

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

Attorney Arnette read the following statement:

**"GOOD EVENING LADIES AND GENTLEMEN. THIS MEETING IS NOW CALLED TO ORDER. IN LINE WITH THE BOROUGH OF SEA BRIGHT'S LONGSTANDING POLICY OF OPEN GOVERNMENT, AND IN COMPLIANCE WITH THE "OPEN PUBLIC MEETINGS ACT", I WISH TO ADVISE YOU THAT ADEQUATE NOTICE OF THIS REGULARLY SCHEDULED MEETING HAS BEEN ADVERTISED IN THE COURIER ON JANUARY 11, 2007 AND POSTED ON THE BULLETIN BOARD IN THE BOROUGH OFFICE. IN EACH INSTANCE, THE DATE, TIME AND LOCATION OF THIS MEETING WERE PROVIDED IN THE NOTICE. THIS MEETING IS OPEN TO THE PUBLIC."**

**3. ROLL CALL:**

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

Absent: Councilman Kelly and Chief Financial Officer Bascom

**4. PRESENTATION OF PLAQUES - FOR A LIFESAVING WATER RESCUE:**

Presented By: Mayor Kalaka-Adams and Councilwoman Dina Long.

**RECIPIENTS:**

- Corporal Brett Friedman - Sea Bright Police
- Detective John Arias - Sea Bright Police
- Patrolman Donald Schneider - Rumson Police
- Patrolman John Jones - Monmouth Beach Police
- Mr. Michael Chimento
- Mr. Brian Hood

**ADDENDUM - Discussion: Beach Plan, James Monteforte, from Architectural Studio, LLC, architect will provide a preliminary presentation/discussion.**

Councilman Scriven said this is a concept to develop Sea Bright's beach area and transform it into a destination town. Mr. Monteforte and his firm will be proposing a theme area for the beach, which would include boardwalks, lifeguard facilities, recreation and a swim club. This would beautify Sea Bright and insure the Department of Environmental Protection and the State that Sea Bright is serious about preserving this town with beach access for its residents and all New Jersey residents.

Mr. Monteforte thanked the Mayor for giving him this opportunity to present the concept for the Pavilion and the Peninsula area. He said he would create a tower on Ocean Avenue and have a boulevard down the center of Ocean Avenue with parking on either side. The boardwalk would be widened by forty feet and it would rest on top of a new sea wall. The sea wall would be from one end of the project all the way up. The boardwalk's elevation would be about eighteen feet, which would put it at eight foot above grade. To maximize parking the project would require stacking and be under the boardwalk. The first floor of the Pavilion would have lockers for beach goers. The Pavilion would have bathrooms, food areas, a lifeguard station, an identification tower with a symbol representing Sea Bright. The tower would house a cell tower. One part of the boardwalk would be raised and underneath would be lockers, lifeguard equipment, vehicles, storage.

Mr. Monteforte said that the main entrance of the beach would be arched to create a bridge and small identification towers. The style would be Victorian having lots of color. When entering into Sea Bright along Ocean Avenue and at River Street the road would directly bring people to the entrance of the beach. There would be a pedestrian walkway so there would

be a need to cross traffic until you get to the intersection. The intersection would be paved cautioning drivers about pedestrians. People would approach the entrance and walk underneath the boardwalk. There is a twenty-foot wide beach walk on the beach. There would be tent structures about twenty by twenty feet and this would house picnic tables and places for people to have lunch in a shaded area. Cabanas can be reached by another access. North from the Pavilion there would be outdoor dining.

An enclosed swimming area large enough for a high school would be glass enclosed and open during the summer. This would include a health club and viewing stations. The swimming/health club Pavilion and the main Pavilion would be linked by seasonal shops that could be rented yearly. There would be a large play area and a skateboarding park at the very end of the boardwalk.

The parking would be reorganized on Wayne Street to pick up more parking.

Along the boardwalk there would be a kiosk measuring sixteen by sixteen feet for rentals such as sunglasses, bathing suits, hotdog vendors, pizza.

There would be another Pavilion on this side housing restrooms. In the center, there would be a main gazebo for bands etc. with benches similar to a mini-amphitheater.

On the south section of the boardwalk behind some buildings, there would be a series of windmills forty feet high. The small turbines could create enough energy to run in house and help run the lighting or feed the juice back into the lines and receive a credit from the electric company. This would be a mini energy plant.

Mr. Monteforte suggested moving town hall to the center of town serving as a main shopping corridor and creating a plaza area. Raising the building would allow for parking underneath for all departments and the Governing Body. The existing Town Hall would become a community center.

He would name the area the Peninsula Village that would give it identity.

Councilwoman Long said that there this brings a lot of opportunity for grant money because it is so unique and there is incentive right now for green alternatives.

Engineer Hoder said they did some measuring on Wayne Street and there appeared to be extra land some of it sea wall, some grass/weed areas adjacent to the roadway. It appears to be bigger than it looks.

Councilman Scriven said that this proposed plan could be reviewed by the committee and they would be in contact with the architect. The public would most likely present ideas and comments on Saturday February 24, when this project will be made available.

Councilwoman Long commented that it was good to include picnic tables, recreational area and people would be able to take advantage of the Oceanfront without going to the beach. She stated it would be good to include volleyball, basketball courts, tennis courts.

Mr. Monteforte said he would explore those possibilities.

They discussed heating the pool with solar panels.

Councilwoman Fernandes said she would like to see a feasibility study so they could look at the costs.

Mr. Monteforte said the windmills would allow the town to get money back on installation and money from the power company.

The Mayor and Council thanked Mr. Monteforte for his presentation and he would be contacted to attend the Smart Growth meeting on Saturday February 24, 2007.

Mr. Monteforte said a proposal would be sent to the Governing Body when everything is finalized.

Councilwoman Fernandes said the plan should include separate phases for the beach plan and public buildings because of the separate committees. The beach is a separate utility with a separate budget apart from the town's budget. Mr. Monteforte said he would give them the concepts first and then a feasibility study for each phase.

5. Attorney Arnette called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of February 6, 2007. Councilman Keeler moved to approve this Ordinance upon Second Reading.

A.

**ORDINANCE NO. 1-2007  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Sea Bright in the County of Monmouth finds it advisable and necessary to increase its CY 2007 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 28,722.20 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Sea Bright, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2007 budget year, the final appropriations of the Borough of Sea Bright shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 100,527.70, and that the CY 2007 municipal budget for the Borough of Sea Bright be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilman Keeler made a motion to approve Ordinance No. 1-2007 on its Third and Final Reading and advertise it according to law. Second by Councilman Scriven and approved upon the following vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

**B.** Councilwoman Long made a motion to move ORDINANCE NO. 2-2007 an Ordinance to adopt an amended Purchasing Manual to March 6, 2007 Council Meeting. Second by Councilwoman Fernandes and approved upon the following vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

**C.** Attorney Arnette called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of February 6, 2007. Councilman Scriven moved to approve this Ordinance upon Second Reading.

**ORDINANCE NO. 3-2007  
AN ORDINANCE AMENDING CHAPTER 66 BEACHES  
ARTICLE 22 PARAGRAPH G ANIMALS**

BE IT ORDANINED by the Mayor and Council of the Borough of Sea Bright as follows:

Paragraph G. Animals.

(1) The Borough will permit dogs, cats and other animals on the Municipal Public Beach from the day after Labor Day until the Friday of Memorial Day weekend.

(2) The Borough prohibits dogs, cats, and any other animals (except service animals) on all beaches from the Saturday of Memorial Day weekend through Labor Day.

(3) Additionally, in conjunction with the Beach Management Plan and due to the nesting areas of Piping Plovers and other endangered species, the Borough prohibits dogs, cats, and any other animals (except service animals) from April 1 through Labor Day in the following areas:

a) North Beach (north from Ship Ahoy Beach Club to the public access stairway at Via Ripa); and

b) South Beach (from the Monmouth Beach/Sea Bright border to the Driftwood Beach Club).

c) These additional areas shall be modified by signage or fencing when and if the endangered species expand or decrease their habitat.

(3) All animals, including service animals, must be leashed at all times and are prohibited from entering prohibited areas.

(4) Animal owners/walkers must carry a visible device for removal of animal waste.

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilman Scriven made a motion to approve Ordinance No. 3-2007 on its Third and Final Reading and advertise it according to law. Second by Councilman Keeler and approved upon the following vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

**D.** Attorney Arnette called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of February 6, 2007. Councilman Scriven moved to approve this Ordinance upon Second Reading.

**ORDINANCE NO. 4-2007**  
**AN ORDINANCE AMENDING CHAPTER 66 BEACHES**  
**ARTICLE IV DUNE PRESERVATION TO INCLUDE**  
**SECTIONS ON PROHIBITIONS AND EXCEPTIONS**

BE IT ORDANINED by the Mayor and Council of the Borough of Sea Bright that the following sections be included within Chapter 66 Beaches, Article IV Dune Preservation:

**Prohibitions:**

A. No person, firm, or corporation shall place any structure or object of any kind within the dune areas of the Borough.

B. No person shall trespass by foot on or across the dune areas of the Borough.

C. No Person shall operate any bicycle or motor vehicle of any kind on or across the dune areas of the Borough.

D. No person shall remove or destroy the natural vegetation, dunes, fences, or other types of dune-protective devices in the dune areas of the Borough.

**Exceptions:**

This chapter is not intended to prohibit the officers and employees of the Borough and other authorized personnel from entering into and upon the dune areas for the purpose of cleaning, maintenance, repair, restoration and planting in order to preserve and to protect the dune areas in the Borough.

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilman Scriven made a motion to approve Ordinance No. 4-2007 on its Third and Final Reading and advertise it according to law. Second by Councilman Keeler and approved upon the following vote:

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

**6 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. 48-2007  
PAYMENT OF BILLS 02-20-07**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$61,354.08 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.

00006	AVAYA, INC.			
	07-0172	02/13/07	POLICE-1/Q/2007 PHONE MAINT	OPEN 54.96
00019	NJ AMERICAN WATER			
	07-0176	02/13/07	12/27-1/26/07 HYDRANTS	OPEN 1,805.00
00027	SEABOARD WELDING SUPPLY, INC.			
	07-0013	01/23/07	DPW - 2007 CYLINDER RENTAL	OPEN 11.50
00058	WILLOW CLEANERS, INC.			
	06-1531	12/31/06	POLICE:AUG-DEC 2006 CLEANING	OPEN 170.50
00081	PERRY'S TROPHY CO., INC.			
	07-0147	02/05/07	A&E-PLAQUES:LIFE SAVING ACTS	OPEN 221.10
00093	EASTERN DOOR SERVICE, INC.			
	06-1513	12/31/06	BLDGS/GRNDS-NEW DOOR:LIBRARY	OPEN 1,790.00
00120	7-ELEVEN OF SEA BRIGHT			
	07-0181	02/13/07	POLICE-2/01/07 PRISONER FOOD	OPEN 3.78
00163	OSWALD ENTERPRISES, INC.			
	06-1309	10/30/06	SEWER-CLEAN WET WELLS	OPEN 7,300.00
00188	MONMOUTH & OCEAN COUNTIES TAX			
	07-0163	02/08/07	TAX COLL-2007 MEMBERSHIP DUES	OPEN 75.00
00189	MUNICIPAL CLERKS ASSN/MONMOUTH			
	07-0105	01/26/07	MUNICIPAL CLERK-2007 DUES	OPEN 75.00
00190	MUNICIPAL CLERKS' ASSOC OF NJ			
	07-0006	01/23/07	MUNI CLERK-SPRING CONFERENCE	OPEN 270.00
00198	COMCAST			
	07-0155	02/06/07	A&E-INTERNET:2/8-3/7/07	OPEN 95.00
	07-0184	02/13/07	FIRE DEPT-INTERNET:12/5-2/4/07	OPEN 285.00
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				380.00
00211	FULL SERVICE WEB SITES, LLC			
	07-0106	01/26/07	A&E-UPDATE BORO WEBSITE	OPEN 60.00
00227	INTERN'L INST/MUNICIPAL CLERKS			
	07-0059	01/24/07	MUNICIPAL CLERK-2007 DUES	OPEN 115.00
00230	CERTIFIED SPEEDOMETER			
	07-0130	01/30/07	POLICE DEPT-CALIBRATE VEHICLES	OPEN 105.00
	07-0131	01/30/07	POLICE DEPT-CALIBRATE VEHICLES	OPEN 70.00
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				175.00
00275	M & S WASTE SERVICES, INC.			
	07-0126	01/30/07	02/02/07 EXTRA RECYCLING P-UP	OPEN 45.00
	07-0160	02/08/07	JAN 2007 LANDFILL TIPPING FEES	OPEN 6,451.86
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				6,496.86
00285	STAPLE'S, INC.			
	06-1109	09/25/06	POLICE DEPT-OFFICE SUPPLIES	OPEN 30.34
00291	KONDRUP-COYLE, ESQ., TERESA			
	07-0143	02/02/07	COURT-2/1/07 SPECIAL DWI SESS	OPEN 350.00
00502	NJ STATE LEAGUE/MUNICIPALITIES			
	07-0004	01/23/07	MUNI CLERK-WEB AD:DPW C1 OPER	OPEN 50.00
00513	A.R. COMMUNICATIONS			
	07-0036	01/23/07	POLICE-BLANKET:RADIO REPAIRS	OPEN 44.00
00684	MONMOUTH ELECTRIC SERVICE, INC			
	06-0722	06/29/06	BLDGS/GRNDS-INSTALL LIGHT:FLAG	OPEN 945.00
	06-0723	06/29/06	BLDGS/GRNDS-INSTALL CABLE LINE	OPEN 1,305.00
	06-1243	10/20/06	BLDGS/GRNDS-CHANGE 10 BALLASTS	OPEN 710.00
	06-1244	10/20/06	BLDGS/GRNDS-LIGHT:BORO HALL	OPEN 215.00
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				3,175.00
00688	MONMOUTH COUNTY POLICE ACADEMY			
	07-0112	01/29/07	POLICE DEPT-BASIC COURSE	OPEN 750.00
00788	SCARINCI & HOLLENBECK, LLC			
	07-0170	02/12/07	LEGAL-12/7-1/11/07 SERVICES	OPEN 2,499.72
00895	JOHNNY ON THE SPOT, INC.			
	07-0185	02/13/07	PORTO-POTS - FEB 2007	OPEN 484.52
01027	SHORE BUSINESS SOLUTIONS			
	06-0863	07/31/06	COPIER MAINT #4/4-BORO HALL	OPEN 480.00
01114	J. BAUER CONSULTING ASSOC, INC			
	07-0050	01/24/07	LEGAL-SERV RE:HIGHLANDS BRIDGE	OPEN 774.25
01150	W.W. GRAINGER, INC.			
	07-0145	02/05/07	SEWER-HEATER FOR PUMP STATION	OPEN 58.15
01221	PHILLIPS, PREISS, SHAPIRO			
	05-0685	06/15/05	SMART GROWTH PLANNERS	OPEN 1,659.76
01230	STAPLE'S, OFFICE SUPERSTORE			

07-0146	02/05/07	DPW-INK CARTS:2 BLACK	OPEN	26.99
01241		BAIN'S HARDWARE, INC.		
07-0153	02/06/07	JAN 2007 PURCHASES	OPEN	698.45
01285		THE HOME DEPOT		
07-0014	01/23/07	BLDGS/GRNDS-BLANKET:MISC SUPP	OPEN	186.72
01400		THE ARNETTE LAW FIRM, LLC		
07-0187	02/14/07	FEB 2007 LEGAL SERVICES	OPEN	3,475.00
01448		MCM COMMUNICATIONS, INC.		
06-1469	12/14/06	POLICE-PHONE:INTERVIEW ROOM	OPEN	799.00
01463		PUMPING SERVICES, INC.		
07-0012	01/23/07	DPW-BLANKET:PUMP REPAIRS/RENT	OPEN	2,614.25
01493		COOPERATIVE INDUSTRIES, L.L.C.		
07-0192	02/15/07	11/10-12/13/06 NATURAL GAS	OPEN	3,344.61
01526		JCP & L		
07-0189	02/15/07	JAN/FEB 2007 ELECTRIC SERVICE	OPEN	5,058.94
01578		AMERICAN MESSAGING		
07-0141	02/02/07	DPW-FEB 2007 PAGER SERVICE	OPEN	34.29
01593		DEROSA, ISABEL		
07-0144	02/02/07	COURT - 02/01/07 INTERPRETER	OPEN	100.00
01614		CENTRAL JERSEY REGISTRARS ASSN		
07-0058	01/24/07	MUNI CLERK-2007 DUES	OPEN	30.00
01634		GRAMCO BUSINESS COMMUNICATIONS		
07-0079	01/25/07	MUNI CLERK-2007 MAINT CONTRACT	OPEN	395.00
01692		TROPICANA CASINO & RESORT		
07-0015	01/23/07	MUNI CLERK-SPRING CONFERENCE	OPEN	342.00
01736		TRENTON HARLEY DAVIDSON		
06-1451	12/13/06	POLICE DEPT-SNAP-ON TOOL KIT	OPEN	199.95
01801		MASER CONSULTING, P.A.		
06-0325	03/23/06	PRJ#82 DIIP	OPEN	8,662.50
07-0156	02/06/07	ENGINEERING-HIGHLANDS BRIDGE	OPEN	125.00
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				8,787.50
01887		HEIM ELECTRONICS, INC.		
07-0064	01/24/07	BORO HALL:2/1-4/30/07 ALARM	OPEN	62.85
01926		KETTLE CREEK CORPORATION		
06-1510	12/28/06	TRASH/RECYCL RECEPTACLE LIDS	OPEN	2,128.00
01957		BENEMAX BENEFIT MANAGEMENT CO.		
07-0165	02/09/07	02/07 INSUR/EE' HEALTH MGMT	OPEN	300.00
01960		VERIZON		
07-0195	02/15/07	LOCAL/LONG DISTANCE-JAN/FEB'07	OPEN	1,184.71
01974		BOROUGH OF SEA BRIGHT COURT		
07-0151	02/05/07	COURT-01/07 CREDIT CARD REIMB	OPEN	84.25
01985		THE MOBILE STORAGE GROUP, INC.		
07-0177	02/13/07	POLICE-1/31-2/28/07 TRAILER	OPEN	258.00
02008		E.J. SCHUSTER'S OFFICE SUPPLY		
06-1304	10/30/06	A&E/LIBRARY/REC-OFFICE SUPP	OPEN	139.07
02036		BAHRLE, DAVID		
07-0194	02/15/07	DPW-REIMB:02/13/07 TRAVEL	OPEN	30.70
02061		VERIZON WIRELESS		
07-0178	02/13/07	BLDG/FIRE/COURT:2/4-3/3 CELL	OPEN	128.54
02116		EBSCO SUBSCRIPTION SERVICES		
07-0022	01/23/07	LIBRARY-MAGAZINE SUBSCRIPTIONS	OPEN	490.54
02177		WALSH, JOAN		
07-0191	02/15/07	LIBRARY-REIMB:2/13 DVDS + MISC	OPEN	141.91
02189		SHARP ELECTRONICS CORPORATION		
07-0150	02/05/07	POLICE-2007 COPY MACHINE LEASE	OPEN	148.19
02194		THE COURIER		
07-0001	01/22/07	MUNI CLERK-BLANKET:ADS	OPEN	98.23
07-0179	02/13/07	P/L BOARD-2/8 AD:A.FERNANDES	OPEN	8.46
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				106.69
Maser Consulting (escrow)				678.75
The Courier (escrow)				19.74
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TOTAL				\$61,354.08

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

**B.** Councilman Keeler made a motion to approve the January 6, 2007 Council Reorganization Meeting Minutes. Second by Councilwoman Long and adopted upon the following roll call vote.

AYES: Bills, Keeler, Long, Scriven

NAYS: None

ABSTAIN: Fernandes

ABSENT: Kelly

**C.** Councilman Keeler made a motion to approve the January 16, 2007 Council Meeting Minutes. Second by Councilwoman Long and adopted upon the following roll call vote.

AYES: Bills, Keeler, Long, Scriven

NAYS: None

ABSTAIN: Fernandes

ABSENT: Kelly

**7. OLD BUSINESS:**

**A** Councilwoman Long introduced and offered for adoption the following resolution:

**RESOLUTION NO. 54-2007  
AMENDING RESOLUTION 24-2007  
THE SALARY AMOUNT FOR SPECIAL DUTY ASSIGNMENT  
FOR POLICE OFFICERS**

WHEREAS, various businesses working within the Borough of Sea Bright from time to time make requests for assistance from members of the municipal police department to perform special duty assignment services; and

WHEREAS, it is deemed to be in the interest of safety that personnel specially trained to undertake these activities be used in the performance of these duties; and

WHEREAS, work performed is to be considered a "special duty assignment from independent contractors" and as such is exempt from Fair Labor Standards Act; and

WHEREAS, the Chief of Police has recommended that the hourly rates (minimum of four (4) hours be amended as follows:

<u>Assignment</u>	<u>Salary</u>	<u>Insurance</u>	<u>Admin.</u>	<u>Total</u>
Construction Work	<u>\$50.00</u>	\$4.00	\$3.00	\$57.00
Security Work	<u>\$50.00</u>	\$4.00	\$3.00	\$57.00
Sporting Events	<u>\$50.00</u>	\$4.00	\$3.00	\$57.00
Enhanced Local Business Patrols	\$12.00	\$0.00	\$0.50	\$12.50

IN ADDITION to the hourly rates above to be charged, when the Chief of Police deems that it is in the best interest of police officers assigned to construction work, the interest of the Borough and the construction workers, that police officers assigned to special duty utilize a marked police car or police equipment, an additional charge to be paid for utilization of said police vehicle or equipment shall be at the rate of \$5.00 per hour (minimum of four (4) hours); and

WHEREAS, such assignments are to be approved through the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright that the Chief of Police is hereby authorized to and on behalf of the Borough to enter into agreements providing for special duty assignments for which the municipality shall be compensated at the rates herein above mentioned; and

BE IT FURTHER RESOLVED, that the rate and authority given by virtue of this resolution may be amended or revoked at any time by the Governing Body.

MAY IT FURTHER BE RESOLVED, that any and all municipal officials required to take any and all action as a result of the adoption of this resolution are hereby empowered to do so.

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

**8. NEW BUSINESS:**

Mayor Kalaka-Adams suggested using Sea Bright's Code Red alert to notify the residents before Monmouth County sends out planes to spray for mosquitoes.

Councilwoman Long mentioned sending a letter to the Commission about notifying Sea Bright about when they were to spray and to give them ample notice.

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

**BOROUGH OF SEA BRIGHT  
RESOLUTION NO. 50-2007**

**WHEREAS**, a letter dated February 6, 2007 from the Monmouth County Mosquito Extermination Commission was received; and

**WHEREAS**, the Commission anticipates resumption of aerial surveillance and treatment program on or about March 15, 2007 through November 30, 2007; and

**WHEREAS**, regulations of the Federal Aviation Administration require that the Commission obtain written approval from the local governing body where operations are conducted.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Sea Bright that Mayor Kalaka-Adams or in her absence Acting Mayor William J. Keeler is hereby authorized to sign said agreement on behalf of the Borough of Sea Bright.

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

**BOROUGH OF SEA BRIGHT  
RESOLUTION NO. 53-2007**

WHEREAS, there exists a vacancy in the Department of Public Works for the position of Public Works Maintenance Person and Howard Brian Buck has been recommended to fill this position; and

WHEREAS, it has been agreed that Mr. Buck will receive an annual salary of \$35,000.00 for this position; and

WHEREAS, Mr. Buck has also attended the appropriate courses and obtained the C-1 Operator's license as required in the job description adopted for this position; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Sea Bright, County of Monmouth and State of New Jersey that Howard Brian Buck be appointed as Public Works Maintenance person at an annual salary of \$35,000.00 effective February 21, 2007.

**CERTIFICATION**

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, hereby certify that funds are available in the Public Works Salary and Wage Appropriation for the purpose stated herein.

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**MICHAEL J. BASCOM, CFO**

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

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

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

**RESOLUTION NO. 51-2007  
BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright wishes to acquire a 2007 Ford Crown Victoria Police Interceptor for the Police Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, NJSA 40A:11-12; and

WHEREAS, Warnock Fleet, 175 Route 10, East Hanover, NJ 07936 has been awarded New Jersey State Contract No. A67129 for the vehicle and for the emergency equipment, paint and lights; and

WHEREAS, the actual cost for the purchase of a 2007 Ford Crown Victoria Police Interceptor is \$21,262.04, the cost for the Marked Liberty Package emergency equipment is \$6,160.00, plus \$650.00 for the LA Style Black and White Paint (4 Doors and Roof white), LED Auxiliary Mirror Lights by Whelen (Red/Red) \$495.00 for a total purchase price of \$28,567.04; and

WHEREAS, the Chief Financial Officer, has certified the availability of funds for this purchase.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Sea Bright, the acquisition of a 2007 Marked Ford Crown Victoria Police Interceptor as referenced herein be authorized as described.

**CERTIFICATION OF FUNDS**

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

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**MICHAEL J. BASCOM, C.F.O.**

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

AYES: Bills, Fernandes, Keeler, Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

**RESOLUTION NO. 52-2007  
BOROUGH OF SEA BRIGHT**

**WHEREAS**, the Borough of Sea Bright wishes to acquire a 2007 Ford Ranger Compact Pickup Truck for the Public Works Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, NJSA 40A:11-12; and

**WHEREAS**, Princeton Nassau/Conover Ford, 902 Route 206, Princeton, NJ 08540 has been awarded New Jersey State Contract No. A67276T0100 for the vehicle; and

**WHEREAS**, the actual cost for the purchase of a 2007 Ford Ranger Compact Pickup Truck is \$14,388.50; and

**WHEREAS**, the Chief Financial Officer, has certified the availability of funds for this purchase.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Sea Bright, the acquisition of a 2007 Ford Ranger compact Pickup Truck as referenced herein be authorized as described.

**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 No. 8-2006 for the purpose stated in the above resolution.

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**MICHAEL J. BASCOM, C.F.O.**

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

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

NAYS: None

ABSTAIN: None

ABSENT: Kelly

**E. Discussion: Monmouth Park Breeders Cup - October 26 & 27, 2007 - Councilwoman Fernandes.**

Councilwoman Fernandes said that the Mayor and she are on the Breeders' Cup Host Committee for elected officials.

This event will be held at Monmouth Park and it has been expanded by three races, which will start on Friday, October 26 and end on Saturday, October 27, giving Sea Bright the first two-day event in the Breeders' Cup history.

Councilwoman Fernandes said the Breeders' Cup would give local merchants and small businesses a strong economic boom, which is expected to bring over \$100,000,000. In an effort to help promote our Sea Bright businesses, a banner program is being offered to the merchants to associate themselves with the Cup.

They are requesting from us that we provide consent for the hanging of banners and a list of general locations where the banners could be hung. They would also need a list of all Sea Bright' businesses. They will have their people contact the businesses directly. Sea Bright's Department of Public Works would hang the banners and remove them after the event. The NJ Sports & Exposition Authority will reimburse us 100% for any costs associated with this effort. The banners would go up just after Labor Day and run through the last day of the Cup - October 27.

The NJ Sports & Exposition Authority will return the banners to the respective advertising merchants after the event so they may have them for permanent display in their establishments.

Lastly, NJSEA will provide Sea Bright with ten (10) tickets to the Breeders' Cup for our town's use for fundraising efforts. For example, a raffle of these tickets would likely produce a great deal of revenue for Sea Bright, as tickets for the Breeders' Cup are going to be in great demand and extremely difficult to come by.

The Mayor and Council agreed that Councilwoman Fernandes would lead this project.

**9. MONTHLY REPORTS FOR JANUARY 2007:**

- A. Sewerage System Operation & Maintenance Report.**
- B. Code Enforcement Official**
- C. Library Director**
- D. Municipal Court Administrator**
- E. Chief of Police**
- F. Municipal Clerk**

Councilwoman Fernandes said that they should work toward implementing a policy regarding the Borough paying employees education. The personnel committee is working on a personnel policy manual and this might be a good opportunity to incorporate this into the manual. She directed the Governing Body to refer to the Municipal Clerk's monthly report regarding reimbursement section 3 personnel issues bullet number 2. If an employee leaves our employ before the year what steps do we take to be reimbursed.

- G. Tax/Sewer Collector**
- H. Recreation Administrator**

**10. CORRESPONDENCE AND COMMUNICATIONS:**

- A. Letter of request from Gary McLean, Esquire for a Street Vacation on Bellevue Place.**

Councilwoman Fernandes asked if the Borough had responded to Attorney McLean on this matter. Attorney Arnette said a letter was written to the DEP. He said that the Council directed him to address this issue with all concerned parties. Code Enforcement Inspector Caruso was going to give Attorney Arnette updated photos to prove that the ramp was attached onto

the Borough's bulkhead. Inspector Caruso would provide Attorney Arnette with the photographs as well as a report of his findings. Councilwoman Fernandes asked if they were going to respond to this letter sent by Attorney McLean. Attorney Arnette said Attorney McLean's letter is asking again for a street vacation.

Councilman Scriven made a motion authorizing Attorney Arnette to write a letter to Gary McLean, Esq. regarding a street vacation on Bellevue Place. The letter would include a statement from the Council establishing Sea Bright's position that the Borough's policy is not to vacate property. Second by Councilwoman Fernandes and adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: Kelly

B. Letter from Fire Chief Patrick Mason regarding the Fountains Condominium fire event of February 5, 2007.

C. Letter of invitation from Mayor Ekdahl of Rumson regarding the Rumson Centennial to be held on Saturday, June 9, 2007.

The Governing Body discussed responding to this event either individually or through the Municipal Clerk's office.

D. Letter from Richard Wells, Superintendent of Sandy Hook concerning the possible alternatives for an updated Endangered Species Management Plan.

E. Sea Bright Planning/Zoning Board Reorganization Meeting minutes of January 9, 2007.

F. Sea Bright Planning/Zoning Board minutes of January 9, 2007.

G. Monmouth County Regional Health Commission minutes of December 20, 2006.

## 11. COMMITTEE REPORTS:

**A. Beach/Environment/Cultural Arts:** Councilman Scriven reported that the Beach Committee's report was presented earlier at the beginning of this meeting by the architect.

In March, the Library will be having a cultural show with photographs by Councilman Scriven.

### **B. Public Works/Building Maintenance/Beautification:**

Councilwoman Fernandes reported that the Public Works Committee had a meeting earlier this evening. Public Works hired a new PW Maintenance Person, Howard Buck, who has the required C-1 Operator's license and he will begin tomorrow.

All necessary documents for the required permits have been sent to the Department of Environmental Protection by the Maser Consulting firm for the DIIP Flood Control Phase. David Hoder advised us that this can take anywhere from 30 days to 120 days. Nevertheless, we will try to expedite this.

Councilwoman Fernandes said Engineer Hoder would meet with the contractor at the site tomorrow regarding the River Street bulkhead project.

The Public Work's Committee is waiting for Engineer David Hoder's recommendations as to which streets we should focus on this year with the 2007 Department of Transportation \$160,000 grant that we received.

Engineer David Hoder went before the Monmouth County Planning Board on February 15 to present Sea Bright's Adopted Municipal Stormwater Management Plan and Stormwater Control Ordinance. Some adjustments need to

be made and David Hoder will be submitting them and we will wait for notification by the County Planning Board.

Councilwoman Fernandes spoke with Monmouth Beach Commissioner Kim Guadagno who chairs Monmouth Beach's Public Works Committee about sharing some services. We agreed that both towns' Directors of Public Works should meet and discuss this further. Ms. Guadagno indicated that Monmouth Beach was in favor of sharing the salt storage facility, which they will be building. She also advised that Monmouth Beach send their vehicles to Tinton Falls to use their vehicle wash. Once the Directors discuss this further, we can then have the attorneys draw up a contract. Councilwoman Fernandes commended Dave Bahrle and the Public Works crew for working tirelessly during the Valentine's Day storm during the extremely harsh weather conditions.

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

Councilman Kelly was absent for this meeting.

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

Councilman Keeler reported that the Budget Workshop covered a lot of material regarding the budget with CFO Bascom. The Budget would be presented during the Council Meeting of March 20, 2007. The Finance Committee will be meeting on March 6, 2007. He requested the Governing Body to bring to him any concerns or questions regarding the Budget so it can be discussed at the next Finance Committee meeting.

Councilman Keeler said that the Fountains Condo fire of February 5, 2007 did bring out an advantage of being enrolled in the Monmouth County Joint Insurance Fund and that all the companies that responded to the fire were members of the same Joint Insurance Fund. We had minor damage to fire equipment and Borough Clerk Smeltzer was handling the paper work for processing with the insurance company. Because we are all the towns involved participate in the same Joint Insurance Fund, each town will be able to process the claims themselves and hand it over to their representative.

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

Councilwoman Bills reported that there are plans underway for a recognition ceremony for the Fire Department and Police Departments and other town's Fire Departments will be recognized. The Committee will be meeting next week to go over the plans. It is scheduled for March 20, 2007 after the Council Meeting in the Recreation Center.

Councilwoman Bills said that there had been a very good response regarding the line dance program held at the Recreation Center. There were approximately twenty registered participants and a St. Patrick's Day party will be held on March 16 at the Center.

The Easter Egg Hunt will be held Saturday April 7, 2007 at 11:00 a.m. There will be two thousand eggs hidden on the public beach. Peter Cottontail and his partner Mr. Carrot will be present. There will be prizes awarded for the most found eggs.

**F. Police/Education/Grants:** Councilwoman Long reported that tonight it was good to recognize the officers who save the life of a young man from the river. The ordeal of that and the devastating fire of the Fountains Condo we learned that some of procedures need improvement. This is not directed just to the Police but also to Emergency Management and we are addressing this and looking for ways to make improvements in the future. In addition to that, the Sea Bright Police Department is doing a safety class with the Fire and First Aid Departments on responding to scenes safely and the blue light laws for Emergency Personnel will be addressed.

The slow down in Sea Bright campaign continues. The Police are still monitoring the speeds on Ocean Avenue. In January, 237 vehicles were pulled over and that resulted in 94 tickets. The goal is not to persecute people but to educate them about safety and the speed limit.

The Police along with the Fire Department are forming and training a Fire/Police Unit. The Police Department is working on enhancing the Police Explorers program with an advisor's program. They are preparing final details for a ride along program. The Neighborhood Watch and the McGruff programs are for children in trouble where they can go to houses that are designated as safe houses on a particular block or neighborhood.

Councilwoman Long said she is exploring the possibilities of installing emergency call boxes. They would be located at Public Beach access stairways throughout Sea Bright. The phone lines are connected directly to Police Headquarters and will be made available for people in distress. It could be a long time before the cell towers are installed in Sea Bright. The emergency call boxes could be made available to the residents sooner. By working with the Department of Transportation and the Department of Environmental Protection, we would be able to get the call boxes expeditiously and inexpensively. Councilwoman Long said she was working on putting information together to have available to the Governing Body for their consideration at the next Council Meeting.

Councilwoman Long said she made a preliminary contact to get more information about the contextual design program from the Department of Transportation, which would be an opportunity to work with the State on anything we might want to do with regard to our Smart Growth and a potential redesign of Ocean Avenue. Additionally, at the last meeting, they took action to pursue shared services with Monmouth Beach and Oceanport relating to the courts and that is in progress. We would like to expand our shared grant proposal to include the other towns that are in the Shore Regional School District. There are a number of services beyond the court and the salt storage that would be right for this. Councilman Kelly and Councilwoman Long are working on making those calls. We are considering the retention of a consultant to help prepare the shared grant application. There are a number of companies and some are only paid if the Borough is successful in receiving a grant. This seems to be the best way to go by having other towns come aboard with us, getting a shared grant and preparing this grant application. That is in progress.

Councilwoman Long said that regarding education it is Budget time.

Mayor Kalaka-Adams thanked the Mayor and Governing Body of Little Silver for their support by resolution, for our request on a second look at the Highlands Bridge project.

Attorney Arnette said from the public's perspective they have sixty days in which to respond to the letter that was provided to the Department of Environmental Protection seeking additional information. Then after that period, we will have sixty days to respond. The Department of Transportation is continuing to formulate their response to the questions posed by the Department of Environmental Protection and then we will be provided with that information.

Councilwoman Fernandes commended the new Editor Felecia Stratton for her first issue of the Sea Breeze.

Councilwoman Fernandes congratulated Tax Collector Patricia Spahr on her twenty-year anniversary with the Borough. She recommended that a letter be sent to Mrs. Spahr congratulating her.

Councilman Keeler said he was to meet with Attorney Arnette regarding the cell towers for the bid specifications.

Attorney Arnette said that the cell tower would go out for bid and we are asking for a minimum bid amount. Councilman Keeler and Attorney Arnette would finalize locations for the cell towers.

Councilman Keeler said a location would be inside the recycling center by the ocean. Another location would be at the north side of the Library by the fence and down by the power panel in the Peninsula House parking lot. The cell tower companies needs access to a Jersey Central Power hook-up.

Councilwoman Fernandes said she would be interested in having the cell tower hidden in the tower proposed earlier during the Council Meeting by the architect. Councilman Keeler said he agreed but these cell towers are temporary right now and the town would at least have access to cell phone service and two years of revenue would be helpful.

**12. REMARKS FROM THE AUDIENCE:** No on wish to be heard.

**13. ADJOURNMENT:** There being no further business before the Governing Body. Councilman Keeler made a motion to adjourn the meeting at 8:50 P.M. Second by Councilwoman Long and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer  
Municipal Clerk