

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: Bills, Long, Markson, Scriven, Mayor Fernandes, Attorney Arnette, Borough Engineer Hoder, Police Chief Moore
ABSENT: Keeler, Kelly, CFO Bascom

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

**RESOLUTION NO. 222-2008
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</u> <u>From</u>	<u>Amount</u> <u>To</u>
Insurance		
Liability	6,000.00	
Hydrants	1,500.00	
S/W		
Bldgs/Grounds	1,000.00	
Boro Share S/S	3,500.00	
S/W Recreation	500.00	
Electric		9,000.00
Phone		1,500.00
Health Insurance		2,000.00
TOTAL	12,500.00	12,500.00

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 Councilwoman Bills and adopted upon the following roll call vote:

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

5. Councilwoman Long introduced a motion withdrawing the following Ordinance:

**BOROUGH OF SEA BRIGHT
ORDINANCE NO.10-2008
AN ORDINANCE AMENDING "LAND USE" OF THE REVISED
ORDINANCES OF THE BOROUGH OF SEA BRIGHT,
COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.**

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

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

A. Councilwoman Bills introduced and approved for adoption the following:

**RESOLUTION NO.220-2008
PAYMENT OF BILLS 12/16/2008**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$79,120.72 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			
	08-1457	11/17/08	MUNI CLERK-ORD 9-2008 COMCAST	OPEN 48.36
	08-1510	12/05/08	TAX COLL-12/9 TAX SALE NOTICE	OPEN 478.60

				526.96
00019	NJ AMERICAN WATER			
	08-1280	10/01/08	NOV 2008 HYDRANTS	OPEN 2,002.00
00027	SEABOARD WELDING SUPPLY, INC.			
	08-0095	01/22/08	DPW - 2008 CYLINDER RENTAL	OPEN 11.50
00063	CHESAPEAKE EXTERMINATING CO.			
	08-1122	08/25/08	BLDGS/GRNDS-OCT 2008 EXTERM	OPEN 30.00
	08-1123	08/25/08	BLDGS/GRNDS-NOV 2008 EXTERM	OPEN 30.00

				60.00
00081	PERRY'S TROPHY CO., INC.			
	08-1432	11/12/08	A&E-NAMEPLATES:MURPHY,LOBIONDO	OPEN 28.00
	08-1455	11/14/08	A&E-PLAQUES FOR RE-ORG MEETING	OPEN 229.95
	08-1459	11/18/08	LIBRARY-PLAQUE:B.FLYNN	OPEN 55.50

				313.45
00106	MGL FORMS-SYSTEMS, LLC			
	08-0840	07/07/08	TAX ASSESSOR-2009 BINDERS	OPEN 223.80
00120	7-ELEVEN OF SEA BRIGHT			
	08-0875	07/15/08	POLICE-06/24/08 PRISONER FOOD	OPEN 5.28
00135	COOPER ELECTRIC SUPPLY COMPANY			
	08-1460	11/18/08	SEWER-SERVICE GENERATOR	OPEN 200.00
00141	MUNICIPAL RECORD SERVICE			
	08-1479	11/24/08	COURT-ATS MAILERS	OPEN 221.50
00163	OSWALD ENTERPRISES, INC.			
	08-1442	11/13/08	SEWER-VACUUM, JET & TELEWISE	OPEN 1,250.00
00164	RAIN, WILLIAM			
	08-1414	11/04/08	2008 PYMT 12/12 HEALTH REIMB	OPEN 660.81

00168	GANN LAW BOOKS			
	08-1383	10/29/08	COURT-2009 NJ COURT RULES	OPEN 102.00
00198	COMCAST			
	08-1196	09/08/08	A&E-INTERNET:DEC 2008	OPEN 95.00
00210	ATLANTIC PLUMBING SUPPLY CORP.			
	08-1490	11/25/08	BLDGS/GRNDS-PVC PIPING	OPEN 35.18
00230	CERTIFIED SPEEDOMETER			
	08-0063	01/18/08	POLICE DEPT-CALIBRATE VEHICLES	OPEN 216.00
00234	ROY PRESS, INC.			
	08-1148	08/27/08	PRINTING:DEC'08 NEWSLETTER	OPEN 762.50
00258	THUL, JR., CARL			
	08-1113	08/22/08	IT SERVICES:SET-UP COMPUTERS	OPEN 1,638.00
	08-1500	12/02/08	POLICE DEPT-EMERG IT SERVICES	OPEN 468.00

				2,106.00
00275	M & S WASTE SERVICES, INC.			
	08-0280	02/29/08	DPW-2008 BRANCH/LEAF PICKUP	OPEN 3,890.00
	08-0976	08/01/08	11/08 GARBAGE/RECYCLING PICKUP	OPEN 8,325.00
	08-1502	12/02/08	NOV 2008 LANDFILL TIPPING FEES	OPEN 5,066.93

				17,281.93
00302	SEA BRIGHT GULF STATION			
	08-0881	07/16/08	DPW-BLANKET:VEHICLE MAINT	OPEN 38.95
00305	GORCEY PLUMBING & HEATING, INC			
	08-1301	10/02/08	BLDGS/GRNDS-FALL'08 WINTERIZE	OPEN 810.00
00339	NAPA AUTO PARTS			
	08-0097	01/22/08	DPW-BLANKET:VEHICLE MAINT	OPEN 24.66
00351	MASON, JR., PATRICK			
	08-1498	12/02/08	POLICE DEPT-RADIO & SPEAKER	OPEN 240.00
00354	MONMOUTH CYCLES, INC.			
	08-1427	11/07/08	DPW-TIRES:YAMAHA GRIZZLY ATV	OPEN 147.53
00411	R & R RADAR, INC.			
	08-1482	11/24/08	POLICE DEPT-T/F VIDEO SYSTEM	OPEN 650.00
00427	STRATTON, FELECIA			
	08-1106	08/21/08	A&E-EDIT/DESIGN:DEC'08 SEA BRZ	OPEN 700.00
00441	MONMOUTH COUNTY SHERIFF'S			
	08-1511	12/05/08	POLICE-2007 COMPUTER SERVICES	OPEN 3,377.51
00456	SEA BRIGHT SENIOR CITIZENS			
	08-1513	12/08/08	WEDDINGS PERFORMED BY MAYOR	OPEN 1,000.00
00495	O'CONNOR, TIMOTHY & DUFFY, A.			
	08-1523	12/10/08	TAX REFUND B24.03/L14	OPEN 3,534.52
00575	GALLS, INC.			
	08-0484	04/17/08	POLICE DEPT-FINGERPRINT SUPP	OPEN 96.95
00721	GENERAL MEDICAL DEVICES, LLC			
	08-1151	08/28/08	FIRE DEPT-DEFIB BATT & PADS	OPEN 292.00
00757	ARIAS, JOHN			
	08-1468	11/21/08	POLICE DEPT-TRAVEL REIMB:10/21	OPEN 44.62
00884	BORO OF SEA BRIGHT PETTY CASH			
	08-1492	11/25/08	MULTI DEPTS-REIMB PETTY CASH	OPEN 26.48
00895	JOHNNY ON THE SPOT, INC.			
	08-0689	05/30/08	PORTO-POTS - DEC 2008	OPEN 535.12
01164	WATCHUNG SPRING WATER CO, INC.			
	08-1097	08/21/08	NOV 2008 SPRING WATER-BALANCE	OPEN 158.89
01209	LANGUAGE SERVICES ASSOCIATES			
	08-1451	11/14/08	COURT-OCT 2008 INTERPRETATION	OPEN 25.20
01260	GASS, ALBAN			
	08-1399	11/03/08	LIBRARY-MICROSOFT WORD CLASSES	OPEN 600.00
01285	THE HOME DEPOT			
	08-1302	10/02/08	BLDGS/GRNDS-BLANKET:MISC SUPP	OPEN 234.35
01363	IRON MOUNTAIN, INC.			
	08-0179	02/07/08	A&E-VAULT:SERVER BACKUPS	OPEN 120.00
01385	FIRST ENERGY			
	08-1450	11/14/08	POLICE SPECIAL DUTY O/P REFUND	OPEN 5.00
01400	THE ARNETTE LAW FIRM, LLC			
	08-1491	11/25/08	NOV 2008 LEGAL SERVICES	OPEN 4,775.00
01492	ALAN'S RUMSON FLORIST			
	08-1081	08/21/08	A&E-WREATH:VETERAN'S DAY	OPEN 100.00
01493	COOPERATIVE INDUSTRIES, L.L.C.			
	08-1403	11/04/08	SEP 2008 NATURAL GAS	OPEN 720.61
01499	MONMOUTH SPRINKLER CO., INC.			
	08-1494	11/26/08	BLDGS/GRNDS-WINTERIZE FALL'08	OPEN 90.00
01570	BUCK, BRIAN			
	08-1493	11/25/08	DPW-TRAVEL REIMB:10/06/08	OPEN 8.73
	08-1501	12/02/08	DPW-TRAVEL REIMB:11/30/08	OPEN 17.46

				26.19

01578	AMERICAN MESSAGING				
08-1497	12/01/08 DPW-DEC 2008 PAGER SERVICE	OPEN		38.46	
01629	NJRHS COMMERCIAL SERVICES				
08-1461	11/18/08 BLDGS/GRNDS-REPAIR CIRC PUMP	OPEN		1,230.00	
08-1496	12/01/08 BLDGS/GRNDS-REPAIRS AT LIBRARY	OPEN		565.00	

				1,795.00	
01662	ORIENTAL TRADING COMPANY				
08-1445	11/13/08 REC-TOYS:12/5/08 XMAS PARADE	OPEN		195.52	
01676	BAGNOLE, DONNA				
08-1349	10/14/08 REC-SANTA:12/5 XMAS PARADE	OPEN		500.00	
01745	CONTE'S CAR WASH				
08-1477	11/24/08 POLICE DEPT-20 CAR WASHES	OPEN		140.00	
01829	QUALITY COMMUNICATIONS				
08-1447	11/13/08 POLICE DEPT-POWER SUPPLY UNIT	OPEN		275.25	
01863	THE QUAY				
08-1456	11/17/08 LIBRARY-11/14/08 HARVEST DINN	OPEN		3,580.00	
01925	BORO OF SEA BRIGHT/EE' HEALTH				
08-1520	12/09/08 REPLENISH HEALTH INS FUND	OPEN		2,000.00	
01960	VERIZON				
08-1411	11/04/08 LOCAL/LONG DISTANCE-OCT 2008	OPEN		1,677.02	
01974	BOROUGH OF SEA BRIGHT COURT				
08-1092	08/21/08 COURT-11/08 CREDIT CARD REIMB	OPEN		211.20	
01985	THE MOBILE STORAGE GROUP, INC.				
08-1055	08/15/08 COURT-TRAILER 2008 PYMT 13/13	OPEN		255.31	
08-1056	08/15/08 POLICE-TRAILER 2008 PYMT 13/13	OPEN		265.00	

				520.31	
02008	E.J. SCHUSTER'S OFFICE SUPPLY				
08-1009	08/12/08 TAX/SEWER COLL-PRINTER TONER	OPEN		140.78	
02177	WALSH, JOAN				
08-1504	12/03/08 LIBRARY-REIMB:VARIOUS ITEMS	OPEN		204.41	
02189	SHARP ELECTRONICS CORPORATION				
08-0038	01/17/08 POLICE-2008 COPY MACHINE LEASE	OPEN		148.19	
NJSHBP (NOV 2008)				23,010.45	
U.S. POSTAL SERVICE (POSTAGE:DEC 2008 NEWSLETTER)				236.64	
TOTAL				79,120.72	

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT : Keeler, Kelly

ABSTAIN: None

B. Councilwoman Bills made a motion adopting the November 17, 2008 Council Meeting Minutes. Second by Councilman Scriven and adopted upon the following roll call:

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

C. Councilwoman Bills made a motion adopting the December 2, 2008 Council Meeting Minutes. Second by Councilman Scriven and adopted upon the following roll call:

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

D. Councilwoman Bills introduced and approved for adoption the following Resolution:

RESOLUTION 221-2008

BE IT RESOLVED, by the Mayor and Council of Sea Bright, County of Monmouth, State of New Jersey that the proper officers, be and are hereby authorized to refund a tax overpayment.

BLOCK	LOT	NAME	AMOUNT
24.03	14	Timothy O'Connor and Anne Duffy	\$3,534.52

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby approve the following refund of \$3,534.52.

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

E. Councilwoman Bills introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 225-2008
BOROUGH OF SEA BRIGHT**

WHEREAS, the Monmouth County Board of Chosen Freeholders has established the Special Citizens Area Transportation System (SCAT); and

WHEREAS, the Borough of Sea Bright has requested that the County provide service to eligible residents; and

WHEREAS, the Borough of Sea Bright is desirous of entering into a Municipal Shopping Contract agreement for the calendar year January 1, 2009 through December 31, 2009; and

WHEREAS, under the terms of said Agreement, the Borough of Sea Bright will pay the Treasurer, County of Monmouth quarterly, the half day rate of \$55.36 per day on a per use basis for services.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough Sea Bright, Monmouth County, New Jersey, that the Mayor and Borough Clerk are hereby authorized to execute an Agreement for Special Citizens Area Transportation (SCAT) between the Borough of Sea Bright and the Monmouth County Board of Chosen Freeholders.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in the 2009 Temporary Budget for Parks & Playground OE appropriation for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT : Keeler, Kelly

ABSTAIN: None

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

**RESOLUTION NO. 226-2008
BOROUGH OF SEA BRIGHT**

WHEREAS, the Monmouth County SPCA has established Animal Control to hold the Borough of Sea Bright stray animals at their facility for the year 2009; and

WHEREAS, the Borough of Sea Bright requests that the Monmouth County SPCA continue to provide these services; and

WHEREAS, the Borough of Sea Bright wishes to renew the contract with the Monmouth County SPCA for the year 2009 at a fee of \$90 for the same seven day state mandated holding period for dogs, and a fee of \$100.00 for the same seven day state mandated holding period for cats; and

WHEREAS, the fee for feline euthanization/cremation will be \$65.00; canine euthanization/cremation will be \$120.00; and

WHEREAS, a fuel surcharge for transportation of wildlife will be charged if gas prices go above \$2.95 per gallon.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Sea Bright, Monmouth County, New Jersey, that the Animal Control Contract between the Borough of Sea Bright and the Monmouth County SPCA be renewed for from January 1, 2009 through December 31, 2009.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby that funds will be available in the 2009 Temporary Budget - animal control appropriation for the purpose stated in the above resolution.

MICHAEL J. BASCOM, CFO

Seconded by Councilman Scriven and approved upon the following roll call vote:

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

G. Councilwoman Bills made a motion approving a request from SBBA to conduct Polar Bear Plunge on January 1, 2009 at 12:30 P.M. Seconded by Councilman Scriven and approved upon the following roll call vote:

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

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

**RESOLUTION NO. 228-2008
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 December 15, 2008:

<u>DISPATCHER & POLICE MATRON</u>	<u>HOURLY RATE</u>
Kelly A. Leimburg	\$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 Councilman Scriven and adopted upon the following roll call vote:

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

7. OLD BUSINESS:

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

**RESOLUTION NO. 188-2008
BOROUGH OF SEA BRIGHT**

WHEREAS, it is the policy of Borough of Sea Bright to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and,

WHEREAS, the Borough of Sea Bright has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Sea Bright that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED, that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED, that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Sea Bright.

BE IT FURTHER RESOLVED, that to the maximum extent permitted by law, employment practices for the Borough of Sea Bright shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Chairperson of the Personnel Committee and all managerial/supervisory personnel are responsible for these employment practices. The Borough Clerk and the Employment Attorney shall assist the Chairperson of Personnel in the implementation of the policies and procedures in this manual.

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

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

**RESOLUTION NO.189-2008
BOROUGH OF SEA BRIGHT**

WHEREAS, the Governing Body of the Borough of Sea Bright hereby adopt the following list of Sea Bright Police Department Standard Operating Procedures in accordance with the deadlines for the department's accreditation process:

- Hiring Process for Full Time Probationary Patrol Officers
- Promotion Policy

NOW, THEREFORE, BE IT RESOLVED, that the above mentioned list of Standard Operating Procedures are hereby adopted in order to comply with accreditation deadline.

NOW, THEREFORE, BE IT RESOLVED that the Standard Operating Procedures will be adopted in full by Ordinance of the Governing Body;

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

8. NEW BUSINESS:

Councilwoman Long requested an amendment to Resolution No 223-2008 to include overseeing the Police Department to the Administrator's job description.

Councilwoman Long made a motion to recess at 7:35 P.M. Second by Councilwoman Markson and adopted by unanimous voice vote.

Councilwoman Long made a motion to go back into the regular order of business. Second by Councilwoman Bills and adopted by unanimous voice vote.

Attorney Arnette said that an Ordinance is required before amending Resolution No 223-2008 to include the Police Department under the Borough Administrator's job description.

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

**RESOLUTION NO. 223-2008
BOROUGH OF SEA BRIGHT
POSITION DESCRIPTION - BOROUGH ADMINISTRATOR
DEPARTMENT - ADMINISTRATIVE & EXECUTIVE**

Position Description Prepared by:	Personnel Committee
Accepted by Mayor and Council on:	December 16, 2008
Appointed by :	Mayor and Council
Report to :	Council Chairperson, Administrative&Executive

BASIC FUNCTION:

Under direction, acts as administrative officer of the municipality; does other related duties.

Acts as agent of the governing body in the administration of municipal affairs, integrates and coordinates activities of the purchasing, personnel and budget.

Supervises and assists the Finance Department in the preparation of the budget and administers budgetary control.

Advises the local governing body on policy matters.

Supervises administrative matters in the various departments of the municipality.

Prepares yearly performance evaluation of Department Heads.

Provides that adequate personnel records are maintained for each employee of the Borough. Such records should include dates of appointments and promotions, job titles, salaries, commendations, disciplinary actions, leave of any type taken and accumulated, and any appropriate additional information.

NATURE AND SCOPE:

- Classification of Employment - Exempt
- Hours of Employment - As established by the Governing Body
- Salary - As established by the Annual Salary Resolution)

PRINCIPAL ACCOUNTABILITIES:

Prepares agenda and meets with the governing body.

Monitors actions of the governing body.

Acts as liaison between the governing body, the municipal attorney and the municipal engineer.

Explains planning, subdivision regulations, and zoning matters to builders, developers, and other interested citizens.

Prepares and supervises the preparation of reports and correspondence.

Acts as administrative officer for the planning/zoning board of adjustment.

Maintains liaison with other officials and staff in the municipality.

Acts as administrative consultant to the varied boards and departments of the municipality.

Receives, distributes, or handles questions, comments and problems presented by interested citizens.

Advises the governing body and other municipal officers on public relations matters.

Manages the establishment and maintenance of essential records and files.

Edits and compiles public information releases.

Advises the governing body on personnel and administrative problems.

EDUCATION:

Graduation from an accredited college or university with a bachelor's degree.

NOTE: Applicants who do not meet the above educational requirement may substitute additional work experience as described below on the basis of one (1) year of such experience for each 30 semester hours of credit they are lacking.

EXPERIENCE:

Five (5) years of management experience which shall have involved setting program or organizational goals and objectives, establishing organizational structure or determining the need for and developing plans for organizational changes, setting policy for the organization or program managed by establishing

program emphasis and priorities and developing operating and procedural guidelines, and directing the work of the organization or program through subordinate levels of supervision.

NOTE: Possession of a master's degree from an accredited college or university with a major course of study in human services administration, business administration, public administration, industrial management, industrial engineering, management science or in a program related to the organization, operation, administration, and control of private or public organizations, may be substituted for one (1) year of the above experience.

LICENSE:

Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle, rather than employee mobility, is necessary to perform essential duties of the position.

KNOWLEDGE AND ABILITIES:

Knowledge of the techniques used to integrate and coordinate varied departmental activities.

Knowledge of the problems involved in the administration of municipal affairs.

Knowledge of business and of management principles, practices, methods, and techniques.

Ability to plan for the effective utilization of available funds, personnel, equipment, and supplies.

Ability to provide advice, assistance and consultation on business and administrative matters.

Ability to supervise the varied business, administrative and financial operations of the municipality.

Ability to supervise and assist with the preparation and administration of the budget.

Ability to maintain liaison and cooperative working relationships with other officials and staff of the municipality.

Ability to prepare and supervise the preparation of clear, sound, accurate, and informative reports containing findings, conclusions, and recommendations.

Ability to direct the establishment and maintenance of extensive records and files.

Ability to plan, organizes, and coordinates work in situations where numerous diverse demands are involved.

Ability to utilize various types of electronic and/or manual recording and information systems used by the agency, office, or related units.

Ability to read, write, speak, understand, and communicate in English sufficiently to perform duties of this position.

American Sign Language or Braille may also be considered as acceptable forms of communication.

Persons with mental or physical disabilities are eligible as long as they can perform essential functions of the job after reasonable accommodation is made to their known limitations. If the accommodation cannot be made because it would cause the employer undue hardship, such persons may not be eligible.

NOW, THEREFORE, BE IT RESOLVED that this Resolution shall take effect immediately.

Seconded by Councilwoman Bills and approved upon the following roll call vote:

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

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

RESOLUTION NO. 224-2008

WHEREAS, the Personnel Committee have recommended that a Borough Administrator be appointed within the Borough of Sea Bright.

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 following person be appointed and received the rate of pay specified below effective January 1, 2009:

<u>BOROUGH ADMINISTRATOR</u>	<u>ANNUAL SALARY</u>
Maryann M. Smeltzer	\$10,000.00

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that the funds are Available in A & E/S & W for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

Mayor Fernandes congratulated Maryann M. Smeltzer in her new appointment as Borough Administrator.

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

**RESOLUTION NO. 227-2008
BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright has received gifts of funds and donations for Beach Department activities and wishes

to dedicate such revenues received during the year from gifts and donations and appropriate such gifts and donations for Beach Department activities;

NOW THEREFORE, BE IT RESOLVED, pursuant to N.J.S.A. 40A:5-29 that such gifts of funds and donations for Beach Department Activities received by the Borough be placed in a special trust fund and such trust fund shall be considered a "Dedication by Rider" to the budget of the Borough of Sea Bright per N.J.S.A. 40A:4-35 for the purpose stated above.

BE IT FURTHER RESOLVED, that the Borough Clerk forward to copies of this resolution to the Director of Local Government Services for approval.

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

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

**RESOLUTION NO. 229-2008
BOROUGH OF SEA BRIGHT
AWARD OF CONTRACT
Testing and Repair
Fire Apparatus**

WHEREAS, sealed proposals for the **Testing and Repair of Fire Apparatus** were received and found in accordance with the specifications prepared by the appropriate Borough Officials and approved by the Borough Attorney of the Borough of Sea Bright, New Jersey.

WHEREAS, bids were received with Campbell Supply Co. LLC being the lowest responsive bidder, and;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright to award the contract to:

**Campbell Supply Co., LLC
145 Talmadge Road, Suite 8
P.O. Box 266
Edison, New Jersey 08818-0266**

The contract amount is as per the attached bid proposal form

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available 2009 Temporary Budget for Fire Department appropriation for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 230-2008**

WHEREAS, Mayor Maria D. Fernandes is authorized to sign FY 2009 Allocation Acceptance Form for the Monmouth County Community Development Block Grant Program; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Sea Bright that Mayor Maria D. Fernandes is hereby authorized to sign the documents stated herein.

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT : Keeler, Kelly

ABSTAIN: None

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

**RESOLUTION NO. 231-2008
BOROUGH OF SEA BRIGHT
AMENDING RESOLUTIONS NO. 174-2008, 178-2008 AND
RESOLUTION NO. 207-2008 AND PROVIDING FOR A
CHANGE ORDER AND SUPPLEMENTAL AGREEMENT NO. 2
FOR THE DOWNTOWN STORMWATER IMPROVEMENT PROJECT
AND THE RECONSTRUCTION OF VARIOUS ROADS**

WHEREAS, Resolution No. 207-2008 needs to be amended to reflect the correct total contract amount, after Change Order No. 1 to the sum of \$779,545.10; and

WHEREAS, another change order is required to the original project cost awarded by Resolution No. 174-2008 and amended by Resolution No. 178-2008. The description for this change order shall be pursuant to the supplemental Agreement No. 2 dated December 11, 2008 prepared by David Hoder, P.E. of Maser Consulting to be signed by a principal of Ace Manzo, Inc. **increasing** the contract amount by \$8,725.00.

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 change order #2 be allowed for a **increase** in the amount of **\$8,725.00**. The adjusted contract amount should now reflect a total of \$788,270.00.

CERTIFICATION OF FUNDS

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

MICHAEL J. BASCOM, CFO

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

9. MONTHLY REPORTS FOR November 2008:

A. Police Chief

B. Court Administrator

C. Library Director

D. Municipal Clerk

E. Tax Collector

10. CORRESPONDENCE AND COMMUNICATIONS:

A. Central Jersey Council of Governments letter dated December 2, 2008 solid waste shared services.

B. Board of Chosen Freeholders memorandum regarding Commodity Resale and Shared Services.

Councilwoman Markson introduced and offered for adoption the following resolution:

**RESOLUTION NO. 232-2008
AUTHORIZING THE EXECUTION OF A
COMMODITY RESALE AGREEMENT
WITH THE COUNTY OF MONMOUTH**

WHEREAS, N.J.A.C. 5:34-7.15 authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and

WHEREAS, the County of Monmouth has authorized the creation of the Monmouth County Commodity Resale System; and

WHEREAS, it would be in the best interest of this Municipality to become a member of the Monmouth County Commodity Resale System.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Sea Bright that the Mayor and Municipal clerk be and they are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Commodity Resale Agreement to the Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 East Main Street, Freehold, NJ 07728.

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT : Keeler, Kelly

ABSTAIN: None

Councilwoman Markson introduced and offered for adoption the following resolution:

**RESOLUTION NO. 233-2008
AUTHORIZING THE EXECUTION OF A
MUNICIPAL ASSISTANCE/SHARED SERVICE AGREEMENT
WITH THE COUNTY OF MONMOUTH**

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1, et seq.) authorizes local units such as this Municipality to enter into shared service agreements with other local units; and

WHEREAS, the County of Monmouth, a local unit, has offered to provide municipal assistance/shared services to this Municipality; and

WHEREAS, it is in the best interest of this Municipality to enter into the proposed Municipal Assistance/Shared Services Agreement with the County of Monmouth.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Sea Bright that the Mayor and Municipal clerk be and they are hereby authorized to execute the attached Municipal Assistance/Shared Services Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Commodity Resale Agreement to the Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 East Main Street, Freehold, NJ 07728.

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

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT : Keeler, Kelly

ABSTAIN: None

11. COMMITTEE REPORTS:

A. Beach/Environment/Cultural Arts:

Councilman Scriven said that they have sent letters to the Department of Environmental Protection requesting that they do not pursue banning oyster farming in the Shrewsbury and Navesink Rivers. The agency has taken the stance that people might eat the oysters and become sick.

Councilman Scriven said that the Library Committee raised about \$8,500 during the fundraising dinner in November.

B. Public Works/Construction Department/Public Relations:

Councilwoman Markson asked Engineer Hoder to report on the DIIP. He said that the face paving would be finished by the end of the week and depending on the temperature they may or may not do final paving this year or next year.

Councilwoman Markson said that there was a water main break on the west end of Beach Street on December 12 and was not repaired until the 15th by contractors of New Jersey American Water. Numerous calls were sent to NJ American Water but were not addressed until three days later.

C. Public Safety/Insurance/Court:

Councilman Keeler was absent and Councilwoman Markson reported progress on his behalf.

D. Finance/Education/Grants:

Councilwoman Long reported that the Department Heads would be meeting in January with CFO Bascom to work on their budgets.

The School Formula Advisory continues to work on a referendum regarding the unfair funding method. We have found a solution to the formula and we are reaching out to Trenton to get someone to listen to us. We are working on forecasting so that we can anticipate our school tax costs over the next several years based on our student population which would help us more effectively plan our municipal budget concerning school tax increase.

E. Personnel/Administration/Recreation:

Councilwoman Bills said that she looks forward to Maryann Smeltzer as the new Business Administrator. Sea Bright's Reorganization is scheduled for January 3, 2009 at 10:00 a.m.

Councilwoman Bills said that all departments did a wonderful job organizing the Christmas Parade and Tree Lighting Ceremony with all the departments pulling it together.

Sea Bright Business Alliance is planning a Polar Bear Plunge hosted by the Mad Hatter at 12:30 p.m. on New Year's Day.

F. Smart Growth/Flood Mitigation/Beautification:

Councilman Kelly was absent and Councilman Scriven reported in his absent. Smart Growth meeting is this Thursday December 18, at 7:30 p.m. to discuss the Beach project and update residents on renovating the current Borough Hall and court facility.

12. MAYOR FERNANDES - REPORT AND COMMUNICATIONS.

Mayor Fernandes said the U.S. Army Corp of Engineers will be meeting with Councilmembers Kelly and Keeler and herself on Monday, December 29th to discuss the heights of the bulkheads.

We are still working on the leasing terms with American LaFrance for the loaner fire truck.

Councilman Scriven made a motion authorizing Mayor Fernandes to sign the American LaFrance lease. Second by Councilwoman Long and adopted upon the following roll call vote:

AYES: Bills, Long, Markson, Scriven

NAYS: None

ABSENT: Keeler, Kelly

ABSTAIN: None

Mayor Fernandes said that Councilman Kelly will meet with her to work on a letter to Judge Lawson regarding Sea Bright's court offices.

Mayor Fernandes presented a plaque to Councilwoman Markson in recognition and appreciation of her service and dedication to Sea Bright as Councilwoman during 2008.

Mayor Fernandes presented a plaque to Councilman Scriven in recognition and appreciation of his three years of outstanding service and dedication to the Borough of Sea Bright from the Mayor and Council.

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

14. ADJOURNMENT: There being no further business before the Governing Body. Councilwoman Bills made a motion to adjourn the meeting at 8:00 P.M. Second by Councilwoman Long and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer
Municipal Clerk