

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

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 ASBURY PARK PRESS ON JANUARY 9, 2009 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:** Keeler, Kelly, Long, Murphy, Mayor Fernandes, Attorney Oxley, Chief Financial Officer Bascom, Borough Engineer Hoder, Administrator/Clerk Smeltzer.

**ABSENT:** Bills, LoBiondo

**4. BOROUGH OF SEA BRIGHT - PROCLAMATION No.5-2008 - Municipal Clerks Week**

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, I, Maria D. Fernandes, Mayor of the Borough of Sea Bright, do recognize the week of May 3, through May 9, 2009 as Municipal Clerks Week and further extend appreciation to our Municipal Clerk, Maryann M. Smeltzer, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

**5. Attorney Oxley read by title only and Councilman Murphy introduced an Ordinance entitled:**

A.

**ORDINANCE NO.8-2009**  
**BOROUGH OF SEA BRIGHT**  
**AN ORDINANCE AMENDING CHAPTER 115 - FLOOD DAMAGE PREVENTION**  
**OF THE REVISED ORDINANCES OF THE BOROUGH OF SEA BRIGHT,**  
**COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.**

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on June 2, 2009.

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

Ayes: Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Bills, LoBiondo

B. Attorney Oxley read by title only and Councilman Murphy introduced an Ordinance entitled:

**ORDINANCE NO.9-2009**  
**BOROUGH OF SEA BRIGHT**  
**AN ORDINANCE AMENDING "LAND USE" OF THE REVISED**  
**ORDINANCES OF THE BOROUGH OF SEA BRIGHT,**  
**COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.**

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on May 19, 2009.

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

Ayes: Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Bills, LoBiondo

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

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

**RESOLUTION NO. 104-2009**  
**PAYMENT OF BILLS 05-05-2009**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$ 1,522,390.47 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.

00099	ADVANCED DIGITAL SYSTEMS		
09-03840	03/24/09 SECURITY SYSTEM FOR DPW GARAGE	Open	1,108.75
01786	ALVA PLASTIC PRINTING		
09-01820	02/11/09 BEACH-(800) 2009 SEASON BADGES	Open	442.00
09-03140	03/06/09 BEACH-(500) ADDT'L SEASON	Open	275.00
			<u>717.00</u>
00344	ANDRIOLA, PATRICIA		
09-04360	04/28/09 LIBRARY-REIMB:TRASH BIN	Open	30.23
00384	AT & T MOBILITY		
09-04351	04/27/09 DPW-APR 2009 CELL BILL	Open	150.24
02036	BAHRLE, DAVID		
09-04297	04/14/09 DPW-TRAVEL REIMB:04/14/09	Open	14.30
02187	BOISE'S BUSINESS INTERIORS		
09-03720	03/20/09 LIBRARY-TOP CAPS FOR BOOKCASES	Open	1,213.33
01565	BOROUGH OF SEA BRIGHT		

09-04308	04/16/09	T/F ADMIN FEE:04/15/09	PAYROLL	Open	60.00
01249		BRANAGAN, SUZANNE			
09-04335	04/21/09	MUNI CLERK-4/16/09	TRAVEL	Open	39.90
00198		COMCAST			
09-04313	04/17/09	POLICE DEPT-INTERNET:APR 2009		Open	95.00
09-04363	04/28/09	LIBRARY-INTERNET:APR 2009		Open	100.19
09-04369	04/29/09	FIRE DEPT-INTERNET:MAY 2009		Open	<u>95.23</u>
					290.42
01988		COMPTON, BARBARA			
09-04283	04/13/09	MUNI CLERK-RETURN ELECTION BKS		Open	30.00
01915		CROHN'S & COLITIS FOUNDATION			
09-04292	04/13/09	A&E - 2009 CONTRIBUTION		Open	250.00
00333		D.G. COMPUTER SOLUTIONS, LLC			
09-03510	03/17/09	A&E-3/17-4/9/09	IT SERVICES	Open	1,440.00
09-03660	03/19/09	POLICE DEPT-4/14/09	IT SERV	Open	521.69
09-03870	03/25/09	P/L BOARD-3/30/09	IT SERVICES	Open	<u>210.00</u>
					2,171.69
01877		DEL RE, NELDA			
09-04298	04/15/09	A&E-REIMB:NOTARY STAMP INK		Open	12.31
01075		DESIGN IDEA GROUP ARCHITECTURE			
08-02910	03/05/08	BEACH-SCHEMATIC DESIGN		Open	8,791.00
00091		DIGIROLAMO, LOUIS			
09-04325	04/17/09	2009 PYMT 05/12	HEALTH REIMB	Open	1,769.93
00662		FEDERAL EXPRESS			
09-04342	04/27/09	POLICE-3/5/09	EXPRESS SERVICE	Open	32.13
00077		FLEET SERVICES			
09-04314	04/17/09	GASOLINE - APR 2009		Open	2,310.41
01260		GASS, ALBAN			
09-02630	02/26/09	LIBRARY-INTERNET/MICROSOFT		Open	560.00
02181		GATEWAY PRESS			
09-03690	03/19/09	MULTI DEPTS:NOTE PADS		Open	80.00
09-04100	04/02/09	BEAUTIFICATION-FUNDRAISING		Open	<u>758.00</u>
					838.00
00305		GORCEY PLUMBING & HEATING, INC			
09-04288	04/13/09	BLDGS/GRNDS-TURN ON WATER		Open	992.00
00217		HODGETTS, WILLIAM			
09-04274	04/13/09	TAX REFUND B1.12/L50		Open	1,525.30
01286		INDUSTRIAL MARINE			
09-03790	03/23/09	REIMB:02/10-03/12	GARAGE WATER	Open	4.92
09-04278	04/13/09	REIMB:03/10-04/03	GARAGE ELECT	Open	<u>310.98</u>
					315.90
01526		JCP & L			
09-04353	04/28/09	MAR 2009 ELECTRIC SERVICE		Open	8,582.28
00297		JESSE A. HOWLAND & SONS, INC.			
09-04316	04/17/09	GARAGE RENT - MAY 2009		Open	1,737.00
09-04317	04/17/09	DPW-ADDT'L GARAGE RENT-MAY'09		Open	<u>875.00</u>
					2,612.00
00270		JOHNSON, KENNETH			
09-04326	04/17/09	2009 PYMT 05/12	HEALTH REIMB	Open	948.13
02071		LAB SAFETY SUPPLY, INC.			
09-04289	04/13/09	BLDGS/GRNDS-TOILET PAPER DISP		Open	152.03
00779		LINE SYSTEMS, INC.			
09-04370	04/29/09	LOCAL/LONG DISTANCE:MAR 2009		Open	1,451.65
00896		LUCISANO, ANTHONY & ROBIN			
09-04300	04/15/09	TAX REFUND B32/L15		Open	888.13
01801		MASER CONSULTING, P.A.			
09-03360	03/11/09	ENGINEERING-RETAINER:MAY 2009		Open	250.00
00531		MIDDLESEX COUNTY FIRE ACADEMY			
09-04070	04/02/09	FIRE DEPT-4/5/09	TRAINING	Open	575.00
01985		MOBILE MINI, INC.			
09-04328	04/17/09	COURT-TRAILER 2009 PYMT 05/13		Open	268.00
09-04352	04/27/09	POLICE-TRAILER 2009 PYMT 05/13		Open	<u>278.00</u>
					546.00
01422		MONMOUTH MUNICIPAL JOINT			
09-04320	04/17/09	2009 INSURANCE-SECOND INSTALL		Open	88,740.49
00340		MORRIS, KATHLEEN			
09-04346	04/27/09	REC-2009 F/FAIR CHANGE FUND		Open	1,000.00
00019		NJ AMERICAN WATER			
09-04368	04/29/09	MAR 2009 WATER UTILITY		Open	260.97
00885		OCEAN TWP FIRE DISTRICT NO. 2			
09-04319	04/17/09	INSPEC/FIRE-VEHICLE-2/Q/2009		Open	225.00
01662		ORIENTAL TRADING COMPANY			
09-03890	03/25/09	REC-PRIZES:EASTER EGG HUNT		Open	106.33
00693		PHILIPS MEDICAL SYSTEMS			
08-02740	02/28/08	POLICE DEPT-HEART START PADS		Open	340.00
08-14990	12/02/08	POLICE DEPT-HEART START BATT		Open	687.00
09-00070	01/20/09	POLICE DEPT-HEART START PADS		Open	<u>476.00</u>
					1,503.00
01500		PILLARI BROS CONSTRUCTION CORP			
08-12320	09/24/08	DIIP STORMWATER PUMP STATIONS		Open	157,354.24

00164	RAIN, WILLIAM		
09-04327	04/17/09 2009 PYMT 05/12 HEALTH REIMB	Open	713.67
00788	SCARINCI & HOLLENBECK, LLC		
09-04318	04/17/09 LEGAL-MAY 2009 RETAINER	Open	1,666.67
09-04364	04/28/09 LEGAL SERVICES-MAR 2009	Open	<u>5,912.85</u>
			7,579.52
00119	SEA BRIGHT BOARD OF EDUCATION		
09-04020	04/01/09 GRADE SCHOOL TAX - MAY 2009	Open	74,912.67
00027	SEABOARD WELDING SUPPLY, INC.		
09-00910	01/21/09 DPW - 2009 CYLINDER RENTAL	Open	12.70
00410	SEYR, STEPHANIE		
09-04311	04/17/09 COURT-04/16/09 COVERAGE	Open	45.00
00053	SHORE REGIONAL HIGH SCHOOL		
09-04315	04/17/09 HIGH SCHOOL TAX - MAY 2009	Open	182,200.00
00975	SMACK, EDWARD		
09-04324	04/17/09 2009 PYMT 05/12 HEALTH REIMB	Open	713.67
02062	SUPERIOR SIDING/ROOFING, INC.		
09-04286	04/13/09 BLDGS/GRNDS-SOFFIT & FASCIA	Open	266.11
01285	THE HOME DEPOT		
09-02650	02/27/09 BLDGS/GRNDS-BLANKET:MISC SUPP	Open	104.85
00223	TREASURER, COUNTY OF MONMOUTH		
09-04321	04/17/09 2/Q/2009 COUNTY TAXES	Open	491,035.03
00439	TREASURER, COUNTY OF MONMOUTH		
09-04322	04/17/09 2/Q/2009 LIBRARY TAXES	Open	29,549.00
00523	TREASURER, COUNTY OF MONMOUTH		
09-04323	04/17/09 2/Q/2009 OPEN SPACE TAXES	Open	32,743.66
01692	TROPICANA CASINO & RESORT		
09-04040	04/01/09 TAX COLL-2009 SPRING CONFER	Open	162.00
02198	URMEY, DONNA		
09-04299	04/15/09 TAX REFUND B7.01/L11	Open	523.74
02061	VERIZON WIRELESS		
09-04350	04/27/09 POLICE-APR 2009 CELL PHONES	Open	492.30
00418	VON ZIEGESAR, ELIZABETH		
09-04362	04/28/09 LIBRARY-REIMB:THROW RUG	Open	159.00
02177	WALSH, JOAN		
09-04361	04/28/09 LIBRARY-REIMB:VARIOUS ITEMS	Open	453.39
01164	WATCHUNG SPRING WATER CO, INC.		
09-04334	04/20/09 APR 2009 SPRING WATER	Open	201.88
AOL			26.84
BORO OF SEA BRIGHT PAYROLL A/C (4/15/09 P/R)			80,600.81
BORO OF SEA BRIGHT PAYROLL A/C (4/30/09 P/R)			80,679.31
FINKLESTEIN, MARK (ESCROW)			841.07
GRECO, GREGORY (ESCROW)			800.13
MASER CONSULTING (ESCROW)			2,555.00
STATE OF NJ DIV PENSIONS (PERS CONTRIBUTION)			67,687.00
STATE OF NJ DIV PENSIONS (PFRS CONTRIBUTION)			178,711.00
U.S. POSTAL SERVICE (BEAUTIFICATION MAILING)			<u>203.03</u>
GRAND TOTAL			1,522,390.47

Second by Councilman Murphy and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly, Long, Murphy  
Nays: None  
Abstain: None  
Absent: Bills, LoBiondo

**B.** Councilwoman Long made a motion approving the Budget Meeting Workshop Minutes of March 3, 2009. Second by Councilman Murphy and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly, Long, Murphy  
Nays: None  
Abstain: None  
Absent: Bills, LoBiondo

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

**BOROUGH OF SEA BRIGHT  
RESOLUTION NO. 105-2009**



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

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**MICHAEL J. BASCOM, CFO**

Second by Councilman Murphy and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly, Long, Murphy  
Nays: None  
Abstain: None  
Absent: Bills, LoBiondo

**F. Resolution No. 108-2009** Hiring of Deputy Court Administrator (Part - Time) was not moved.

**G.** Councilwoman Long made a motion approving the Closed Executive Meeting Minutes - March 3, 2009. Second by Councilman Murphy and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly, Long, Murphy  
Nays: None  
Abstain: None  
Absent: Bills, LoBiondo

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

**RESOLUTION NO. 109-2009  
CHANGE FUND FOR RECREATION COMMITTEE  
SPECIAL EVENT - FIREMENS' FAIR  
BOROUGH OF SEA BRIGHT**

**WHEREAS**, the Recreation Director has requested that a special **change fund** be authorized for the 2009 Firemen's' Fair event which will be maintained in the Borough of Sea Bright; and

**WHEREAS**, the Chief Financial Officer has agreed to this request for a \$1,000 change fund for the Recreation Committee for the Firemen's Fair event scheduled for May 14, 15, 16 and 17, 2009; and

**WHEREAS**, this special change fund shall be cancelled no later than May 30, 2009.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Sea Bright authorizes the Recreation Committee to maintain change fund of \$1,000.00 to be cancelled no later than May 30, 2009.

Second by Councilman Murphy and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly, Long, Murphy  
Nays: None  
Abstain: None  
Absent: Bills, LoBiondo

**I.** Councilwoman Long N.J. State Firemen's Association Membership Application - Andrew Murphy.  
Second by Councilman Kelly and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly, Long, Mayor Fernandes  
Nays: None  
Abstain: Murphy  
Absent: Bills, LoBiondo

**7. OLD BUSINESS:**

**A. DISCUSSION** - Federal Stimulus Funding and Local Projects - Engineer Hoder said that he add \$800,000 for DPW garage and \$100,000 for solar panels on the garage. Seawall ADA accessible walkways for over the seawall.

**B. DISCUSSION** - Update on Nuisance/Noise Ordinance Councilwoman Long made a motion to open this meeting to the public. Second by Councilman Keeler and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, Long, Mayor Fernandes

Nays: None

Abstain: Murphy

Absent: Bills, LoBiondo

Kathy Precopio of East New Street said that her quality of life will improve by an amended noise ordinance.

Dave DeSio of 822 Ocean Avenue said that measuring the noise might prove to be challenging to law enforcement and the police will have to calculate as to what is regular street noise and restaurant noise.

Siobhan Enmer of Beach Street demonstrated the operations of a noise meter.

Dave Straub of 5 Imbrie said that he resides about 100 feet from the bar and can hear loud music.

Scott Arnette said that it might be required for someone to use this noise device at all times.

David Stout said that background noise may hamper the meter reading.

Missy Vittagliano of Tradewinds said that Merri-Makers has a tent outside and it is very noisy at night.

Captain Spahr said that property owners are responsible for noise inside their building.

Mr. Vittagliano said that people are hanging out in the parking lot creating a nuisance.

Kathy Cherry of 1144 Ocean Avenue said that the most offensive noise coming from the Madhatter is the people leaving the bar at closing.

Scott Arnette said that the outdoor music is supposed to stop at 10:00 p.m.

Marie Assero of 3 New Street said the police should be able to make a decision on their own without a noise meter.

Janet Henschel said that the Municipal parking lot lights shine directly into her home.

Andrew Mencinsky of 754 Ocean Avenue said that there needs to be a balance between the business community and the residents when it comes to quality of life.

Councilwoman Long made a motion that Sea Bright adopt the State's Model noise control ordinance and that a change in the ordinance under Restrictive Uses and Activities page 10 Section B, No. 6 would read personal or commercial music amplification or reproduction equipment, vehicular or stationary, shall not be operated in such a manner and to adopt 80 decibels for Impulsive Sound at all times. Second by Councilman Kelly and adopted upon the following roll call vote:

Ayes: Keeler, Kelly, Long, Mayor Fernandes

Nays: None

Abstain: Murphy

Absent: Bills, LoBiondo

**8. NEW BUSINESS:**

**A. DISCUSSION** - River Dredging Project - Councilman Murphy said that his committee met with the DOT, DEP and the Army Corp of Engineers and \$2,000

fee is not required but we need a decision as to where the pipes should be located.

**B.** Councilman Murphy made a motion to approve the request from Rutgers Institute of Marine and Coastal Sciences for the placement of Oceanographic Equipment on the public beach. This is to include the replacement and repair for the electrical wiring on the boardwalk, installation of hardwire, direct wire and meter with no cost to the Borough.

Second by Councilman Kelly and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly, Long, Mayor Fernandes

Nays: None

Abstain: Murphy

Absent: Bills, LoBiondo

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

**RESOLUTION NO. 110-2009  
BOROUGH OF SEA BRIGHT**

WHEREAS, Resolution No. 78-2009 placed a moratorium on deduct meters effective March 17, 2009; and

WHEREAS, the Governing Body of the Borough of Sea Bright wish to amend that portion of Resolution No. 78-2009 as it pertains to the moratorium on deduct meters;

NOW, THEREFORE, BE IT RESOLVED that effective immediately the moratorium on deduct meters is hereby lifted.

BE IT FURTHER RESOLVED, that copy of this Resolution be forwarded to the Tax/Sewer Collector.

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

Ayes: Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Bills, Lo Biondo

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

**RESOLUTION NO. 111-2009  
BOROUGH OF SEA BRIGHT**

WHEREAS, the Borough of Sea Bright has a need for Traffic Engineering Services for Reserved Parking at the Municipal Parking Lot for Police and Library personnel

WHEREAS, JOHN H. REA, P.E. of MCDONOUGH & REA ASSOCIATES, INC., has submitted a proposal dated: April 23, 2009 for Traffic Engineering Services for Reserved Parking at the Municipal Parking Lot for Police and Library personnel not to exceed the sum of \$1,000.00

**CERTIFICATION OF FUNDS**

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available in A & E other professional services for the purpose stated herein.

\_\_\_\_\_  
MICHAEL J. BASCOM, CFO

**NOW THEREFORE, BE IT RESOLVED** that the Council of the Borough of Sea Bright authorizes the Mayor to sign the proposal of **JOHN H. REA, P.E. of MCDONOUGH & REA ASSOCIATES, INC.**, as described herein; and,

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

Ayes: Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Bills, Lobiondo

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

**RESOLUTION NO. 112-2009  
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of Professional Engineering Services for a Zoning Map Revision in accordance with the engineering proposal prepared by David J. Hoder, P.E. of Maser Consulting dated April 20, 2009; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize David J. Hoder, P.E. of Maser Consulting to provide the services as outlined in the proposal/letter dated April 20, 2009 in an amount not to exceed \$1,100.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that David J. Hoder, P.E. of Maser Consulting is hereby authorized to perform the above services as stated herein.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the proposal with Maser Consulting.

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

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MICHAEL J. BASCOM, C.F.O.

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

Ayes: Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Bills, LoBiondo

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

**RESOLUTION NO. 114-2009  
SUPPORTING THE BOROUGH OF SEA BRIGHT'S  
APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT),  
TRANSPORTATION ENHANCEMENT PROGRAM,  
FOR A DOWNTOWN STREETSCAPING PROJECT.**

WHEREAS, the New Jersey Department of Transportation, Transportation Enhancement Program, is offering funds for projects with a direct relationship to surface transportation, that enhance quality-of-life, and connect community activity centers; and,

WHEREAS, the Town's Streetscaping program between Rumson Road on the North and Osborne Avenue on the South. The project will consist of concrete pavers, street furniture, trash cans, decorative lighting, and landscaping. In addition the Borough will also provide the same

decorative enhancements at six street ends to create pocket parks on Peninsula Avenue, River Street, South Street, Beach Street, Center Street, and Osborne Place. The pocket parks will continue the improvements to the Shrewsbury River which will then enhance the residential portions of the downtown behind the commercial areas.; and,

WHEREAS, the Town commits to ownership maintenance of the streetscape and pocket parks are completed; and,

WHEREAS, the Town's streetscape and pocket parks, will be widely utilized by residents from the region at large; and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Sea Bright hereby support and endorse the submittal of the application for NJDOT's Transportation Enhancement Program funds for the construction the Walkway/Bikeway.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be attached to the NJDOT's Transportation Enhancement Program Application.

Second by Councilwoman Long and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly, Long, Murphy  
Nays: None  
Abstain: None  
Absent: Bills, LoBiondo

G. Councilman Murphy introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 113-2009  
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of Professional Engineering Services for the preparation of the application to the NJDOT for Transportation Enhancement Economic Recovery Program for Downtown Streetscaping to include street end pocket parks in accordance with the engineering proposal prepared by David J. Hoder, P.E. of Maser Consulting dated April 20, 2009; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright hereby authorize David J. Hoder, P.E. of Maser Consulting to provide the services as outlined in the proposal/letter dated April 20, 2009 in an amount not to exceed \$900.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that David J. Hoder, P.E. of Maser Consulting is hereby authorized to perform the above services as stated herein.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the proposal with Maser Consulting.

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

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MICHAEL J. BASCOM, C.F.O.

Second by Councilman Kelly and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly, Long, Murphy  
Nays: None  
Abstain: None  
Absent: Bills, LoBiondo

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

**RESOLUTION NO. 115-2009  
BOROUGH OF SEA BRIGHT**

**WHEREAS**, the governing body of the Borough of Oceanport and the Borough of Sea Bright have agreed to apply for SHARE (Sharing Available Resources Efficiently) assistance through the State of New Jersey Local SHARE program in the amount of \$20,000.00: and

**WHEREAS**, the Borough of Oceanport has agreed to be the lead agency in this endeavor; and

**WHEREAS**, the State of New Jersey has made SHARE assistance available to assist local units study, develop and implement new shared and regional services; and

**WHEREAS**, the purpose of this grant is to promote shared services between our local units through the sharing of describe services, that would be beneficial to both local units; and

**WHEREAS**, the Borough of Sea Bright agrees to execute a Shared Services Agreement with the Borough of Oceanport in order to implement the described services.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Bright, that the Borough of Sea Bright does hereby join with the Borough of Oceanport in applying for a grant for the purpose of implementing a Shared Municipal Court Service.

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

Ayes: Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Bills, LoBiondo

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

**RESOLUTION NO. 116-2009  
BOROUGH OF SEA BRIGHT  
AMENDING RESOLUTION NO. 175-2009  
SUPPLEMENTAL AGREEMENT CHANGE ORDER NO. 1  
DOWNTOWN STORMWATER IMPROVEMENT PROJECT  
STREET END STORMWATER PUMP STATIONS**

**WHEREAS**, a change order is required to the original project cost. The description for this change order shall be pursuant to the supplemental Agreement No. 1 dated April 27, 2009 prepared by Robert Mainberger, P.A. of Hatch, Mott, MacDonald and signed by a principal of Pillar Bros. Construction Corp **decreasing** the original contract amount from \$695,000.00 to \$691,180.00.

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

**Pillari Bros. Construction Corp.  
65 Squankum Yellowbrook Road  
Farmingdale, NJ 07727**

be amended and a change order be allowed for a **decrease** in the amount of **\$3,820.00**. The adjusted contract amount is \$691,180.00.

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

Ayes: Keeler, Kelly, Long, Murphy

Nays: None

Abstain: None

Absent: Bills, LoBiondo

**J. DISCUSSION** - Police Standard Operating Procedures - Councilman Keeler was carried to May 19, 2009.

**8. CORRESPONDENCE AND COMMUNICATIONS:**

**A. Planning Board Minutes**

- June 24, 2008
- July 8, 2008
- July 22, 2008
- September 9, 2008
- October 14, 2008
- November 11, 2008
- January 13, 2009 - Reorganization Meeting
- January 13, 2009
- January 27, 2009
- March 10, 2009

**B. Construction Department March Report**

**9. MAYOR FERNANDES - REPORT AND COMMUNICATIONS.** Mayor Fernandes said that the Firemen's Fair begins May 14 to May 17.

**10. REMARKS FROM THE AUDIENCE:** Andrew Mencinsky of 740 Ocean Avenue said he was skeptical about putting river sand on the beach.

Councilman Keeler made a motion to extend the meeting past 9:30 p.m. Second by Councilman Murphy and approved upon unanimous voice vote.

Ruth Fialka said that river dredging appeared to be a good idea..

Janet Henschel of East Church asked the Council to address the problem of the Municipal lights glaring into her home. Engineer Hoder said that he would contact JCPL regarding her problem.

**11.** Councilman Murphy introduced and offered for adoption the following resolution at 9:30 P.M.:

**RESOLUTION NO. 117-2009  
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 attorney - client privilege for discussion of vendor's contract, lease negotiations and possible shared services and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Sea Bright, New Jersey, that they meet in closed session to discuss the issue as herein set forth and when the need for

confidentiality no longer exists the decisions made therein will be made available to the public.

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

Second by Councilwoman Long and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly Long, Murphy  
Nays: None  
Abstain: None  
Absent: Bills, LoBiondo

Council returned to regular session at 10:23 p.m.  
Councilwoman Long offered a motion authorizing Borough Attorney to do a First Aid land lease title search. Second by Councilman Murphy and adopted upon the following roll call vote:  
Ayes: Keeler, Kelly Long, Murphy  
Nays: None  
Abstain: None  
Absent: Bills, LoBiondo

**12. ADJOURNMENT:** There being no further business before the Governing Body. Councilman Murphy made a motion to adjourn the meeting at 10:25 P.M. Second by Councilwoman Long and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer  
Municipal Clerk