

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

Mayor Fernandes read the following statement:

**"GOOD EVENING LADIES AND GENTLEMEN. THIS MEETING IS NOW CALLED TO ORDER. IN LINE WITH THE BOROUGH OF SEA BRIGHT'S LONGSTANDING POLICY OF OPEN GOVERNMENT, AND IN COMPLIANCE WITH THE "OPEN PUBLIC MEETINGS ACT", I WISH TO ADVISE YOU THAT ADEQUATE NOTICE OF THIS REGULARLY SCHEDULED MEETING HAS BEEN ADVERTISED IN THE COURIER ON JANUARY 10, 2008 AND POSTED ON THE BULLETIN BOARD IN THE BOROUGH OFFICE. IN EACH INSTANCE, THE DATE, TIME AND LOCATION OF THIS MEETING WERE PROVIDED IN THE NOTICE. THIS MEETING IS OPEN TO THE PUBLIC."**

**3. ROLL CALL:**

**PRESENT:** Councilmembers Bills, Long, Keeler, Markson, Scriven, Mayor Fernandes, Attorney Arnette, Chief Financial Officer Bascom, Borough Engineer Hoder, Police Chief Moore, Municipal Clerk Smeltzer.

**ABSENT:** Kelly

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

Item C was pulled from the Consent Agenda.

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

**RESOLUTION NO. 55-2008  
PAYMENT OF BILLS 03/18/2008**

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

**NOW, THEREFORE, BE IT RESOLVED** that these vouchers totaling \$141,258.23 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			
	08-0298	03/06/08 1/28-2/27/08 HYDRANTS	OPEN	2,002.00
00027	SEABOARD WELDING SUPPLY, INC.			
	08-0095	01/22/08 DPW - 2008 CYLINDER RENTAL	OPEN	11.50
00031	SORRENTINO, JOHN			
	08-0301	03/07/08 POLICE-REIMB:2 BRAKE PAD KITS	OPEN	89.77
00063	CHESAPEAKE EXTERMINATING CO.			
	08-0310	03/11/08 BLDGS/GRNDS-JAN/FEB'08 EXTERM	OPEN	50.00
00172	DRIVERS LICENSE GUIDE CO.			
	08-0224	02/15/08 POLICE DEPT-(7) ID GUIDES	OPEN	137.65
00192	TAX COLL & TREAS ASSOC OF NJ			
	08-0290	03/05/08 TAX COLL-2008 SPRING CONFER	OPEN	285.00
00198	COMCAST			
	08-0279	02/29/08 FIRE DEPT-INTERNET:MAR 2008	OPEN	95.00
	08-0303	03/07/08 A&E-INTERNET:MAR 2008	OPEN	95.00
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				190.00

00203	MASON, PAT					
	08-0327	03/13/08	REIMBURSEMENT-AUTO DAMAGE	OPEN		500.00
00275	M & S WASTE SERVICES, INC.					
	08-0145	01/31/08	02/01/08 EXTRA RECYCLING P-UP	OPEN		45.00
	08-0294	03/05/08	02/08 GARBAGE/RECYCLING PICKUP	OPEN		8,325.00
	08-0295	03/05/08	FEB 2008 LANDFILL TIPPING FEES	OPEN		4,844.70
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						13,214.70
00285	STAPLE'S, INC.					
	08-0211	02/15/08	POLICE DEPT-OFFICE SUPPLIES	OPEN		182.74
00287	DEPALMA, JANET					
	08-0317	03/12/08	TAX REFUND B3.14/L11	OPEN		667.07
00302	SEA BRIGHT GULF STATION					
	08-0221	02/15/08	POLICE-BLANKET:VEHICLE MAINT	OPEN		75.90
00309	PRECISION LANDSCAPING &					
	08-0251	02/25/08	DPW-2/22/08 SNOW PLOWING	OPEN		580.00
00316	TREASURER, COUNTY OF MONMOUTH					
	08-0227	02/19/08	POLICE-2008 MOCERT ASSESSMENT	OPEN		1,000.00
00340	MORRIS, KATHLEEN					
	08-0299	03/07/08	REC-REIMB:3/2/08 HOTEL ROOM	OPEN		129.00
	08-0304	03/07/08	REC-REIMB:3/6/08 STATIONERY	OPEN		54.42
						-----
						183.42
00513	A.R. COMMUNICATIONS					
	08-0228	02/19/08	POLICE-REPLACEMENT BATTERIES	OPEN		83.80
00533	RUTGERS, THE STATE UNIVERSITY					
	08-0057	01/17/08	MUNI CLERK-FINANCE COURSE	OPEN		504.00
	08-0202	02/12/08	MUNI CLERK-MASTER CLERK COURSE	OPEN		352.00
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						856.00
00543	ICHABOD'S					
	08-0253	02/25/08	DPW-FOOD:2/22/08 SNOW STORM	OPEN		47.45
00575	GALLS, INC.					
	07-1480	11/13/07	POLICE DEPT-VARIOUS ITEMS	OPEN		469.90
00756	W & W MANUFACTURING, CO.					
	08-0168	02/04/08	FIRE DEPT-RADIO BATTERIES	OPEN		666.00
00788	SCARINCI & HOLLENBECK, LLC					
	08-0323	03/12/08	LEGAL-12/10-2/4/08 SERVICES	OPEN		95.60
00841	SERPICO'S BUSINESS MACHINES					
	08-0108	01/25/08	COURT-SERVICE IBM SELECTRIC	OPEN		150.00
01150	W.W. GRAINGER, INC.					
	08-0212	02/15/08	BLDGS/GRNDS-EXIT SAFETY SIGNS	OPEN		107.80
01260	GASS, ALBAN					
	08-0273	02/28/08	LIBRARY-COMPUTER CLASSES	OPEN		350.00
01285	THE HOME DEPOT					
	08-0096	01/22/08	BLDGS/GRNDS-BLANKET:MISC SUPP	OPEN		13.39
01286	INDUSTRIAL MARINE					
	08-0302	03/07/08	REIMB:02/01-03/04 GARAGE ELECT	OPEN		298.94
01297	HATCH, MOTT & MACDONALD, LLC					
	07-1208	08/29/07	DIIP#2-ENGINEERING	OPEN		2,750.00
01363	IRON MOUNTAIN, INC.					
	08-0179	02/07/08	A&E-VAULT:SERVER BACKUPS	OPEN		120.00
01408	AT & T					
	08-0283	02/29/08	COURT-02/18/08 BILL VIDEO CONF	OPEN		29.01
01493	COOPERATIVE INDUSTRIES, L.L.C.					
	08-0292	03/05/08	DEC 2007 NATURAL GAS	OPEN		2,076.90
01526	JCP & L					
	08-0328	03/13/08	FEB 2008 ELECTRIC SERVICE	OPEN		9,837.17
01532	MONMOUTH MEDICAL CENTER					
	08-0218	02/15/08	FIRE DEPT-RESPIRATORY REVIEW	OPEN		50.00
01578	AMERICAN MESSAGING					
	08-0282	02/29/08	DPW-MAR 2008 PAGER SERVICE	OPEN		38.42
01612	GAYLORD BROTHERS, INC.					
	08-0220	02/15/08	LIBRARY-OFFICE SUPPLIES	OPEN		261.61
01692	TROPICANA CASINO & RESORT					
	08-0114	01/25/08	MUNI CLERK-SPRING CONFERENCE	OPEN		180.00
01745	CONTE'S CAR WASH					
	08-0210	02/15/08	POLICE DEPT-20 CAR WASHES	OPEN		140.00
01794	TURNER, TERRI					
	08-0297	03/05/08	COURT-REIMB:03/07/08 LUNCHEON	OPEN		25.00
01801	MASER CONSULTING, P.A.					
	06-0325	03/23/06	PRJ#82 DIIP	OPEN		1,731.25
	07-0424	04/04/07	PRJ#96 PREP SEWER O&M MANUAL	OPEN		125.00
	07-0607	05/08/07	PRJ#56 POLICE DEPT GENERATOR	OPEN		1,908.25
	07-0658	05/16/07	PRJ#97 ROAD IMPROVEMENTS	OPEN		250.00
	08-0286	03/04/08	ENGINEERING-SMART GROWTH MTG	OPEN		375.00
	08-0287	03/04/08	ENGINEERING-HIGHLANDS BRIDGE	OPEN		797.50
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						5,187.00
01887	HEIM ELECTRONICS, INC.					
	08-0281	02/29/08	BLDGS/GRNDS-2/27 SERVICE ALARM	OPEN		86.00

01974	BOROUGH OF SEA BRIGHT COURT				
	08-0318	03/12/08	COURT-02/08 CREDIT CARD REIMB	OPEN	91.25
01985	THE MOBILE STORAGE GROUP, INC.				
	08-0311	03/12/08	POLICE-TRAILER 2008 PYMT 03/13	OPEN	265.00
02036	BAHRLE, DAVID				
	08-0278	02/29/08	DPW-REIMB:01/03/08 SEMINAR	OPEN	99.00
	08-0305	03/11/08	BLDGS/GRNDS-REIMB:COURT BLINDS	OPEN	203.20
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					302.20
02061	VERIZON WIRELESS				
	08-0312	03/12/08	BLDG/FIRE/COURT:MAR 2008 CELL	OPEN	222.72
02114	TWO RIVERS WATER RECLAMATION				
	08-0324	03/12/08	2008 PYT 1/4-SEWER CUST CHARGE	OPEN	94,968.75
02177	WALSH, JOAN				
	08-0288	03/05/08	LIBRARY-REIMB:02/29,03/04 DVDS	OPEN	135.59
02181	GATEWAY PRESS				
	08-0246	02/25/08	RECREATION-POSTERS & FLYERS	OPEN	20.00
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	68.15
MASER CONSULTING (ESCROW)					1,710.00
U.S. POSTAL SERVICE (MAILING:FEB 2008 NEWSLETTER)					236.64
GRAND TOTAL					<u>141,258.23</u>

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

Ayes: Bills, Keeler, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

**RESOLUTION NO. 56-2008  
BOROUGH OF SEA BRIGHT**

**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
3.14	11	Janet DePama	\$667.07

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright hereby approve the following refund of \$667.07.

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

Ayes: Bills, Keeler, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

**D.** Councilman Keeler made a motion approving the Council Meeting Minutes of March 4, 2008. Second by Councilman Scriven and adopted upon the following roll call vote:

AYES: Bills, Keeler, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

**C.** Councilman Scriven said that the Clean Ocean Action request to conduct the 23<sup>rd</sup> Annual Beach Sweeps to be held on Saturday, April 26, 2008 from 9 a.m. to 12:30 p.m. would be carried.

**5. OLD BUSINESS:**

**A1.** Request from The Quay to conduct a wedding on the beach on May 17<sup>th</sup>.

**A2.** Notice from Fish and Wildlife Service.

Councilman Scriven made a motion to deny the Request from The Quay to conduct a wedding on the beach on May 17<sup>th</sup> based on the Notice from Fish and Wildlife Service. Second by Councilwoman Bills and adopted upon the following roll call vote:

AYES: Bills, Keeler, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilwoman Long introduced and offered for adoption the following resolution:

**RESOLUTION NO. 57-2008**  
**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 issues as herein set forth and when the need for confidentiality no longer exists, the decisions made therein will be made available to the public.

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

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

Ayes: Bills, Keeler, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilwoman Long made a motion at 8:02 p.m. to return to the regular order of business. Second by Councilwoman Markson and approved upon unanimous voice vote.

Councilman Scriven made a motion to accept the settlement and release agreement in the Schwebel matter and authorizing the Mayor to sign the agreement. Second by Councilwoman Bills and adopted upon a unanimous voice vote.

Ayes: Bills, Keeler, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilman Scriven made a motion to have the attorney intervene in the matter that is presently pending in front of the Office of Administrative Law regarding Morris/Bagley. Second by Councilwoman Long and adopted upon a unanimous voice vote.

Ayes: Bills, Keeler, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilman Scriven made a motion to authorize the expenditure of \$3,000 for a title search in order to acquire a deed for the main Municipal Lot.

Second by Councilwoman Long and adopted upon a unanimous voice vote.

Ayes: Bills, Keeler, Long, Markson, Scriven

NAYS: None  
ABSTAIN: None  
ABSENT: Kelly

**6. NEW BUSINESS:**

A. Appointments to the Library Advisory and Recreation Advisory Committees:

- **Elizabeth DeGiulio - Library Advisory Committee**
- **Beth Hojraj - Recreation Advisory Committee**

**7. MONTHLY REPORTS FOR FEBRUARY 2008:**

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

**8. CORRESPONDENCE AND COMMUNICATIONS:**

- A. Construction Department January 2008 Monthly Report
- B. Letter from Monmouth County Planning Board advising of the next Coastal Monmouth Regional meeting. Councilman Keeler will attend.
- C. Monmouth County Regional Health Commission meeting minutes of January 16, 2008.

**9. COMMITTEE REPORTS:**

A. **Beach/Environment/Cultural Arts:** Councilman Scriven said that McLoone's band will entertain for Sea Bright's 4<sup>th</sup> of July festivities.

Councilman Scriven announced that Trudy Arnette and Liz Von Ziegesar will be the Library Committees' co-chairpersons Elizabeth DeGiulio is the newest member. The Library is looking for volunteers for the weekly showing of outdoor children and family movies.

On March 25<sup>th</sup>, the Library will host the New York/New Jersey Baykeepers Organization who will present a detailed history and practicality of oyster gardening in the Shrewsbury River. The residents of Atlantic Way will be part of this conservation project with plans to garden about 5000 oysters.

Councilman Scriven said that he will distribute information to the Governing Body about outdoor lighting which reduces glare and saves energy.

**B. Public Works/Construction Department/Public Relations:**

Councilwoman Markson reported that the Roadway Drainage Project at Via Ripa will begin the first week in April and possibly finish by early May. A new pump was installed at the River Street station.

The first and third Tuesday beginning in March through May, branches and leaves will be picked up or residents could bring them to the recycling center.

Councilwoman Markson said that the annual fire inspection was done and everything was passed by Seaboard Fire and Safety. Public Works installed three hundred feet of storm fencing on the Municipal Beach, repaired loose nails on the boardwalk and filled pot holes in the parking lot. They continue their clean up in preparation for the annual Easter Egg hunt.

**C. Public Safety/Insurance/Court:**

Councilman Keeler reported that during a JIF meeting the importance of immediately reporting employee injuries and damages to vehicles on public property was stressed. Modified work plans or light duty for employees instead of staying home is being researched.

Councilman Keeler said that they are waiting on a proposal from a service that would do the editing, formatting and binding for Sea Bright's Police Department's standard operating procedures. The section of the procedures regarding hiring and promoting polices are still be evaluated.

Chief Moore, Judge Foley and Court Administrator Turner along with the Public Safety Committee will be discussing court scheduling and the police over-time expense when officers are required to attend court.

Councilman Keeler said that Fire Marshall Tom Haege suggested to Mayor Fernandes, that the Borough consider hiring a fire apparatus technical consultant to help the Fire Company review the specifications and then inspect the new truck as it moves along the assembly line at American La France. The Public Safety Committee and the Fire Company's Truck Committee are following up on the suggestion.

The Committee is researching the pros and cons of buying new police vehicles or maintaining them. They will be by contacting General Motors for more information.

Councilman Keeler said that the Department of Transportation said that Sea Bright's residents were in violation of allowing their sump pumps to spill over onto Ocean Avenue. Chief Moore informed the Governing Body that the offenders were Monmouth Beach residents.

**D. Finance/Education/Grants:**

Councilwoman Long reported that Sea Bright lost \$75,901.00 in state aid because Sea Bright's population is under five thousand. This loss causes serious appropriation cuts and a 10% reduction for each department's budget.

The Governing Body will introduce the budget on April 15<sup>th</sup> and May 20<sup>th</sup> will be the public hearing. The sewer rate will remain stable for 2008. Pension contributions, insurance increases and litigations against the Borough, repairing critical infrastructure are out of the Governing Body's control. The Governing Body has looked toward ways of finding more revenue for the borough. This might come in the way of higher fees and permits or far ranging ideas for renewable energy.

Sea Bright's Board of Education's budget was increased by 3.3% which means a half of cent increase. Shore Regional budget is an 18.8% increase over last year. Sea Bright's share is up to 2.1 million and when divided by 27 students it is a \$80,976 cost per student. This sharp increase is due to the school formula and Sea Bright's total property value.

A School Advisory Committee member who is an actuary is interpreting the school formula. Municipal Clerk Smeltzer is attempting to find the 1962 original Shore Regional agreement.

Councilwoman Long said that if we want to make any changes to the school formula first a referendum must be passed by all member towns. She asked the Governing Body to consider this. This would involve ballot costs, mailing and the advice of Borough Attorney Arnette regarding the referendum's wording.

Councilwoman Long said that there is a meeting scheduled on Monday March 24<sup>th</sup> with the Executive County Superintendant to discuss Sea Bright's Board of Education regarding schools who have sending districts.

The School Budget election is Tuesday, April 15 from 4-9 pm.

**E. Personnel/Administration/Recreation:**

Councilwoman Bills reported that Borough Clerk Smeltzer visited the Monmouth County Library researching storage and management of permanent record keeping. The Borough Clerk wants to transfer all minute books to microfilm.

Department heads have attended supervisory training through Monmouth County JIF. Their attendance allows Sea Bright to receive a ten thousand dollar claim deductible plus a 20 % cap at twenty thousand dollars.

The Borough Clerk and Tax Collector attended the MEL management responsibility seminar on February 13<sup>th</sup>.

Memorial Day service preparation is underway and the ceremony is scheduled for May 26, 2008 at 11 a.m.

Letters and mercantile applications were sent to Sea Bright businesses because their current mercantile licenses will expire March 31, 2008.

Councilwoman Bills said that new health benefits for Sea Bright employees will be a effective April 1 and an account representative visited Sea Bright advising them of any policy changes.

Several employees have showed interest toward the Borough's 457 plan and will receive informational packages.

The Borough Attorney arranged a mandatory anti-harassment seminar for all employees.

Councilwoman Bills said that the Recreation Committee is preparing for a March 22<sup>nd</sup> Easter Egg hunt and Bonnet Parade to be held at the Public Beach boardwalk at 11 a.m. The Boy Scouts will help hide three thousand eggs for the hunt.

The Safety and Loss meeting of March 10<sup>th</sup> was attended by Recreation Administrator Morris and she suggested having a 911 call box at the Recreation Center for emergencies.

A letter of recommendation on behalf of the Recreation Committee for the 2008 Monmouth County Board of Recreation Commissioners open category awards program has been submitted nominating the Skim Board Competition.

The Recreation Committee is volunteering for the Fireman's Fair four day event scheduled in May. They will organize the games for the event and the 50/50 raffle. They also volunteered for Donovan's March 16<sup>th</sup> race and the Committee received a \$500 donation.

On March 13<sup>th</sup>, the Sea Bright Business Alliance met at the Library and will meet on the second Tuesday of each month at 7p.m. The membership fee is \$100 and there are already 15 members. The Alliance will participate at the Fireman's Fair event. They will erect a large tent that will include kiosks for restaurants and stores.

**F. Smart Growth/Flood Mitigation/Beautification:** Councilwoman Markson reported progress on behalf of Councilman Kelly who was absent.

**10. MAYOR FERNANDES - REPORT AND COMMUNICATIONS.** Mayor Fernandes said that she and Rich Hellenbrecht, auditor attended a meeting in Trenton. The Department of Community Affairs Commissioner Joseph Doria, Deputy Chief of Staff Javier Inclan and Acting State Treasurer David Russo were there for the meeting. They encouraged everyone to consolidate and share services but specifically said that they were not suggesting the merging of towns. The State would cover the expense of employee buyouts if we had employees due for retirement.

Mayor Fernandes along with Councilmembers Bills and Keeler attended Shore Regional's budget workshop.

She encouraged business owners and residents to attend the next Smart Growth workshop for Thursday, March 27<sup>th</sup> at 7:30 p.m. at the Recreation Center.

She said that Sea Bright's first Fireman's fair starts Thursday May 15 through Sunday May 18<sup>th</sup>. She asked the Governing Body to make certain that all employees are aware of this event and that the Borough is fully prepared. All Work orders should be generated now in anticipation of the event. The pot holes should be patched at the Peninsula House lot because the event will be held there.

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

Councilman Keeler thanked the Police Department for their help during the Palm Sunday procession from and to Holy Cross church in Rumson.

**12. ADJOURNMENT:** There being no further business before the Governing Body. Councilman Scriven 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