

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, Kelly, Long, Scriven, Mayor Kalaka-Adams, Attorney Arnette, Chief Financial Officer Bascom, Borough Engineer Hoder.

Absent: None

4. 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. Councilwoman Fernandes moved to approve this Ordinance upon Second Reading.

A.

ORDINANCE NO.2-2007
AN ORDINANCE AMENDING ORDINANCE NO. 58-97
ADOPTING A PURCHASING MANUAL

WHEREAS, the Sea Bright Governing Body adopted a Purchasing Manual by Ordinance No. 58-97 on May 20, 1997; and

WHEREAS, updates are required to reflect current information and practices used by the Borough of Sea Bright; and

WHEREAS, the updated Purchasing Manual has been reviewed and approved by the Chief Financial Officer; and

WHEREAS, the Governing Body wishes to adopt said updated Purchasing Manual by Ordinance so that any contradicting ordinances can be repealed.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Sea Bright, County of Monmouth, that the following Purchasing Manual be adopted and that the Borough function under the guidelines of this manual:

SEA BRIGHT
PURCHASING MANUAL

PURPOSE

The purpose of this purchasing manual is to describe the purchasing system of the Borough of Sea Bright. The primary focus of this manual is on the purchase of goods and services. A section of the manual is devoted to Statutory and Mandated services. The rules under which the borough's purchasing system functions are governed by the Local Public Contracts Law of the state. In addition, certain borough ordinances govern certain aspects of the purchasing system.

This manual is intended to serve as a general guide to the borough's purchasing system. It is not the intent of this manual to address every question. Any questions which may arise, and are not covered by this manual may be directed to the Chief Financial Officer or Finance Office. A key rule to follow is that all purchases must be approved prior to the purchase being made. The process begins with the submission of a requisition form. **Purchases made without following the procedures contained in this manual are the responsibility of the employee making the purchase.** The borough has no obligation to make payment for any purchases made outside of these procedures. An employee who fails to comply with these purchasing requirements shall be subject to disciplinary action as may be appropriate.

FINANCE DEPARTMENT ROLE

The borough finance department administers the purchasing system. All processing of requisitions, purchase orders and vouchers, as well as related record keeping is performed by the Finance Office. Departments are requested to limit their relationship with vendors to contact which is necessary to aid in obtaining quotes and specification information.

The Finance Office has the obligation to review department requisitions. Another function of the Finance Office shall be the administration of a centralized purchasing system which exercises control on purchasing independent of, but in cooperation with, all departments. The Finance Office will, through the administration of such a system, control spending within the budget to avoid over expenditures and provide greater financial control.

DEPARTMENTAL REQUISITIONS

The Departmental Requisition is utilized by a department for requesting materials and supplies. This document serves two very important functions. It provides a record for the Department Head on requested purchases, and it supplies the necessary information to the Finance Office who will use the completed form to produce a purchase order.

Any department wishing to make a purchase should accurately complete a requisition form by following the instructions outlined in Appendix A of this manual. Upon completion of a properly prepared requisition, all should be forwarded to the Finance Office or Councilperson for approval. Note: if the requisition is in excess of \$1,000.00, it must receive prior approval by the member of Council in charge of that department.

Once approved, the Finance Office will utilize the requisition in the preparation of the purchase order. In addition, the Finance Office may obtain price quotations in addition to those collected by the using department, to insure that the lowest possible price is obtained. The CFO and Finance Office will review all purchases to insure compliance with State Law.

Proper planning and preparation of requisitions in ordering goods and services are very useful planning tools. This can assist all Department heads in the overall administration of their budgets.

Requisitions which are disapproved will be returned to the department which originated the request.

REQUISITIONS NOT MANDATORY

Certain borough expenses do not require a requisition prior to encumbering. These items follow the regular purchasing procedure prior to issuance of payment; however, they do not require Council signature and approval prior to placement on a bill list. They include:

- Debt Service
- Insurance
- Pension, Social Security, and Unemployment
- Tax Payments to County, School, and Fire Dist.
- Public Assistance
- All Trust Accounts
- Municipal Escrow Accounts
- Tax Appeals and Refunds
- Petty Cash
- Medicare Reimbursements
- Election Board Members and Polling Places
- Contractual Payments
- Other Items as Approved

PURCHASE ORDERS

The purchase order is a three-part numbered form which fulfills many different functions. The top copy serves as the original and voucher copies. The middle copy is for the vendor. The third copy is for the Finance Office. A general rule in purchasing is not to buy anything without an authorized purchase order.

A purchase order is a vendor's authority to sell a particular material or service to the borough. Without this authority, the borough has no obligation to accept or pay for any materials or services rendered. If this situation occurs, the obligation to pay would be on the employee who placed the order.

The purchase order contains important information regarding payment procedures for the vendor and is the document used by the vendor to submit his/her claim for payment.

The borough's Finance Office prepares all purchase orders from approved requisitions submitted by the various departments. It should be noted that it is the responsibility of the department to make sure that items requested are the exact items and quality needed for the purpose intended. Once a purchase order is prepared, it will be immediately forwarded to the department making the request so that they can order the goods or services.

The voucher contains a certification which must be signed by the vendor. Once the order is filled, the vendor retains the middle copy and returns the white copy along with the invoice to the Finance Office. The voucher must then be signed by the Department Head certifying receipt of the materials or services.

After the voucher is signed by the department personnel, it is sent back to the Finance Office for payment processing. The Finance Department compiles a bill list from the vouchers which is then submitted to the Borough Council for approval. After the Borough Council approves the bill list, the checks can be printed and released to the vendors. All pertinent information such as check number and date paid is entered on each voucher and kept on file in the Finance Department as the permanent record of all purchases borough wide.

SIGNATURES

There are three signatures on the purchase order all of which are extremely important and required to complete the purchasing process. The first signature required certifies that sufficient funds are available in the budget to pay for the purchase. The vendor's signature on the voucher is indication that services have been rendered and the bill is correct. This is called the claimant's certification and declaration. Next is the departmental certification which is proof that the materials and/or services have been received at the specified amount on the invoice.

A list of the authorized signatures for each department is included in this manual as appendix C. This list indicates the authorized signatures which are to appear on vouchers. As a general rule, all departments should forward all paperwork received from a vendor to the Finance Office.

ESTIMATES

There are occasions when the total price for services will not be known until the work has been completed. In order to accommodate these situations, a procedure for dealing with estimates has been developed.

When a situation as described above develops, a requisition should be prepared and processed as normal. The requisition should include the estimated price for the work. Once the purchase order is prepared and processed, the department will be supplied with the purchase order number. This number shall be given to the vendor as his authorization to complete the work. Once the work is completed, the total price and invoices shall be given to the Finance Office. This information will be used to complete the purchase order. When the purchase order is completed, it will be sent to the vendor as a confirmation purchase order. Any increase in an estimate must be made by requisition with the appropriate documentation at the time of the increase.

DRAWS

In certain circumstances, when a vendor is to be paid on a regular basis or several purchases will be made over a period of time, one blanket purchase order can be issued as a draw.

Under this system, a single purchase order is issued to the vendor, when purchases are made, either the Borough or Vendor will prepare a voucher to be submitted for payment against the previously issued purchase order. Each voucher shall be identified by indicating how many payments have been made. The numbering of all vouchers is handled by the Finance Office. Under no circumstances shall any other department number the vouchers.

The purchase order amount can be increased. However, the request for an increase must be made by requisition and processed through the normal procedures. In the case of bids, the amount may be increased only by the amount as provided State Law. Requests for an increase must be processed before any additional purchases are made.

EMERGENCY PURCHASES

There are times when emergencies do arise which require the need for the immediate purchase of materials and supplies. Emergencies are situations where there exists the need to protect the safety, health and welfare of the general public.

It is the responsibility of every department to utilize proper planning in ordering materials and supplies.

Emergency buying can be very costly and time consuming. Requisitions should be prepared far enough in advance of need to minimize emergency situations. The key to avoiding emergency situations is utilization of proper planning procedures.

The following procedures are to be followed when making emergency purchases:

Emergency purchases under \$1,000.00 must be submitted to the Finance Office by the next working day, accompanied by a memorandum to the CFO and the Council Committee Chairperson indicating the nature of the emergency purchase.

Emergency purchases over \$1,000.00 require the approval of the CFO or Finance Office. If they cannot be reached, the Council Committee Chairperson, the Finance Committee Chair, or the Mayor or Council President must approve the purchase. Any purchase exceeding \$10,000.00 must have the approval of the Chief Financial Officer.

In all of the above cases, the Department Head must, within 24 hours of the purchase, process a requisition through the normal procedures. Attached to the requisition, in addition to the invoices, there should be a statement indicating what the nature of the emergency was and why a purchase had to be made. Once a purchase order is prepared, it will be sent to the vendor as a confirmation purchase order.

Under no circumstances are these procedures to be utilized to circumvent the normal purchasing system.

WALK THROUGH

The processing of requisitions may take several days. Recognizing that there are times when materials and supplies are needed immediately, a walk through procedure has been developed.

Under this procedure, a requisition is literally "Walked Through" the approval process. A signed requisition is brought to the Finance Office who will take immediate action to secure proper approval. A purchase order is promptly processed in order that the department may obtain the needed material and supplies.

PAYMENT PROCEDURE

It is important for departments to understand the Borough's payment procedure and its relationship to the encumbrance system. The key to the system is that funds MUST be encumbered prior to the issuance of a purchase order to a vendor. Only vouchers which have had funds encumbered will be paid.

The Borough of Sea Bright pays bills twice a month, usually the first and third Tuesday of each month. Therefore, it is important that all paperwork needed for payment be handled in a timely manner. It is the responsibility of each Department Head to see that vouchers are signed and submitted to the Finance Office with the vendor's invoice no later than 9:00 A.M the Thursday preceding a Borough Meeting to be included in bill list.

SURPLUS EQUIPMENT

Surplus or outdated equipment may be disposed of in any of the following ways:

1. Transfer to other Borough Department.
2. Trade-in on new equipment.
3. Sale at public auction.
4. Sale as scrap.

In disposing of any equipment, all spare parts for the equipment should be disposed of at the same time.

All surplus equipment and/or materials shall be reported to the Finance Office.

If surplus equipment is sold, it will be done by the Borough Clerk in conjunction with the Finance Office. The sale of said equipment will be conducted in accordance with State Law.

In general, anything lost must be reported to the Finance Office upon discovery of it being lost.

CANCELLED ORDERS

If, after an order is placed, it is decided that the materials and/or services are no longer needed, the Finance Office should be notified as quickly as possible. The Finance Office will notify the vendor to cancel the order. A delay in notifying the vendor may result in an unnecessary expense to the Borough.

Adequate thought and planning given to purchases prior to making out requisitions will prevent such cancellations.

PERSONAL EXPENSES

Employees can submit vouchers for personal expenses. However, under no circumstances may an employee receiving reimbursement, sign the Borough certification on the voucher. (These expenses may also be handled through the normal requisition process.)

CONFERENCES AND SEMINARS

Expenses in connection with attendance at seminars and conferences will be handled as described below;

A requisition should be prepared prior to the event with an estimate of the cost indicating the maximum an employee may spend. All claims for reimbursement of expenses must be submitted on a voucher. All receipts and documentation must be submitted with the voucher. Only the Borough employee authorized to attend the seminar or conference can be reimbursed for expenses incurred.

Reimbursable expenses may included meals, tolls, room, registration fees and transportation costs outlined by the Borough policy.

PETTY CASH

There are times when it is more economical and efficient to pay cash for an item when the total amount of a purchase does not exceed \$10.00.

To eliminate this extra work, a cash payment may be authorized by the Department Head. A signed cash receipt must be obtained prior to any

reimbursement from the petty cash fund. Any petty cash drawn from the fund will be charged back to the using department's budget.

All purchases must be approved by the Finance Office prior to the actual purchase being made.

The use of the petty cash fund is not to be used to circumvent the regular purchasing procedures. Such expenditures are limited to personal expenses, travel expenses and small emergency purchases.

SPECIFICATION WRITING

Specification writing is a very important part of the purchasing system. A detailed description of the equipment or its purpose must be stated.

There are specifications available which should be reviewed when bid documents are prepared. When prepared, the specifications should be detailed enough to permit the bidder to offer exactly the right product. If the specifications are too ambiguous, the bidder will most likely offer the cheapest product. However, specifications should not be written so tightly so as to unnecessarily restrict vendors from bidding as a guideline, specification should be written to promote competition without bias.

All specification writing for the Borough shall be done by the Finance Office based on departmental requests. Departments may be requested to submit sample specifications from time to time. It is the responsibility of each department to meet with the Finance Office to insure that the quantity and quality of the items being order are the required materials and/or services for the work that is to be undertaken.

APPENDIX A **GUIDE TO PREPARING REQUISITIONS**

- 1). Department name and date.
- 2). Budget account number applicable for purchase.
- 3). Instructions of where goods are to be shipped
To.
- 4). State contract or County purchasing number if applicable.
- 5). Detailed description of exactly what items are being requested.
This should include:
quantity, unit, specific name, model, color and
any other descriptive information required, unit prices,
estimated amounts and quotes if required. (See below**)
- 6). Requisitioner signs and dates form.

****QUOTES:**

- A. For purchases in an amount less than \$1,500.00 one Quote is required.
- B. For purchases in an amount of \$1,500.00 but less Than \$2,625.00, two quotes are required.
- C. For purchases in an amount over \$2,625.00 but Less than the current bid threshold amount, three Quotes are required.

APPENDIX B
PURCHASING PROCEDURE

REQUISITIONING

- 1). FINANCE
 - a. Distributes blank requisitions to all departments.
- 2). DEPARTMENT
 - a. Obtains quotes for suggested vendors.
 - b. Selects vendors and prepares requisitions.
 - c. Forwards to Borough Council if over \$1,000.00 for approval and signature
- 3). BOROUGH COUNCIL
 - a. Approves purchase if over \$1,000.00
 - b. Forwards to Finance
- 4). FINANCE
 - a. Certifies availability of funds.
 - b. Assigns purchase order number and processes.
 - c. Returns Purchase Order with Number to department.
 - e. Encumbers purchase order.

RECEIPT AND PAYMENT

- 1). FINANCE
 - a. Receives all original PO vouchers and invoices from vendor.
 - b. Submits above to department for certification of receipt.
- 2). DEPARTMENT
 - a. Certifies receipt of goods/services.
 - b. Returns PO vouchers & Invoices to Purchasing.
- 3). FINANCE
 - a. Verifies documentation and prepares bill list
 - b. Verifies approval of Committee
 - c. Prepares checks and releases to vendor

APPENDIX C
APPROVED REQUISITIONERS

<u>TITLE</u>	<u>DEPARTMENT</u>
Chief Financial Officer	All Departments
Finance Manager or Fiscal Officer	All Departments
Municipal Clerk	Administration & Executive
	Municipal Clerk
	Legal
	Engineering
Assessor	Tax Assessment
Tax Collector	Tax Collection
Sewer Collector	Sewer Collection
Director of Public Works or Superintendent of Borough Maintenance	Public Works
	Sewer
	Sanitation/Recycling
Planning Board Secretary	Planning Board

<u>Fire Chief or Assistant Fire Chief</u>	<u>Fire</u>
<u>Police Chief or Captain</u>	<u>Police</u>
<u>Recreation Administrator/Director</u>	<u>Recreation</u> <u>Parks and Playgrounds</u>
<u>Construction Official/Secretary</u>	<u>Construction</u>
<u>Emergency Management Official</u>	<u>Emergency Management</u>
<u>Fire Official</u>	<u>Fire Marshall</u>
<u>Court Administrator</u>	<u>Municipal Court</u>
<u>Library/Cultural Arts Director</u>	<u>Library</u>
<u>Water Safety Director or</u> <u>Beach Administrator</u>	<u>Beach Utility</u>

UNLESS SPECIFICALLY NOTED HEREIN, VOLUNTEERS ARE NOT AUTHORIZED TO SIGN REQUISITIONS. REQUISITIONS MUST ONLY BE SIGNED BY THOSE LISTED AS APPROVED REQUISITIONERS.

APPENDIX D

**NEW JERSEY LOCAL UNIT "PAY TO PLAY" LAW
Chapter 271, P.L. 2005 (Adopted January 5, 2006)**

And

**CHAPTER 19, P.L. 2004 (as amended by P.L. 2005, c.51)
N.J.S.A. 19:44A-20.4 et seq.**

Must the Contract be Publicly bid?

YES →

Use Public Bidding

↙ **NO**

Contracting Agent Can award

↓ **NO**

Is the contract over \$17,500?

→ **YES**

SELECT P2P process to award contract. Decision made by governing body, who can delegate it to staff.

Local Unit Pay to Play Ch. 19 Decision Tree

FAIR AND OPEN

- Draft RFP/RFQ with criteria for award
- Publicize in paper or on website ten days prior to opening
- Publicly open and announce contents
- Review proposals and recommend award
- Governing body makes public award; including all cooperative purchasing contracts over \$17,500

NON-FAIR AND OPEN

- Choose contractor and obtain proposal of fees.
- Contractor submits Political Contribution disclosure 10 days in advance of award date (c.271) and Stockholder Disclosure Certification.
- Contractor submits Business Entity Disclosure Certification prior to award
- Review documents to ensure no apparent conflicts
- Governing Body makes public award if above bid threshold; PA or QPA can award if below bid threshold, as appropriate

EXIGENCY

- **Emergencies (affecting public health, safety and welfare):** adopt resolution and file report with DLGS
- **Single Source:** apply for approval to Treasurer through DLGS

GLOSSARY

1. **Confirmation Purchase Order:** A completed Purchase Order that is sent to the Vendor confirming the particulars of the order and authorizing the sale.
2. **Emergency:** Any situation where there exists an immediate need to protect the safety, health, and welfare of the general public.
3. **Emergency Purchase:** Obtaining goods and/or services without following standard procedures to respond more quickly to an emergency situation.
4. **Encumbrance:** Setting aside Borough funds for a specific purpose before the expenditure is authorized.
5. **Invoice:** An itemized bill of all goods shipped or services rendered with an accounting of all costs.
6. **Purchase Order:** A Borough document which, when completed and signed, authorizes the purchase of goods and/or services.
7. **Requisition:** A Borough document that departments must utilize to request approval for the purchase of goods and/or services before placing an order.
8. **Surplus Equipment/Material:** Equipment/Material that is no longer of use to the Borough (Note - this does not mean that it is worthless).
9. **Voucher:** A signed document that serves as proof that the terms of the transaction have been met.
10. **Vendor:** A provider of goods and/or services to the Borough.
11. **Walk-through:** A term used to describe an expedited method of obtaining authorization to purchase goods or services. This is not to be confused with an Emergency Purchase.

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 Councilman Scriven and approved by the following vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Councilman Keeler made a motion to approve Ordinance No. 2-2007 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Fernandes and approved upon the following vote:

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

Attorney Arnette read by title only and Councilman Keeler introduced an Ordinance entitled.

B.

**ORDINANCE NO. 5-2007
AN ORDINANCE AMENDING CHAPTER 57 ALCOHOLIC BEVERAGES
INCREASING LICENSING RENEWAL FEES**

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on March 20, 2007. Second by Councilwoman Bills and approved upon the following vote:

AYES: Bills, Keeler, Kelly, Mayor Kalaka-Adams
NAYS: Fernandes, Long, Scriven
ABSTAIN: None
ABSENT: None

5. 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. 49-2007
PAYMENT OF BILLS 3-6-2007**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$533,547.17 are to be paid; and

BE IT FURTHER RESOLVED, that proper Officers are hereby authorized to execute and issue warrants for payments of said vouchers, but only if and when conditions of the Borough Treasury shall permit, and the said vouchers be approved by the proper Committees.

00015	LANIGAN ASSOCIATES, INC.			
	07-0113 01/29/07 POLICE DEPT-RIBBONS	OPEN		35.70
00053	SHORE REGIONAL HIGH SCHOOL			
	07-0246 02/27/07 HIGH SCHOOL TAX - MAR 2007	OPEN		127,700.00
00091	DIGIROLAMO, LOUIS			
	07-0250 02/27/07 2007 PYT 3/12 HEALTH INS REIMB	OPEN		1,475.19
00119	SEA BRIGHT BOARD OF EDUCATION			
	07-0149 02/05/07 GRADE SCHOOL TAX - MAR 2007	OPEN		68,427.67
00124	SPAHR, STEVEN			
	07-0220 02/23/07 POLICE-TRAVEL REIMB:9/11-1/22	OPEN		137.09
00131	NJ CONFERENCE OF MAYORS			
	07-0168 02/12/07 A&E-ANNUAL MAYORS' CONFERENCE	OPEN		265.00
00164	RAIN, WILLIAM			
	07-0248 02/27/07 2007 PYT 3/12 HEALTH INS REIMB	OPEN		569.62

Sea Bright, New Jersey
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00198	COMCAST				
	07-0205	02/16/07	POLICE-INTERNET:2/20-3/19/07	OPEN	95.00
	07-0226	02/26/07	LIBRARY-INTERNET:2/28-3/27/07	OPEN	99.95

					194.95
00221	INTERN'L ASSN CHIEFS OF POLICE				
	07-0057	01/24/07	POLICE DEPT-2007 DUES	OPEN	100.00
00234	ROY PRESS, INC.				
	07-0182	02/13/07	PRINTING:FEB/MAR'07 NEWSLETTER	OPEN	725.00
00249	CLARK, DOUGLAS				
	07-0204	02/16/07	DPW-TRAVEL REIMB:02/13/07	OPEN	10.88
	07-0230	02/26/07	DPW-TRAVEL REIMB:2/25/07	OPEN	10.88

					21.76
00255	SMELTZER, MARYANN				
	07-0199	02/15/07	MUNI CLERK-REIMB:2/14/07 TRAV	OPEN	24.00
00270	JOHNSON, KENNETH				
	07-0249	02/27/07	2007 PYT 3/12 HEALTH INS REIMB	OPEN	909.82
00275	M & S WASTE SERVICES, INC.				
	07-0253	02/27/07	03/07 GARBAGE/RECYCLING PICKUP	OPEN	7,900.00
00285	STAPLE'S, INC.				
	07-0066	01/24/07	POLICE DEPT-OFFICE SUPPLIES	OPEN	287.40
	07-0104	01/26/07	POLICE DEPT-OFFICE SUPPLIES	OPEN	187.84

					475.24
00297	JESSE A. HOWLAND & SONS, INC.				
	07-0135	01/31/07	GARAGE RENT - MAR 2007	OPEN	1,575.00
00331	TREASURER, STATE OF NJ				
	07-0236	02/27/07	SEWER-SAFE DRINKING WATER FEE	OPEN	200.00
00352	THE WALL STREET JOURNAL				
	07-0225	02/26/07	LIBRARY-1 YR SUBSCRIPTION RNWL	OPEN	298.00
00378	MONMOUTH TRUCK EQUIPMENT				
	07-0203	02/16/07	DPW-HEADLIGHT:FORD F250 TRUCK	OPEN	300.00
00382	MODERN EQUIPMENT SALES/RENTAL				
	06-1360	11/14/06	DPW-RENTAL:BOOM LIFT	OPEN	1,025.50
00408	SCHWAAB, INC.				
	07-0125	01/30/07	MUNI CLERK-2 STAMPS/COLOR PAD	OPEN	81.22
00513	A.R. COMMUNICATIONS				
	07-0140	02/01/07	FIRE DEPT-ANTENNA KIT/BATTERY	OPEN	204.00
	07-0167	02/12/07	FIRE DEPT-MOTOROLA PAGER	OPEN	431.20

					635.20
00533	RUTGERS, THE STATE UNIVERSITY				
	07-0171	02/13/07	A&E-4 BOOKS:MUNI FORMS OF GOVT	OPEN	28.00
00539	ALLIED GLASS & MIRROR, INC.				
	06-1447	12/12/06	DPW-WINDOW:FRONT END LOADER	OPEN	225.00
	07-0190	02/15/07	BLDGS/GRNDS-REPAIR GLASS DOOR	OPEN	325.00

					550.00
00672	NJ DEPT OF COMMUNITY AFFAIRS				
	07-0207	02/16/07	BLDG DEPT-UCC SUBSCRIPTION	OPEN	35.00
00975	SMACK, EDWARD				
	07-0247	02/27/07	2007 PYT 3/12 HEALTH INS REIMB	OPEN	569.62
01022	PITNEY BOWES SUPPLY LINE				
	07-0162	02/08/07	A&E-POSTAGE METER E-Z SEAL SOL	OPEN	67.98
01027	SHORE BUSINESS SOLUTIONS				
	07-0164	02/08/07	A&E-FAX:DRUM CARTRIDGE	OPEN	105.00
01164	WATCHUNG SPRING WATER CO, INC.				
	07-0243	02/27/07	FEB 2007 SPRING WATER	OPEN	165.85
01285	THE HOME DEPOT				
	07-0014	01/23/07	BLDGS/GRNDS-BLANKET:MISC SUPP	OPEN	116.97
	07-0208	02/20/07	BLDGS/GRNDS-TABLE,CHAIRS,MICRO	OPEN	270.74

					387.71
01286	INDUSTRIAL MARINE				
	07-0157	02/07/07	REIMB:1/6-2/2/07 GARAGE ELECTR	OPEN	161.74
01320	DEMAIO, R.N., d/b/a				
	07-0152	02/05/07	POLICE DEPT-JANITORIAL SUPP	OPEN	275.00
01400	THE ARNETTE LAW FIRM, LLC				
	07-0257	02/28/07	FEB 2007 LEGAL SERVICES	OPEN	2,337.50

01463	PUMPING SERVICES, INC.			
	06-1105	09/22/06	DPW-REPAIR PUMP AT BEACH ST	OPEN 4,844.25
01570	BUCK, BRIAN			
	07-0231	02/26/07	DPW-TRAVEL REIMB:2/25/07	OPEN 11.52
01580	SEA BRIGHT LAW ENFORCEMENT MAC			
	07-0223	02/26/07	POLICE DEPT-REPLENISH ACCOUNT	OPEN 500.00
01643	THE LINK NEWS			
	06-0682	06/21/06	RECREATION-2 ADS RE:BEACH BASH	OPEN 100.00
01754	EDMUNDS & ASSOCIATES, INC.			
	07-0161	02/08/07	A&E-SET UP 2 NEW PRINTERS	OPEN 472.50
	07-0210	02/20/07	A&E-2007 PERVASIVE MAINT	OPEN 175.00
	07-0211	02/20/07	2007 SOFTWARE MAINTENANCE	OPEN 7,205.00

				7,852.50
01801	MASER CONSULTING, P.A.			
	02-0910	10/01/02	PRJ#27 SIIA GRANT-STORM SEWER	OPEN 5,189.40
01887	HEIM ELECTRONICS, INC.			
	07-0206	02/16/07	LIBRARY:2/1-4/30/07 ALARM MON	OPEN 62.85
01924	CINGULAR WIRELESS			
	07-0244	02/27/07	DPW 1/15-2/14/07 CELL BILL	OPEN 142.90
01925	BORO OF SEA BRIGHT/EE' HEALTH			
	07-0256	02/28/07	REPLENISH HEALTH INS FUND	OPEN 5,000.00
01985	THE MOBILE STORAGE GROUP, INC.			
	07-0245	02/27/07	COURT-2/18-3/18/07 TRAILER	OPEN 233.00
02036	BAHRLE, DAVID			
	07-0232	02/26/07	DPW-REIMB:2/25/07 TRAVEL	OPEN 30.70
02114	TWO RIVERS WATER RECLAMATION			
	07-0228	02/26/07	2007 PYT 1/4-SEWER CUST CHARGE	OPEN 96,621.00
02130	BOTTOM LINE SUPPLIES			
	06-1496	12/21/06	MULTI DEPT-OFFICE SUPPLIES	OPEN 570.88
02177	WALSH, JOAN			
	07-0261	02/28/07	LIBRARY-REIMB:2/27 DVDS	OPEN 145.92
02194	THE COURIER			
	07-0001	01/22/07	MUNI CLERK-BLANKET:ADS	OPEN 28.20
AOL (JAN/FEB 2007 ON-LINE SERVICE)				61.80
BORO OF SEA BRIGHT PAYROLL A/C (2/15/07 PAYROLL)				74,542.64
BORO OF SEA BRIGHT PAYROLL A/C (2/28/07 PAYROLL)				82,739.63
COMMERCE BANK (MCIA DEBT SERVICE INTEREST PYMT)				4,322.50
GOWAN, KERRY (2/7-2/21/07 ANIMAL CONTROL CALLS)				125.00
IMPACT TECHNOLOGY SOLUTIONS (MCIA PROGRAM)				10,614.00
MASER CONSULTING (ESCROW)				650.00
NJSHBP (JAN 2007 HEALTH/RX BENEFITS)				21,195.92
U.S. POSTAL SERVICE (POSTAGE:FEB 2007 NEWSLETTER)				203.20
GRAND TOTAL				<u>533,547.17</u>

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

B. Councilman Keeler made a motion to approve the February 6, 2007 Council Meeting Minutes. Second by Councilman Scriven and adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

C. Councilman Keeler made a motion to approve the February 20, 2007 Council Meeting Minutes. Second by Councilman Scriven and adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

D. Councilman Keeler introduced and approved for adoption the following:

**RESOLUTION NO. 56-2007
BOROUGH OF SEA BRIGHT**

WHEREAS, New Jersey Natural Gas Company has applied to the board of public Utilities for a price adjustment for all applicable service customers; and

WHEREAS, the proposed increases include an approximately 4.55 percent residential increase and a 4.66 percent commercial increase, effective April 1, 2007; and

WHEREAS, said rate increase, if approved, could cause the gas bills of the Borough to increase by approximately \$1,381.03 from \$29,635.78 to \$31,016.81; and

WHEREAS, Sea Bright residents, as taxpayers and ratepayers, are already over burdened with new taxes and high utility costs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright opposes the proposed rate increase due to its inflationary nature and the additional financial strain it will place on Sea Bright residents; and

BE IT FURTHER RESOLVED that certified copies of this resolution be sent to the NJ Board of Public Utilities, State Senator Joseph A. Palaia, Assemblyman Steve Corodemus, Assemblyman Sean T. Kean and the Two River Council of Mayors.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

E. Councilman Keeler made a motion to approve the Raffle Application #4-2007 from Clean Ocean Action to conduct a 50/50 on May 20, 2007 at Ship Ahoy Beach Club. Second by Councilman Scriven and adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

F. Councilman Keeler made a motion to approve the Raffle Application #5-2007 from Clean Ocean Action to conduct a Silent Auction on May 20, 2007 at Ship Ahoy Beach Club. Second by Councilman Scriven and adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

G. Councilman Keeler made a motion to approve the Raffle Application #6-2007 from Clean Ocean Action to conduct a Chance Auction on May 20, 2007 at Ship Ahoy Beach Club. Second by Councilman Scriven and adopted upon the following roll call vote:

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

6. NEW BUSINESS:

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

**RESOLUTION NO. 55-2007
 AUTHORIZE TRANSFER OF FUNDS**

WHEREAS, N.J.S.A. 40A:4-59 permits the transfer of reserve year appropriations during the first three months of the fiscal year; and

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

	FROM	TO
MUNICIPAL CLERK O/E	2,000.00	
TAX COLLECTOR O/E	2,000.00	
LEGAL O/E	2,000.00	
STREET LIGHTS IN BOROUGH		4,000.00
GASOLINE		1,000.00
NATURAL GAS		1,000.00
	\$ 6,000.00	\$ 6,000.00

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 2006 Budget reserve 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 Fernandes and adopted upon the following roll call vote:

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

B. Councilman Scriven made a motion to approve the Request from Garden State Crew-zers for permission to hold their annual "Shore Thing" event on Saturday, September 22, 2007.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

**RESOLUTION NO. 62-2007
 BOROUGH OF SEA BRIGHT**

WHEREAS, the Council Personnel Committee have recommended for the year 2007 that the Sea Bright Personnel Policy Section 3.3 be amended to include a 3.5% salary increase for Permanent Part-Time Employees of the Borough of Sea Bright

NOW, THEREFORE, BE IT RESOLVED that Permanent Part-Time Employees will receive a 3.5% salary increase for the year 2007.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

D. Councilman Kelly introduced and offered the following Resolution for adoption: effective January 1, 2007

**RESOLUTION NO. 58-2007
 2007 SALARY RESOLUTION FOR PERMANENT PART-TIME, SEASONAL AND
 HOURLY EMPLOYEES**

NAME	TITLE/POSITION	2007 SALARY
Andriola, Patricia	Library/Clerk (P/T)	\$ 8.26
Aurilio, Pattilee	Deputy Court Administrator (P/T)	\$ 13.39
Caruso, Tom	Code Enforcement Officer Housing Inspection (P/T)	\$ 7,498.58
Del Re, Nelda	Bookkeeper/Fiscal Officer (P/T)	\$ 23.21
Foley, Thomas F. X.	Municipal Court Judge (P/T)	\$26,007.77
Gatto, Margaret	Court Assist (Hourly) Court Day Per Day	\$ 11.44 \$ 100.00

George, Dan	Beach Administrator	\$16,068.38
Haege, Thomas	Fire Official/Inspector (P/T)	\$ 8,741.20
	Fire Subcode Official (P/T)	\$ 6,427.35
Hopping, Albert	Plumbing Subcode Official (P/T)	\$ 6,427.35
Lane, John T.	Municipal Prosecutor (P/T)	\$13,500.00
Lang, Peter III	Emergency Management Official P/T	\$ 3,726.32
Mack, William	Water Safety Dir/Beach Front Operations Manager	\$19,893.87
Morris, Kathy	Recreation Administrator (P/T)	\$ 6,427.35
Normile, Michael	Maintenance/Janitor (P/T)	\$ 8.71
Ortiz, Rafael	C1 Collection System Operator/ Sewer (P/T)	75.00 1 st 2 hrs \$25.00 p/h thereafter
Praskac, Emma	Library Assistant (P/T)	\$9.29
Rescorl, Maxine	Planning/Zoning Board Secretary (P/T)	\$ 8,034.19
Smith, J.Thomas III	Public Defender (P/T)	\$ 4,546.52
Tangolics, Mary	Zoning Officer/Assistant Code Enforcement Officer (P/T)	\$ 6,427.35
Tangolics, Mary	Planner Retainer	\$1,638.98
	Planner (Hourly) P/T	\$65.00
Walsh, Joan	Library/Cultural Arts Director (P/T)	\$18.21
Wheeler, Edward	Construction Official (P/T)	\$12,993.94
Wheeler, Edward	Electrical Subcode Official (P/T)	\$ 6,427.35
Davis, Matthew	Special II	\$10.72
Drogin, Michael	Special I	\$8.57
Drogin, Michael	Special II	\$10.72
Fonselius, Erik	Special II	\$10.93
Holmstedt, Thomas	Special II	\$10.35
Huegel, Richard	Special II	\$10.35
Lamb, Joseph	Special II	\$10.72
Murphy, Sean	Special II	\$10.72
Willett, Brian	Special II	\$10.35
Yingling, Tammy	CrossingGuard/Alternate	\$8.13
Davis, Matthew	Dispatcher	\$8.57

Dogin, Michael	Dispatcher	\$8.57
Fonselius, Erik	Dispatcher	\$8.75
Holmstedt, Thomas	Dispatcher	\$8.57
Huegel, Richard	Dispatcher	\$8.28
Lamb, Joseph	Dispatcher	\$8.57
Murphy, Sean	Dispatcher	\$8.75
Willett, Brian	Dispatcher	\$8.28

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

**RESOLUTION NO. 59-2007
2007 SALARY RESOLUTION FOR FULL TIME, PART TIME STATUTORY
AND RETAINER EMPLOYEES/PROFESSIONALS**

NAME	TITLE/POSITION	2007 SALARY
Arnette, Scott C, Esq.	Borough Attorney	\$ 3,000.00
Anfuso, Timothy	Tax Assessor (P/T)	\$ 20,348.16
Bahrle, David	Director - DPW	\$ 73,135.27
Bascom, Michael	Chief Financial Officer (P/T)	\$ 22,200.54
Branagan, Suzanne	Administrative Assistant	\$ 32,136.75
Clark, Doug	Superintendent of Borough Maintenance/Recycling Coordinator	\$ 56,485.13
Debevec, Ana	Finance Manager	\$ 44,455.84
DiBerardino, Karen	Boro Admin. Assistant, Const. Dept Secretary & Tech Assistant.	\$ 40,269.35
Hoder, David P.E.	Borough Engineer (Retainer)	\$ 3,000.00
Jacobs, Khristie	Clerk-Dispatcher	\$ 51,840.33
Loray, Robert	Public Works Maintenance Person	\$ 51,447.54
Moore, William	Chief of Police	\$ 99,735.22
Smeltzer, Maryann M.	Boro Clerk/Registrar Official Assessment Searcher	\$ 68,914.35
Spahr, Patricia, M.	Tax Collector Sewer Collector Official Tax Searcher Secretary-Board of Health	\$ 66,148.87

Turner, Terri	Court Administrator	\$ 45,459.93
Yingling, Charles K.	Public Works Maintenance Person	\$ 26,570.47

CERTIFICATION OF FUNDS

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

MICHAEL J. BASCOM, CFO

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 60-2007
AUTHORIZE THE DEFERMENT OF 2007 SCHOOL TAXES
AS PROMULGATED BY THE DIVISION OF LOCAL GOVERNMENT SERVICES**

WHEREAS, the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey desires to increase the 2007 deferred school taxes as promulgated by the Division of Local Government Services.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey to increase the 2007 deferred school taxes as follows:

	<u>FROM</u>	<u>TO</u>	<u>INCREASE</u>
Regional High School Tax	\$525,000.00	\$675,000.00	\$150,000.00

BE IT FURTHER RESOLVED that the Municipal Clerk of the Borough of Sea Bright be directed to file three certified copies of this Resolution with the Division of Local Government Services.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Councilwoman Fernandes said she had a difference of opinion on the way Resolution No. 61-2007 was handled and she would vote no on its adoption.

Councilman Keeler introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 61-2007
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED, by the Governing Body of the Borough of Sea Bright that the rates and charges of the municipal public utility for sewerage for the first, second, third and fourth quarter of 2007 and preliminary rates and charges for the first quarter for 2008 shall be as referenced herein.

BE IT FURTHER RESOLVED, that any previous schedule of charges adopted by the Mayor and Council of the Borough of Sea Bright which are inconsistent herewith are hereby rescinded.

BE IT FURTHER RESOLVED, that the rates and charges for the utilities are as follows:

The first quarter 2007 sewerage rate will be at the rate of \$7.90 for every 1,000 gallons of water consumed by the customer. The second, third and fourth quarter sewerage rate will be at the rate of \$7.90 for every 1,000 gallons of water consumed by the customer and the preliminary rate for the first quarter for 2008 shall be at the rate of \$7.90 for every 1,000 gallons of water consumed by the customer.

The charges shall be due and payable in 2007, 10 days after the due date of the municipal sewer utilities bill. If the bill is not timely paid, the outstanding bill shall be considered a municipal charge and shall be subject to the same rate of interest accruing on delinquent taxes. The second quarter billing in 2007 shall be mailed during June of 2007. The second half 2007 sewerage charges shall be billed in September for the third quarter of 2007 and in December for the fourth quarter of 2007. The first quarter of 2008 shall be billed in March 2008.

Consumption shall be based upon the information provided to the Borough of Sea Bright Municipal Sewer Utility by the New Jersey American Water Company. The customers that are billed by the New Jersey American Water Company on a quarterly basis shall have their sewer charge based upon the quarterly water charges from New Jersey American Water Company. Those customers that are billed on a monthly basis by New Jersey American Water Company shall have their bills based upon their water consumption from December of 2006 through November of 2007. For the first quarter billing in 2007 the bills will be based on the first quarter and monthly bills from the New Jersey American Water Company covering the period mid November 2007 through February 2008.

All customers of the municipal sewer utility shall be billed for at least 8,000 gallons quarterly. This minimum charge shall be \$63.20 for the first, second, third and fourth quarters of 2007 and \$63.20 for the first quarter of 2008.

The consumption charges shall be billed to the metered townhouse or condominium association or corporation for payment.

If any section, subsection, clause or provision of this Schedule of Charges shall be adjudged unconstitutional or to be ineffective in whole or in part, to the extent that it is not adjudged unconstitutional or is not effective, it shall be valid and effective; and no other section, subsection, clause or provision of this Schedule of Charges shall on account thereof be deemed invalid or ineffective and the inapplicability or invalidity of any section, subsection, clause or provision of this Schedule of Rates and Charges in any one or more instances or under any one or more circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instances or under other circumstances.

A copy of same shall at all times be kept on file at the office of the Tax/Sewer Utility Collector at 1167 Ocean Avenue, Sea Bright, New Jersey and shall at all reasonable times be open to public inspection.

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Sea Bright that the utility is hereby authorized to publish a notice of final adoption of said Resolution of Rates and Charges.

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Sea Bright that they hereby authorize the utility to forward a copy of said Resolution of Rates and Charges to the customers of the utility at the utility's discretion.

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

AYES: Bills, Keeler, Kelly, Mayor Kalaka-Adams

NAYS: Fernandes, Long, Scriven

ABSTAIN: None

ABSENT: None

7. CORRESPONDENCE AND COMMUNICATIONS:

- A.** Director of Public Works January 2007 monthly report.
- B.** Annual Tax Collector's Report 2006. Councilwoman Fernandes referred to the Tax Collector's letter attached to the report which said there is a statutory requirement about the Tax Collector having her own office. This request has been brought to the Governing Body's attention in the past.

Councilwoman Fernandes said that the Borough Clerk should decide how to resolve this because the Tax Collector needs an area for when people come into pay her and it is open where she is currently now. When the front office was designed they were to add partitions but the office staff did not want them. Now they say they need an office and Councilwoman Fernandes said that we should step aside and let the Borough Clerk decide because she is in charge of those women anyway. So let her decide and let her resolve this and give the Tax Collector the office that she needs. There is room there when they put up a partition around the Tax Collector's area that would make an office. Or they could move people around and do whatever they have to do.

Councilwoman Fernandes said that we should ask the Borough Clerk to resolve this finally and get back to us. Councilwoman Fernandes asked if anyone had any suggestions.

Councilman Kelly said obviously the Borough Clerk is not here to ask for an opinion on this. And he would not make a decision on this but he will speak to her. Councilwoman Fernandes said that we need to resolve this because it is getting crazy.

C. Letter from NJDEP regarding 2007 Clean Communities funding Allocation.

Mayor Kalaka Adams reported that she had been meeting with Monmouth Beach's Mayor Susan Howard and Commissioner Kim Guadagno. about sharing services. We are going to be sharing a salt bin in Monmouth Beach. We are working on the costs.

Mayor Adam Schneider and she have had discussions about sharing a truck wash. Sea Bright and Monmouth Beach does not have the area to house a truck wash. Monmouth Beach's Administrator has been speaking on behalf of both Monmouth and Sea Bright with Long Branch's Director of Public Works. There might be a possibility of sharing the truck wash after Long Branch has decided where they would have it. Mayor Schneider thought it would benefit everyone. Another cost to Monmouth Beach and Sea Bright would be a very expensive equipment called a Stormwater drain vacuum that the towns would be forced to use. Neither town wants this purchase but Long Branch will take on the expense. Long Branch is considering sharing that equipment.

Mayor Kalaka-Adams said she was speaking with Monmouth Beach Mayor Susan Howard regarding a study about shared services for the police department. It is going to cost about one thousand dollars for the application fee and the two towns would split the costs. Sea Bright and Monmouth Beach mirror each other in size, bordering on the ocean and the river, having a highway running through each town and have an influx of people during the summer. It looks like we will be coming up with good working arrangements for both towns.

8. REMARKS FROM THE AUDIENCE: Jay Pauxtis said he is a trustee for a foundation that he and his wife Susan created call the Timothy Pauxtis Foundation. The foundation was created to raise awareness about pediatric brain tumor cancer and to raise funds to support the research. This organization was created in memory and in honor of their son who died eleven months ago from a pediatric brain tumor.

They plan to schedule a bike ride not a bike race along Ocean Avenue. This bike ride unlike a race would not have timing, no start line, no finish lines and no placement, no awards. The idea of the bike ride is for people to get sponsors and donate the money to this cause. The riders have to follow all applicable New Jersey traffic laws, wear helmets if they are under age, stop at lights and stop signs etc.

In December of 2006, the foundation applied to Sea Bright for permission to use Ocean Avenue, as they would traverse along

Ocean Avenue to and from Sandy Hook. The request was declined and there were two resolutions cited 36-2006 and 147-2005. Those resolutions speak to areas north toward the Sea Bright Rumson bridge going toward Sandy Hook that there should be no bike races, we are not a bike race we are a bike ride.

We worked with the beach clubs along Ocean Avenue, Ship Ahoy, Sands, Surfrider and Sea Bright Beach and they have all agreed to take down the fences and allow us to traverse along their parking lots instead of using Ocean Avenue.

We are asking the Governing Body to approve the event and to allow us to use a sidewalk that is eleven foot wide along the ocean wall between Ship Ahoy and Sandy Hook. The other part would be between Sea Bright Beach Club and Surfrider. We are asking that the Municipal Parking lot which has a chain-linked fence be opened on each end so the bicycles could traverse along a parking lot. We want to work with the spirit of the resolutions and come up with an alternate plan that works for our organization but does not infringe on your township.

Mr. Pauxtis asked that his request be offered for consideration.

Steve Burke said he was there to support the foundation. The Pauxtis' son was very much beloved in their community and he has been embraced by many organizations including some that Mr. Burke is involved with. He has been a consultant to several bicycle events that have in the past used the Sea Bright causeway. He said he understands the spirit under the resolutions that prohibit bicycle races and again this is not a race. It is proposed to be held in October which is the off-season for both tourists and traffic on that particular road. During the treatment plan of Timothy Pauxtis, he was very fortunate to have several local chapters of both the state police and various police organizations because he wanted to become a police officer. They embraced him and became involved in his life. Those organizations have agreed to act as a supervisory role of this event. There would be police escorts that are going to escort the riders as they go through from Asbury Park to Sandy Hook. We would like for you to consider that also.

Attorney Arnette said he did not recall the prior request. He asked Mr. Pauxtis to record in writing their request and send it to the Borough and that would be more of a benefit and than it could be considered. From the legal perspective, it would be a greater benefit than the presentation. We do appreciate you coming here and making this presentation.

Mr. Pauxtis said that when they were originally declined he was advised by Borough Clerk Smeltzer that is no appeal process once we have been declined. She told me to come to the Governing Body so that is why we are here.

Attorney Arnette said he was not criticizing that they were here and what they had to say was probably effective. He said that he needed something in writing and if he could include Mr. Burke's

information regarding that this event would be providing police for this that would also be important.

Councilman Keeler asked if it was to begin from Asbury Park and end at Sandy Hook.

Mr. Pauxtis said that when they were planning the event they considered a circular route so they may come down Ocean Avenue from one direction and go back toward Sandy Hook and loop at Seven Presidents or make another loop in another direction to go back to Sandy Hook. The basic logistics was not to have vehicles down at Asbury Park and people back and forth at the end of the bike ride.

Councilman Keeler offered condolences on behalf of the Governing Body to the Pauxtis family on the loss of their son Timothy.

Mrs. Pauxtis said that her son was ten years and eleven months when he died. She said her son was an avid bike rider and loved Sea Bright and frequented Sea Bright's beach often. This was dear to him the bike ride and the ocean.

9. At 7:34 P.M., Councilman Scriven introduced and offered for adoption the following resolution:

**RESOLUTION NO. 57-2007
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 matters to be discussed involve potential litigation and personnel

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 Kelly and adopted upon a unanimous voice vote.

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

NAYS: None

ABSTAIN: None

ABSENT: None

At 8:15 P.M., the Mayor and Council came back into Regular Session to resume business.

Councilwoman Fernandes respectfully asked that there would not be confusion with the Agenda like this time. She said that she did not think it was fair to anyone that these Ordinances and Resolutions were just plopped on us on the same day. She said that she sits on the Finance Committee and that Councilman Keeler spoke about this today. She said regarding the sewer rate that CFO Bascom had one rate and then they brought the rate down and there is all this back and forth. Everything is always at the last minute and we need to stop this. The purpose of the Addendum to the Agenda is really if there is a mistake correcting Resolution numbers. An Addendum is not a catch all because somebody was late and missed the Agenda deadline.

Councilman Keeler said that part of the problem is that we have a part-time Finance Officer and the earliest he could meet with him was Friday because he was on vacation. He has his own budget to do in Neptune and this was the earliest he could meet with him. Councilman Keeler said he could appreciate what Councilwoman Fernandes said and he did not like to do it that way either.

Councilwoman Long said she did not have any information to support the Ordinance or the resolution.

Mayor Kalaka-Adams said that the original percentage was fifteen percent sewer rate increase. She said they spoke about the higher commercial sewer rate versus the lower residential sewer.

Councilman Keeler said that next year he would meet with CFO Bascom earlier as so not to be late with the Agenda.

10. ADJOURNMENT: There being no further business before the Governing Body. Councilman Keeler made a motion to adjourn the meeting at 8:23 P.M. Second by Councilwoman Long and approved upon unanimous voice vote.

Respectfully Submitted,

Suzanne Branagan
Administrative Assistant