-INTERNET:NOV 2008	OPEN 97.50

				287.22
00203	MASON, PAT			
	08-1345	10/14/08	FIRE DEPT-2008 DRIVER	OPEN 110.00
00213	SEELY EQUIPMENT & SUPPLY			
	08-1328	10/09/08	DPW-STREET SIGN & CAP	OPEN 57.20
00214	STAVOLA COMPANIES			
	08-0982	08/04/08	DPW-BLANKET:ASPHALT MATERIALS	OPEN 231.77
00249	CLARK, DOUGLAS			
	08-1362	10/22/08	DPW-REIMB:WORK BOOTS	OPEN 100.00
00255	SMELTZER, MARYANN			
	08-1394	11/03/08	A&E-REIMB:REGISTER DOMAINE	OPEN 69.98

				69.98
00275	M & S WASTE SERVICES, INC.			
	08-0975	08/01/08	10/08 GARBAGE/RECYCLING PICKUP	OPEN 8,325.00
	08-1321	10/07/08	DUMPSTER+DISP FEE:DRIFTWOOD	OPEN 156.33
	08-1395	11/03/08	10/31/08 EXTRA RECYCLING P-UP	OPEN 45.00
	08-1419	11/04/08	OCT 2008 LANDFILL TIPPING FEES	OPEN 7,148.16

				15,674.49
00281	W.E. TIMMERMAN CO., INC.			
	08-1376	10/28/08	DPW-STREET SWEEPER BRUSHES	OPEN 228.82
00285	STAPLE'S, INC.			
	08-1333	10/14/08	POLICE DEPT-OFFICE SUPPLIES	OPEN 200.14
00315	MORGANO, PAUL			
	08-0470	04/15/08	BLDGS/GRNDS-2008 WEED CONTROL	OPEN 700.00
	08-0471	04/15/08	BLDGS/GRNDS-2008 MOWING SERV	OPEN 1,450.00

				2,150.00
00317	MONMOUTH BUILDING CENTER			
	08-1377	10/28/08	BLDGS/GRNDS-FRONT LOBBY DOOR	OPEN 264.99
00319	AMSTERDAM PRINTING			
	08-1099	08/21/08	A&E-2009 ATTENDANCE CALENDARS	OPEN 49.11
00330	FOCUSED TECHNOLOGY			
	08-0931	07/28/08	LIBRARY-PROJECTION SCREEN	OPEN 157.00
00339	NAPA AUTO PARTS			
	08-1248	09/26/08	DPW-BLANKET:VEHICLE MAINT	OPEN 188.95
00384	AT & T MOBILITY			
	08-1379	10/28/08	DPW-OCT 2008 CELL BILL	OPEN 138.06
00467	PALMISANO, ELSALYN			
	08-1102	08/21/08	A&E-RECORDS MANAGEMENT	OPEN 775.26
00542	F & P CONTRACTORS, INC.			
	08-1386	10/29/08	POLICE SPECIAL DUTY O/P REFUND	OPEN 36.00
00701	PERRINE, SR., PETER			
	08-1341	10/14/08	FIRE DEPT-2008 DRIVER	OPEN 110.00

00788	SCARINCI & HOLLENBECK, LLC				
08-1420	11/05/08	LEGAL-09/15-10/01/08	SERVICES	OPEN	51.68
08-1421	11/05/08	LEGAL-09/25-10/03/08	SERVICES	OPEN	100.00

					151.68
00885	OCEAN TWP FIRE DISTRICT NO. 2				
08-1043	08/15/08	FIRE OFFICIAL-4/Q/2008	VEHICLE	OPEN	150.00
00897	SICKELS, PATRICIA				
08-1358	10/20/08	COURT-10/02/08	COVERAGE	OPEN	80.00
00975	SMACK, EDWARD				
08-1340	10/14/08	FIRE DEPT-2008	DRIVER	OPEN	110.00
00991	SANDERS, JOHN				
08-1348	10/14/08	FIRE DEPT-2008	DRIVER	OPEN	110.00
01027	SHORE BUSINESS SOLUTIONS				
08-1058	08/15/08	COPIER MAINT #3/4-BORO HALL		OPEN	554.81
01075	DESIGN IDEA GROUP ARCHITECTURE				
08-0291	03/05/08	BEACH-SCHEMATIC DESIGN		OPEN	17,791.93
01112	CMF BUSINESS SUPPLIES, INC.				
08-1098	08/21/08	10 CARTONS:COPIER PAPER		OPEN	314.90
01150	W.W. GRAINGER, INC.				
08-1375	10/28/08	DPW-MASONARY DRILL BITS		OPEN	38.40
01164	WATCHUNG SPRING WATER CO, INC.				
08-1096	08/21/08	NOV 2008 SPRING WATER		OPEN	161.87
01199	ACE MANZO, INC.				
08-1224	09/23/08	DIIP ROAD IMPROVEMENTS		OPEN	179,163.29
01227	INNOVATIVE DATA SOLUTIONS				
08-1363	10/22/08	POLICE DEPT-DMS TRAINING SYSTM		OPEN	1,687.50
01258	ACA COMPUTERS, INC.				
08-1227	09/23/08	FINANCE-NEW COMPUTER (2)		OPEN	2,800.00
08-1228	09/23/08	SEWER-NEW COMPUTER		OPEN	1,400.00
08-1229	09/23/08	SEWER-NEW COMPUTER		OPEN	1,400.00

					5,600.00
01285	THE HOME DEPOT				
08-1302	10/02/08	BLDGS/GRNDS-BLANKET:MISC SUPP		OPEN	283.36
01286	INDUSTRIAL MARINE				
08-1334	10/14/08	REIMB:09/06-10/03 GARAGE ELECT		OPEN	109.81
08-1357	10/20/08	REIMB:09/10-10/09 GARAGE WATER		OPEN	13.09

					122.90
01297	HATCH, MOTT & MACDONALD, LLC				
07-1208	08/29/07	DIIP#2-ENGINEERING		OPEN	1,595.50
07-1599	12/13/07	COMMUNITY RATING SYSTEM PROGRM		OPEN	1,112.40

					2,707.90
01313	MCAA OF MONMOUTH COUNTY				
08-1378	10/28/08	COURT-2008 DUES		OPEN	40.00
01320	DEMAIO, R.N.				
08-1265	09/30/08	BLDGS/GRNDS-SUPPL:POLICE DEPT		OPEN	272.00
01357	PRECISE CONSTRUCTION				
08-1388	10/29/08	POLICE SPECIAL DUTY O/P REFUND		OPEN	620.00
01358	CAMPBELL SUPPLY CO., L.L.C.				
08-0854	07/10/08	FIRE DEPT-REPAIRS UNIT# 4374		OPEN	4,639.11
08-1368	10/23/08	FIRE DEPT-REPAIRS UNIT# 4377		OPEN	426.69

					5,065.80
01363	IRON MOUNTAIN, INC.				
08-0179	02/07/08	A&E-VAULT:SERVER BACKUPS		OPEN	120.00
01365	HARTER EQUIPMENT, INC.				
08-1374	10/28/08	DPW-KUBOTA SWITCH		OPEN	30.80
01400	THE ARNETTE LAW FIRM, LLC				
08-0791	06/23/08	LEGAL-RETAINER:NOV 2008		OPEN	312.50
08-1418	11/04/08	OCT 2008 LEGAL SERVICES		OPEN	3,712.50

					4,025.00
01408	AT & T				
08-1083	08/21/08	COURT-10/18/08 BILL VIDEO CONF		OPEN	29.52
01492	ALAN'S RUMSON FLORIST				
08-1356	10/17/08	A&E-FRUIT BASKET:M.SMELTZER		OPEN	50.00
01493	COOPERATIVE INDUSTRIES, L.L.C.				
08-1402	11/04/08	AUG 2008 NATURAL GAS		OPEN	555.88
01526	JCP & L				
08-1382	10/29/08	SEP 2008 ELECTRIC SERVICE		OPEN	7,249.24

01554	SEA BRIGHT SERVICE CENTER			
08-1024	08/14/08	POLICE-BLANKET:VEHICLE MAINT	OPEN	266.75
08-1323	10/08/08	POLICE-BLANKET:VEHICLE MAINT	OPEN	966.60
08-1390	10/30/08	POLICE-BLANKET:VEHICLE MAINT	OPEN	545.75
08-1391	10/30/08	POLICE-REPAIRS #4301 SUBURBAN	OPEN	943.50

				2,722.60
01565	BOROUGH OF SEA BRIGHT			
08-1430	11/10/08	T/F ADMIN FEE:11/14/08 PAYROLL	OPEN	1,247.00
01578	AMERICAN MESSAGING			
08-1398	11/03/08	DPW-NOV 2008 PAGER SERVICE	OPEN	38.46
01593	DEROSA, ISABEL			
08-1335	10/14/08	COURT - 10/09/08 INTERPRETER	OPEN	160.00
01603	SIGNS BY TOMORROW			
08-1075	08/20/08	BLDGS/GRNDS-BANNER DATE CHANGE	OPEN	36.00
01627	WILBANKS, CLAY			
08-1347	10/14/08	FIRE DEPT-2008 DRIVER	OPEN	110.00
01665	ROCK, AARON			
08-1339	10/14/08	FIRE DEPT-2008 DRIVER	OPEN	110.00
01801	MASER CONSULTING, P.A.			
06-0325	03/23/06	PRJ#82 DIIP	OPEN	6,372.25
08-0785	06/23/08	ENGINEERING-RETAINER:NOV 2008	OPEN	250.00
08-1422	11/05/08	ENGINEERING-MISCELLANEOUS	OPEN	21.15
08-1423	11/05/08	ENGINEERING-MISCELLANEOUS	OPEN	487.50

				7,130.90
01829	QUALITY COMMUNICATIONS			
08-1367	10/23/08	POLICE DEPT-REPAIR REPEATER	OPEN	825.00
01854	MONMOUTH COUNTY BOARD/TAXATION			
08-1336	10/14/08	TAX ASSESSOR-2008 MOD-IV SERV	OPEN	500.00
01887	HEIM ELECTRONICS, INC.			
08-1354	10/16/08	LIBRARY-11/1-1/31/09 ALARM	OPEN	62.85
08-1355	10/16/08	BORO HALL:11/1-1/31/09 ALARM	OPEN	62.85

				125.70
01957	BENEMAX BENEFIT MANAGEMENT CO.			
08-1316	10/06/08	11/08 DENTAL PLAN MANAGEMENT	OPEN	312.00
01960	VERIZON			
08-1410	11/04/08	LOCAL/LONG DISTANCE-SEP 2008	OPEN	2,043.30
01974	BOROUGH OF SEA BRIGHT COURT			
08-1090	08/21/08	COURT-09/08 CREDIT CARD REIMB	OPEN	221.84
08-1091	08/21/08	COURT-10/08 CREDIT CARD REIMB	OPEN	196.36

				418.20
01981	LYNN PEAVEY COMPANY			
08-1319	10/06/08	POLICE DEPT-EVIDENCE BAGS	OPEN	186.75
01985	THE MOBILE STORAGE GROUP, INC.			
08-1053	08/15/08	COURT-TRAILER 2008 PYMT 12/13	OPEN	255.31
08-1054	08/15/08	POLICE-TRAILER 2008 PYMT 12/13	OPEN	265.00

				520.31
01988	COMPTON, BARBARA			
08-1271	09/30/08	MUNI CLERK-RETURN ELECTION BKS	OPEN	30.00
01997	LANG IV, PETER			
08-1343	10/14/08	FIRE DEPT-2008 DRIVER	OPEN	110.00
02036	BAHRLE, DAVID			
08-1401	11/03/08	DPW-REIMB:C-4 LICENSE RNWL FEE	OPEN	20.00
02061	VERIZON WIRELESS			
08-1372	10/28/08	POLICE:10/16-11/15/08 CELL	OPEN	474.92
08-1443	11/13/08	BLDG/FIRE/COURT:NOV 2008 CELL	OPEN	146.89

				621.81
02071	LAB SAFETY SUPPLY, INC.			
08-1314	10/06/08	BLDGS/GRNDS-CIGARETTE RECEIPT	OPEN	140.19
02124	DRIFTWOOD CABANA CLUB			
08-1387	10/29/08	POLICE SPECIAL DUTY O/P REFUND	OPEN	124.00
02189	SHARP ELECTRONICS CORPORATION			
08-0038	01/17/08	POLICE-2008 COPY MACHINE LEASE	OPEN	148.19
02194	THE COURIER			
08-0001	01/16/08	MUNI CLERK-BLANKET:ADS	OPEN	13.63
AOL(NOV 2008 SERVICE)				32.90
BORO OF SEA BRIGHT PAYROLL A/C (10/15/08 PAYROLL)				83,491.46
BORO OF SEA BRIGHT PAYROLL A/C (10/30/08 PAYROLL)				131,291.65

ENFORCEMENT VIDEO, LP (ESCROW REFUND)	2,997.00
GOWN, KERRY (ANIMAL CONTROL CALLS:8/18-11/6/08)	475.00
MASER CONSULTING (ESCROW)	347.50
MCKENNA,DUPONT,HIGGINS & STONE (ESCROW)	360.00
MONMOUTH COUNTY SPCA (10/08 BOARDING)	300.00
NAVESINK CONSTRUCTION, INC. (ESCROW REFUND)	261.07
NJSHBP (OCT 2008)	23,010.45
RAIN, WILLIAM (NOV 2008 HEALTH REIMB)	660.81
SEA BRIGHT TAX COLLECTOR (2007 TAXES B18/L1)	418.96
STATE OF NJ DEPT OF LABOR (3/Q/2008 UNEMPLOYMENT)	1,756.16
THE BANK OF NEW YORK (P&I BONDS OF 2007)	131,677.18
THE BANK OF NEW YORK (P&I BONDS OF 2005)	102,240.00
THE BANK OF NEW YORK (P&I BONDS OF 2004)	76,464.87
	<u>1,120,098.29</u>

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

B. Councilman Kelly made a motion to approve the October 21, 2008 Council Meeting Minutes. 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

C. Councilman Kelly introduced and offered for adoption the following resolution:

RESOLUTION NO.195-2008
AUTHORIZING THE CANCELLATION
OF A RECEIVABLE AND OFFSETTING APPROPRIATION
BALANCE IN CONNECTION WITH LOCAL ORDINANCE
#101-99 - STORM WATER MAPPING
BOROUGH OF SEA BRIGHT

WHEREAS, a receivable balance of \$15,186.83 entitled "Grants Receivable - Ordinance #101-99/ Due From State of New Jersey SIIA" from the Department of Environmental Protection which remains on the Capital Fund balance sheet dedicated to said Ordinance has expired; and,

WHEREAS, an appropriation balance of \$20,425.26 entitled " Ordinance #101-99/ Storm Water Mapping" remains on the Capital Fund balance sheet dedicated to said Ordinance; and,

WHEREAS, it is necessary to cancel the receivable balance and the appropriation reserve balance from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED, that the grant receivable and appropriation reserve stated herein be cancelled;

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer and Auditor. 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

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

BOROUGH OF SEA BRIGHT
RESOLUTION NO. 196-2008

WHEREAS, the Finance Manager has indicated that the unused Planning Board escrow may now be refunded to:

Navesink Construction, Inc.
Frank Servidio
23 Field Avenue
Red Bank, NJ 07701

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize the unused Planning Board escrow in the amount of \$261.07 be refunded.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

BOROUGH OF SEA BRIGHT
RESOLUTION NO. 197-2008

WHEREAS, the Finance Manager has indicated that an overpayment in connection with a Police Special Duty contract may now be refunded to:

Driftwood Cabana Club
1485 Ocean Avenue
Sea Bright, NJ 07760

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize an overpayment refund for a Police Special Duty contract in the amount of \$124.00

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

BOROUGH OF SEA BRIGHT
RESOLUTION NO. 198-2008

WHEREAS, the Finance Manager has indicated that an overpayment in connection with a Police Special Duty contract may now be refunded to:

Precise Construction
1016 Highway 33
Freehold, NJ 07728-8442

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize an overpayment refund for a Police Special Duty contract in the amount of \$620.00

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

G Councilman Kelly introduced and offered the following Resolution for adoption:

BOROUGH OF SEA BRIGHT
RESOLUTION NO. 199-2008

WHEREAS, the Finance Manager has indicated that an overpayment in connection with a Police Special Duty contract may now be refunded to:

Henkels & McCoy
381 Cranberry Road
Farmingdale, NJ 07727

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize an overpayment refund for a Police Special Duty contract in the amount of \$372.00

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

BOROUGH OF SEA BRIGHT
RESOLUTION NO. 200-2008

WHEREAS, the Finance Manager has indicated that an overpayment in connection with a Police Special Duty contract may now be refunded to:

F & P Contractors, Inc.
659 Washington Avenue
South Amboy, NJ 08879

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize an overpayment refund for a Police Special Duty contract in the amount of \$36.00

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

RESOLUTION NO.205-2008
BOROUGH OF SEA BRIGHT

BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright grating permission to waive all restrictions and fees pertaining to portable toilets as set forth in Chapter 193 in the Code of the Borough of Sea Bright during the construction period for the DIIP project.

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

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

RESOLUTION NO.206-2008
BOROUGH OF SEA BRIGHT

WHEREAS, authorization is hereby given to the Recreation Committee to hold a Holiday Parade and Tree Lighting Ceremony on December 5, from 6-8 p.m.

NOW, THEREFORE, BE IT RESOLVED that the above mentioned event is hereby authorized by the Mayor and Council of the Borough of Sea Bright.

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

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

RESOLUTION NO. 208-2008
BOROUGH OF SEA BRIGHT

WHEREAS, there exists a need for additional Police personnel pursuant to a letter received from Chief William Moore.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following person be appointed and receive the hourly rate of pay as specified below effective November 17, 2008:

<u>DISPATCHER</u>	<u>HOURLY RATE</u>
Justin T. Breaud	\$8.00

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify that funds are available in Dispatcher/Police Salaries & Wages for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

8. NEW BUSINESS:

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

BOROUGH OF SEA BRIGHT
RESOLUTION NO. 201-2008

WHEREAS, the New Jersey Board of Public Utilities, Office of Clean Energy administers the Local Government Energy Audit Program, an incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and,

WHEREAS, the Governing Body of the Borough of Sea Bright has decided to apply to participate in the Local Government Energy Audit Program; and,

WHEREAS, the facilities to be audited are in New Jersey, are owned by the Borough of Sea Bright are served by a New Jersey regulated public utility, and that the Borough of Sea Bright has not already reserved \$100,000 in the Program this year as of this application; and,

WHEREAS, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal, and that Program rules will have to be met in order to receive incentive funds; and,

WHEREAS, upon acceptance into the Program, the Borough of Sea Bright will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors, and submit the Part B application; and,

WHEREAS, the Borough of Sea Bright understands that energy audit work cannot proceed until an Application Approval Notice is received from the Program; and,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Sea Bright approves the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

RESOLUTION NO. 202-2008
TO REQUEST MONMOUTH COUNTY
TO REINSTATE ELECTION SERVICES
TO LOCAL MUNICIPALITIES
BOROUGH OF SEA BRIGHT

WHEREAS, the local Municipal Clerk has always looked to the County of Monmouth for guidance, direction and support, particularly in matters of mutual concern such as elections and voting; and

WHEREAS, it is imperative that all of our offices cooperate and work in harmony to ensure that elections are smoothly run, fair, and protect the constitutional right to vote for all Monmouth County residents; and

WHEREAS, it was a long established practice that Monmouth County provided for the pick up and return of the provisional ballots from municipalities who needed this service to Freehold on election night after the close of the polls; and

WHEREAS, on April 24, 2008, a letter was received by all Monmouth County Municipal Clerks from the Commissioner of Registration/Superintendent of Elections informing them that due to budget cuts they would no longer be picking up and transporting the provisional ballots on election night back to Freehold, thereby leaving the Municipal Clerks scrambling to find alternative means 4 weeks before the June 3rd Primary election; and

WHEREAS, several attempts were made by the Municipal Clerks Association of Monmouth County on behalf of its membership to work out a compromise with the Commissioner of Registration/Superintendent of Elections and the County Clerk to ask for a reprieve until at least the end of the year so that Municipal Clerks could arrange for alternative means through proper planning and budgeting, but these requests fell on deaf ears, and no compromise was ever reached; and

WHEREAS, although the local Municipal Clerks through their own resourcefulness and cooperation found ways to get the job done without the help of Monmouth County, it was not without much confusion, anxiety and uncertainty, thereby causing disruption and interference to what was once a well established and dependable election procedure.

NOW THEREFORE BE IT RESOLVED, that it is through the consensus of the membership of the Municipal Clerks Association of Monmouth County to formally request the Commissioner of Registration/Superintendent of Elections Office of the County of Monmouth through the Monmouth County Board of Chosen Board of Freeholders to reconsider its position to not deliver the provisional ballots on election night, and to please reinstate these services immediately based on the following reasons:

1. The hardship caused to the municipalities who have been hit hard financially with budget cuts from the State, by forcing them to make two trips to the County offices, one on election night, and one the next day before noon to deliver all the

supplies and paperwork, as well as providing personnel, either Police Department or Public Works, to do so.

2. Based on our belief that it is the County's statutory duty to ultimately provide for the delivery of the provisional ballots, without entrusting them to others, such as public works employees and police officers, who are not officially part of the chain of command, thus endangering the sealed ballots, which in many cases will determine an election's outcome once counted.

3. In this climate of budget cuts and shared services, alternatives can and should be considered, such as providing County funds and/or personnel for runners to perform this function, or allowing the ballots to remain at the municipal clerks' offices under lock and key until the next day when all supplies and paperwork are delivered to Freehold by the municipality before 12 noon, or allowing for all supplies and ballots to be delivered on Election night, thus saving gas and manpower, especially since the ballots are not opened until a week after the Election.

4. This action would re-instill the confidence once felt by the local Municipal Clerk in the County of Monmouth by providing cooperation and guidance to accomplish the tasks of mutual concern faced by our offices, especially elections.

BE IT RESOLVED by the Governing Body of the Borough of Sea Bright approves this resolution and that a copy be forwarded to Monmouth County of Chosen Freeholders and Monmouth County Municipal Clerk's Association.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

RESOLUTION NO. 207-2008
BOROUGH OF SEA BRIGHT
AMENDING RESOLUTION NO. 174-2008
CHANGE ORDER AND SUPPLEMENTAL AGREEMENT NO. 1
DOWNTOWN STORMWATER IMPROVEMENT PROJECT
AND THE RECONSTRUCTION OF VARIOUS ROADS

WHEREAS, a change order is required to the original project cost. The description for this change order shall be pursuant to the supplemental Agreement No. 1 dated November 12, 2008 prepared by David Hoder, P.E. of Maser Consulting and signed by a principal of Ace Manzo, Inc. increasing the original contract amount of \$723,396.10.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright that the contract for the Downtown Stormwater Improvement Project and which was previously awarded to:

Ace Manzo, Inc.
436 Charles Street
Aberdeen, NJ 07747

on September 16, 2008 be amended and a change order be allowed for a increase in the amount of \$57,149.00. The adjusted contract amount is \$780,545.10.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Ordinance 20-2007 for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

9. OLD BUSINESS:

A. DISCUSSION - SKATEBOARD PARK - COUNCILWOMAN BILLS.

Councilwoman Bills made a motion to send a letter to the Monmouth County Park system declining their skateboard grant. 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

10. MONTHLY REPORTS FOR October 2008:

A. Municipal Clerk

B. Recreation Director

C. Court Administrator

D. Library Director

E. Chief of Police

F. Sewer System Operation and Maintenance

G. Construction Department

11. CORRESPONDENCE AND COMMUNICATIONS:

A. Watchtower letter dated October 15, 2008 regarding public ministry.

B. Construction Department September 2008 report.

C. Health and Senior Services letter dated October 31, 2008 announcing \$275 reimbursement.

D. Municipal Clerk September report

E. Cape May Point Borough letter dated October 28, 2008 concerning elimination of districts without schools.

F. Court Administrator Reports:

- July 2008

- August 2008

- September 2008

G. Rutgers Center for Government Services Honorable Mention Certificate issued to Sea Bright for public information entries.

- H. Monmouth County Regional Health Meeting Minutes of August 20, 2008.
- I. Planning Board Meeting Minutes
 - June 24
 - July 8
 - July 22
 - September 9

12. COMMITTEE REPORTS:

A. Beach/Environment/Cultural Arts:

Councilman Scriven reported that they are working on the Beach Budget for 2009.

The DEP is against the oyster farming program and will not issue new permits to the NY/NJ Baykeeping to establish oyster beds. He sent a letter to Commissioner Jackson of the DEP to reconsider this action.

Councilman Scriven said that the dinner/dance fundraiser at The Quay was successful. The Library will host a free Friday night movie program beginning at 6 P.M. The Library's extension is almost completed. Former Councilman Craig restored shelving donated by Monmouth County Library and is constructing a new book drop.

B. Public Works/Construction Department/Public Relations:

Councilwoman Markson said that all the Borough's furnaces were inspected and there were minor repairs. The branch and leaf pick up has started.

C. Public Safety/Insurance/Court:

Councilman Keeler said that the police are doing an excellent job conducting radar patrols. He said that he will be sending out a letter to the DOT regarding very serious safety and maintenance issues on Ocean Avenue/Route 36. Janice Swaggerty is Sea Bright's new Court Administrator effective October 15, 2008.

D. Finance/Education/Grants:

Councilwoman Long said that the 2009 budget meetings are scheduled for January 6. She said that they are working on fuel costs solutions. We are looking into County/State Cooperative which would allow us to purchase fuel through a local vendor. Vehicle maintenance is an area where money is spent. We are researching getting one vendor to repair fire vehicles instead of going to different repair companies.

E. Personnel/Administration/Recreation:

Councilwoman Bills reported that the Sea Bright's website has been updated to better inform its residents. The minute and ordinance books for the Borough have been microfilmed and this information can be reached at www.monmouth.com/archives for a listing of all our records. Administrative Assistant Suzanne Branagan completed the fifth and last course toward registering for the Municipal Clerk certification. Good luck to her in the spring as she will be taking the State exam.

Councilwoman Bills said that the Recreation Committee has arranged a Holiday parade and tree light ceremony to be held December 5, at 6 P.M. The following committees will be participating: Beautification, Public Relations, Library, Fire Ladies Auxiliary, Fire Department, Police Department and the Sea Bright Business Alliance.

F. Smart Growth/Flood Mitigation/Beautification:

Councilman Kelly said that they are still waiting to hear from the Army Corp of Engineers concerning issues affecting flood mitigation. Beautification Committee is working on a Master Plan for the entire Borough owned land.

13. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. Mayor Fernandes said that on November 13 she met with a DOT representative, Mayor Anna Little of Highlands and an official from Sandy Hook to discuss options available for beach access to Sandy Hook. She sent the Council a memo including the planning board's resolution for their review.

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

15. Councilman Kelly introduced and offered for adoption the following resolution at 8:26 P.M.:

RESOLUTION NO. 203-2008
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 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 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 Markson and adopted upon a unanimous voice vote.

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

NAYS: None

ABSTAIN: None

ABSENT: None

The Governing Body returned back to the regular order of business at 8:51 P.M.

16. Councilman Scriven introduced and offered the following Resolution for adoption:

BOROUGH OF SEA BRIGHT
RESOLUTION NO. 204-2008

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless posted a bid guarantee for the Cell On Wheels original agreement in the amount of \$3,000.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorizes that the bid guarantee \$3,000 be forfeited and deposited into the Current Fund.

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

AYES: Keeler, Kelly, Markson, Scriven

NAYS: Bills, Long

ABSTAIN: None

ABSENT: None

17. ADJOURNMENT:

There being no further business before the Governing Body.

Councilwoman Bills made a motion to adjourn the meeting at 8:52 P.M. Second by Councilwoman Markson and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer
Municipal Clerk