

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: Bills, Keeler, LoBiondo, Long, Murphy, Mayor Fernandes, Attorney McNamara, Chief Financial Officer Bascom, Administrative Assistant Branagan.

ABSENT: Kelly, Attorney Oxley, Borough Engineer Hoder

4. MAYOR'S PROCLAMATION No. 8-2009 - Declaring June 2009 as Myasthenia Gravis Month

Whereas, Myasthenia Gravis is a neuro-muscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans; and

Whereas, the symptoms of this disorder include, but are not limited to, difficulty moving, breathing, swallowing, speaking and seeing; and

Whereas, the Myasthenia Gravis foundation of America, Inc. Is a non-profit organization founded, "to facilitate the timely diagnosis and optimal care of individuals affected by Myasthenia Gravis and closely related disorders, and to improve their lives through programs of patient services, public information, medical research, professional education, advocacy, and patient care"; and

Whereas, Myasthenia Gravis is one of the major neuro-muscular disorders affecting residents of New Jersey; and
Whereas, it is fitting to recognize the many physicians who demonstrate an untiring effort to treat this disease and search for a cure;

Now therefore, I, Maria D. Fernandes, Mayor of the Borough of Sea Bright, do hereby proclaim the month of June 2009 as: "Myasthenia Gravis Awareness Month".

5. Mayor Fernandes called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of May 5, 2009.

A. Councilman Murphy moved to approve this Ordinance upon Second Reading.

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.

BE IT ORDAINED by the Mayor and the Borough Council of the Borough of Sea Bright, County of Monmouth, and State of New Jersey, that Chapter 130 of the Sea Bright Code is amended to include the following:

The following new language should be added:

Article VII (130-47) Area Bulk and Use Requirements; Section 130-47 Flood Damage Prevention; subsection E - Definitions:

"Critical Facilities. Critical facilities are designated in the National Flood Insurance Program - Community Rating System Manual, Section 130 or amendments thereto. Critical facilities shall include, but not limited to, structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic and/or water-reactive materials; hospitals, nursing homes, and housing likely to contain occupants who may not be sufficiently mobile to avoid death or injury during a flood; police stations, fire stations, vehicle and equipment storage facilities, and emergency operations centers that are needed for flood response activities before, during and after a flood; and public and private utility facilities that are vital to maintaining or restoring normal services to flooded areas before, during and after a flood."

The following new language should be added:

Article VII (130-47) Area Bulk and Use Requirements; Section 130-47 Flood Damage Prevention; subsection H - Provisions for Flood Hazard Reduction:

"New Critical Facilities, as defined in the National Flood Insurance program - Community Rating System Manual, Section 130 shall not be constructed within the 500 year flood plain; and any presently existing critical facilities which may here after be substantially improved shall be protected to the 500 year flood level."

The existing language for 130-47.2 Specific Standards; subsection (a) and (b) should be removed and replaced with the following new language:

ARTICLE VII (130-47) Area, Bulk and Use Requirements; Section 130-47 Flood Damage Prevention; Paragraph (2) Specific Standards; subsections 2(a) and (b):

(2) Specific Standards. In all areas of special flood hazard, where base flood elevation data has been provided as set forth in Subsection F(2), Basis for establishing areas of special flood hazard or Subsection G(3)(b), use of other base flood data, the following provisions are required:

- (a) New construction or substantial improvement of any residential or nonresidential structure in the "A" and "V" Zones as established in the Borough's prevailing NFIP Flood Map shall have the lowest horizontal structural member including basement, together with attendant utility and sanitary facilities, built to a

(b) minimum of two feet (2') above the base flood elevation (BFE). In the "AO" Zones as established in the Borough's prevailing NFIP Flood Map, new construction or substantial improvement of any residential or nonresidential structure shall have the lowest horizontal structural member, including basement, together with attendant utility and sanitary facilities, built to two feet (2') above the base flood depth. The BFE and the base flood depth shall be as identified in the current Flood Insurance Rate Map (FIRM) as prepared for or by the Federal Emergency Management Agency (FEMA). A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Subsection **G(3)(c)[2]** and **G(1)(c)**.

**Revisions under various sections of the Borough Code:
Chapter 130 Land Use; Article VII-Area Bulk and Use
Requirements; Section 130-50-Lot and Building Requirements
and Article IX-Design Standards; Section 130-59 Design
Standards for Specific Uses should be made as follows:**

When a structure is built or raised to a minimum of two (2') feet above the base flood elevation then the height limit of the structure shall be revised to 38 feet from the crown of the road.

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

AYES: Bills, Keeler, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

AYES: Bills, Keeler, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Kelly,

Councilman Murphy made a motion to approve Ordinance No. 9-2009 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Bills and approved upon the following vote:

AYES: Bills, Keeler, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Mayor Fernandes called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of May 19, 2009.

B. Councilman Murphy moved to approve this Ordinance upon Second Reading.

ORDINANCE NO.12-2009
AN ORDINANCE AMENDING CHAPTER 201 VEHICLES AND TRAFFIC
SECTION 201.22 RESERVED PARKING FOR
EMERGENCY PERSONNEL AND EMPLOYEES

BE IT ORDANINED by the Mayor and Council of the Borough of Sea Bright pursuant to N.J.S.A. 39:4-197 paragraph g regulating the parking of vehicles upon land owned or leased and maintained by the municipality the following regulations shall be established for reserved parking for emergency personnel and employees in the Borough of Sea Bright:

Remove section 201.22 entirely and replace with the following:
201.22 Reserved parking for emergency personnel and Borough Employees.

Main Municipal Lot (Block 23, Lot 1)

Eight (8) Reserved Parking Spaces for "Authorized Vehicles" "Tow Away Zone"

As marked on Lot "E" on Road "D" on Municipal Parking Lot Site Plan dated 8/11/98 prepared by C. Bernard Blum, Jr., P.E., T & M Associates.

Ten (10) Reserved Parking Spaces for "Fire and First Aid Members" "Tow Away Zone" As marked on Lot "C" on Road "B" on Municipal Parking Lot Site Plan dated 8/11/98 prepared by C. Bernard Blum, Jr., P.E., T & M Associates.

Two (2) Reserved Parking Spaces for "Library Staff" Mon. - Sat. 9 am to 8 pm "Tow Away Zone" As marked on Lot "Q" on Road "A" on Municipal Parking Lot Site Plan dated 8/11/98 prepared by C. Bernard Blum, Jr., P.E., T & M Associates.

One (1) Reserved Parking Space for "Library Business - 10 Minute Parking" Mon - Sat 9 am to 8 pm "Tow Away Zone" As marked on Lot "N" on "Road "F" on Municipal Parking Lot Site Plan dated 8/11/98 prepared by C. Bernard Blum, Jr., P.E., T & M Associates.

Municipal Parking Lot - Wayne Street Parking Lot

Four (4) Reserved Parking Spaces for "Court Staff" Mon-Fri 8:00 am to 5:00 pm "Tow Away Zone" As marked on Section "C" on Road "A" on Municipal Parking Lot Site Plan-Wayne Street Parking Lot dated 8/11/98 prepared by C. Bernard Blum, Jr., P.E., T & M Associates.

Four (4) Reserved Parking Spaces for "Borough Staff" Mon-Fri 8:00 am to 5:00 pm "Tow Away Zone" As marked on Section "A" on Road "A" on Municipal Parking Lot Site Plan-Wayne Street Parking Lot dated 8/11/98 prepared by C. Bernard Blum, Jr., P.E., T & M Associates.

Two (2) Reserved Parking Spaces for "Borough Business - 10 Minute Parking" Mon-Friday 8:00 a.m. to 5:00 p.m. "Tow Away Zone" As marked on Section "A" on Road "A" on Municipal Parking

Lot Site Plan-Wayne Street Parking Lot dated 8/11/98 prepared by C. Bernard Blum, Jr., P.E., T & M Associates.

Tow Away Zone: Any vehicle parked or standing in reserved parking spaces may be removed at the owners expense.

Severability and Repealer

(A) If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

(B) All ordinances or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

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

AYES: Bills, Keeler, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Kelly

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

AYES: Bills, Keeler, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilman Murphy made a motion to approve Ordinance No. 12-2009 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Long and approved upon the following vote:

AYES: Bills, Keeler, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Mayor Fernandes called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of May 19, 2009.

C. Councilwoman Long moved to approve this Ordinance upon Second Reading.

ORDINANCE NO. 13-2009
BOROUGH OF SEA BRIGHT
ORDINANCE AUTHORIZING LEASE
OF BOROUGH OWNED PROPERTY KNOWN AS
LOT 1, BLOCK 23 TO SEA BRIGHT FIRST AID INC.,
FOR FIRST AID PURPOSES

WHEREAS, the Borough of Sea Bright owns certain property which is presently vacant, known as Lot 1, Block 23 on the tax maps of the Borough of Sea Bright; and

WHEREAS, the Borough is desirous of leasing said vacant property to Sea Bright First Aid Inc., a non-profit corporation whose purpose is to provide First Aid services to the residents of Sea Bright; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14 and 15, the Borough must adopt an ordinance to effectuate the lease of Borough owned property; and

WHEREAS, the Borough does not need a portion of the vacant property identified herein for a public use; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14(c), the public purpose for which the vacant property is being leased is for the provision of first aid services; and

WHEREAS, the consideration for this lease shall be the nominal sum of \$1.00 for the term of the lease; and

WHEREAS, the persons who will benefit directly from the public purpose are approximately 1818 residents of the Borough of Sea Bright as of the 2000 decennial U.S. Census;

WHEREAS, the person responsible for enforcing the conditions of the Lease shall be the Municipal Clerk; and

WHEREAS, the Sea Bright First Aid Inc., shall be required to annually submit a report to the Municipal Clerk, setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and Federal law.

WHEREAS, the term of the lease with Sea Bright First Aid Inc. shall be 30 years with a renewal option for 20 years.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Sea Bright as follows:

- 1) The Borough Attorney is here by authorized and directed to prepare an appropriate lease for a portion of the vacant lot known as Lot 1, Block 23 with Sea Bright First Aid Inc. for the use thereof, incorporating the above terms in addition to any other legal terms deemed appropriate under the circumstances.
- 2) All Borough officials including, but not limited to the Mayor and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this Ordinance.

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 Murphy and approved by the following vote:

AYES: Bills, Keeler, LoBiondo, Long, Murphy

NAYS: Keeler

ABSTAIN: None

ABSENT: Kelly

There being no members of the Public who wished to be heard a motion to close the Public Hearing was made by Councilman

Murphy. Second by Councilwoman Long and approved by the following voice vote:

AYES: Bills, Keeler, LoBiondo, Long, Murphy

NAYS: None

ABSTAIN: None

ABSENT: Kelly

Councilwoman Long made a motion to approve Ordinance No. 13-2009 on its Third and Final Reading and advertise it according to law. Second by Councilman Murphy and approved upon the following vote:

AYES: Bills, LoBiondo, Long, Murphy

NAYS: Keeler

ABSTAIN: None

ABSENT: Kelly

D. Mayor Fernandes read by title only and Councilman Murphy introduced an Ordinance entitled:

ORDINANCE NO. 14-2009
AN ORDINANCE AUTHORIZING THE EXTENSION
OF A LEASE OF BOROUGH OWNED PROPERTY
TO SEA BRIGHT HOOK AND LADDER COMPANY INC.,
AND OCEAN FIRE COMPANY
FOR FIRE PROTECTION PURPOSES

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on June 16, 2009. Second by Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

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

Item F was removed from the Consent Agenda.

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

RESOLUTION NO. 128-2009
PAYMENT OF BILLS 6/2/2009

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$340,336.72 are to be paid; and

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

Sea Bright, New Jersey
Council Meeting Minutes
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00757	ARIAS, JOHN		
09-04444	05/15/09 POLICE-TRAVEL REIMB:4/22-4/27	Open	132.00
00384	AT & T MOBILITY		
09-04496	05/26/09 DPW-MAY 2009 CELL BILL	Open	171.06
01405	BOMARK INSTRUMENTS, INC.		
09-04425	05/11/09 POLICE DEPT-NOISE INSTRUMENTS	Open	1,362.50
01974	BOROUGH OF SEA BRIGHT COURT		
09-04434	05/14/09 COURT-04/09 CREDIT CARD REIMB	Open	66.45
01546	C.I.T. c/o SHORE BUSINESS		
09-01950	02/12/09 POLICE DEPT-2009 FAX LEASE	Open	62.15
00198	COMCAST		
09-04488	05/21/09 LIBRARY-INTERNET:MAY 2009	Open	100.19
01536	COMMISSION ON ACCREDITATION		
09-04356	04/28/09 POLICE DEPT-SOFTWARE UPDATES	Open	85.00
00333	D.G. COMPUTER SOLUTIONS, LLC		
09-04343	04/27/09 POLICE DEPT-BLANKET:IT SERV	Open	219.80
09-04461	05/18/09 DPW-BLANKET:IT SERV	Open	145.00

			364.80
01320	DEMAIO, R.N.		
09-04430	05/12/09 BLDGS/GRNDS-TOILET TISSUE	Open	99.26
01593	DEROSA, ISABEL		
09-04464	05/18/09 COURT - 05/14/09 INTERPRETER	Open	100.00
00091	DIGIROLAMO, LOUIS		
09-04456	05/15/09 2009 PYMT 06/12 HEALTH REIMB	Open	1,769.93
00615	DMR LAWNS & LANDSCAPES, INC.		
09-04306	04/16/09 BLDGS/GRNDS-2009 WEED CONTROL	Open	1,000.00
02008	E.J. SCHUSTER'S OFFICE SUPPLY		
09-04421	05/11/09 A&E-OFFICE SUPPLIES	Open	317.05
00151	FIREHOUSE SPECIALITY SHOP, INC		
09-04301	04/15/09 REC-SWEATSHIRTS:FIREMEN'S FAIR	Open	591.00
09-04416	05/08/09 PUBLIC REL-HOODIES/SHIRTS:FAIR	Open	946.00

			1,537.00
00077	FLEET SERVICES		
09-04487	05/21/09 GASOLINE - MAY 2009	Open	1,983.17
01297	HATCH, MOTT & MACDONALD, LLC		
09-04445	05/15/09 MISC ENGINEERING	Open	1,387.60
00225	HOWELL, JERRY		
09-04443	05/15/09 LIBRARY-INSTALL SIDE PANELS	Open	125.00
01286	INDUSTRIAL MARINE		
09-04449	05/15/09 REIMB:04/04-05/06 GARAGE ELECT	Open	255.97
00297	JESSE A. HOWLAND & SONS, INC.		
09-04453	05/15/09 GARAGE RENT - JUN 2009	Open	1,737.00
09-04454	05/15/09 DPW-ADDT'L GARAGE RENT-JUN'09	Open	875.00

			2,612.00
00270	JOHNSON, KENNETH		
09-04457	05/15/09 2009 PYMT 06/12 HEALTH REIMB	Open	948.13
00489	LAMB, JOSEPH		
09-04422	05/11/09 POLICE-04/29/09 ATTEND COURT	Open	21.44
00275	M & S WASTE SERVICES, INC.		
09-04396	05/04/09 04/24/09 EXTRA RECYCLING P-UP	Open	45.00
01801	MASER CONSULTING, P.A.		
09-04380	05/01/09 ENGINEERING-RETAINER:JUN 2009	Open	250.00
00106	MGL FORMS-SYSTEMS, LLC		
09-04400	05/05/09 FINANCE-1000 PURCHASE ORDERS	Open	467.00
01417	MID-ATLANTIC LEEDS		
09-04337	04/22/09 POLICE DEPT-SEMINAR:6/7-6/12	Open	550.00
01985	MOBILE MINI, INC.		
09-04498	05/26/09 POLICE-TRAILER 2009 PYMT 06/13	Open	278.00
00471	MONMOUTH GLASS CO., INC.		
09-04485	05/21/09 LIBRARY-GLASS FOR WRITING DESK	Open	165.00
00340	MORRIS, KATHLEEN		
09-04446	05/15/09 REC-REIMB:TICKETS & POSTERS	Open	483.53
01211	NAYLOR'S, INC.		
09-04379	04/30/09 POLICE DEPT-BATTERIES	Open	848.00
00019	NJ AMERICAN WATER		
09-04466	05/18/09 APR 2009 WATER UTILITY	Open	490.26
00311	NJ DIVISION OF ABC		
09-04471	05/19/09 MUNI CLERK-LIQUOR LICENSE APPL	Open	54.00

00529	NJ DIVISION OF FIRE SAFETY		
09-04442	05/15/09 2009 ANNUAL LIFE HAZ USE REG	Open	250.00
00502	NJ STATE LEAGUE/MUNICIPALITIES		
09-04505	05/27/09 A&E-(8) SUBSCRIPTION RENEWALS	Open	128.00
00713	NORTHERN TOOL & EQUIP CO.		
09-04413	05/07/09 BLDGS/GRNDS-FLOJET WATER PUMPS	Open	266.95
01500	PILLARI BROS CONSTRUCTION CORP		
08-12320	09/24/08 DIIP STORMWATER PUMP STATIONS	Open	38,473.82
01022	PITNEY BOWES SUPPLY LINE		
09-04409	05/06/09 A&E-POSTAGE METER INK CART	Open	125.98
00411	R & R RADAR, INC.		
09-04414	05/08/09 POLICE DEPT-REMOVE RADAR	Open	129.00
00164	RAIN, WILLIAM		
09-04458	05/15/09 2009 PYMT 06/12 HEALTH REIMB	Open	713.67
00528	RESIDENTIAL POLES/FENCE, INC.		
09-04468	05/19/09 BLDGS/GRNDS-REPAIR FLAGPOLES	Open	340.00
00234	ROY PRESS, INC.		
09-04429	05/12/09 PRINTING:MAY'09 NEWSLETTER	Open	762.50
01319	RUDING & WOOD, LLC		
09-04338	04/22/09 LIBRARY-REFINISH WRITING DESK	Open	540.00
00788	SCARINCI & HOLLENBECK, LLC		
09-04452	05/15/09 LEGAL-JUN 2009 RETAINER	Open	1,666.67
00119	SEA BRIGHT BOARD OF EDUCATION		
09-04450	05/15/09 GRADE SCHOOL TAX - JUN 2009	Open	74,912.63
01554	SEA BRIGHT SERVICE CENTER		
09-04381	05/01/09 POLICE-BLANKET:VEHICLE MAINT	Open	583.72
00410	SEYR, STEPHANIE		
09-04448	05/15/09 COURT-05/14/09 COVERAGE	Open	60.00
09-04486	05/21/09 COURT-05/21/09 COVERAGE	Open	45.00

			105.00
01027	SHORE BUSINESS SOLUTIONS		
09-04459	05/15/09 MAINT:SHARP FAX MACH:BORO HALL	Open	320.00
00053	SHORE REGIONAL HIGH SCHOOL		
09-04451	05/15/09 HIGH SCHOOL TAX - JUN 2009	Open	182,200.00
00975	SMACK, EDWARD		
09-04455	05/15/09 2009 PYMT 06/12 HEALTH REIMB	Open	713.67
00285	STAPLE'S, INC.		
09-04341	04/27/09 POLICE DEPT-MEMORY/TONER CART	Open	219.88
09-04375	04/30/09 POLICE DEPT-CARDS/CABINET/CASE	Open	406.56
09-04415	05/08/09 POLICE DEPT-RECEIPT BK/BINDER	Open	66.87

			693.31
00214	STAVOLA COMPANIES		
09-04367	04/29/09 DPW-BLANKET:ASPHALT MATERIALS	Open	207.58
0.00	B		
00427	STRATTON, FELECIA		
09-04447	05/15/09 A&E-EDIT/DESIGN:MAY'09 SEA BRZ	Open	700.00
00228	THOMSON WEST/WEST GROUP		
09-04347	04/27/09 CLERK/TAX/POLICE-PP UPDATES	Open	460.00
01960	VERIZON		
09-04469	05/19/09 DPW-DSL INTERNET:APR 2009	Open	42.99
02061	VERIZON WIRELESS		
09-04499	05/26/09 POLICE-MAY 2009 CELL PHONES	Open	469.60
02177	WALSH, JOAN		
09-04462	05/18/09 LIBRARY-REIMB:5/14 DVD+VACUUM	Open	156.98
09-04481	05/20/09 LIBRARY-REIMB:5/15 FRAMES/MATS	Open	83.81
09-04507	05/27/09 LIBRARY-REIMB:5/26 MISC ITEMS	Open	173.62

			414.41
01164	WATCHUNG SPRING WATER CO, INC.		
09-04465	05/18/09 MAY 2009 SPRING WATER	Open	200.87
AOL			18.99
STATE OF NJ DEPT OF LABOR (1/Q/09 UNEMPLOY)			205.87
THE BANK OF NEW YORK (BOND INTEREST PYMT)			<u>16,560.00</u>
TOTAL			340,336.72

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

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None
Absent: Kelly

B. Councilwoman Bills made a motion adopting the Council Meeting Minutes of April 21, 2009. Second by Councilwoman Long and adopted upon the following roll call vote:
Ayes: Bills, Keeler, LoBiondo, Long, Murphy
Nays: None
Abstain: None
Absent: Kelly

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

**RESOLUTION NO. 131-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for an Acting Deputy Court Administrator pursuant to a letter received from Acting Court Administrator Patti Aurilio for the purpose of utilizing these services as a back up in the event that the Acting Court Administrator is not available for call outs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following person be appointed and receive the hourly rate of pay as specified below effective May 30, 2009:

ACTING COURT ADMINISTRATOR	HOURLY RATE
Stephanie Seyr 611 South Riverside Drive Neptune, New Jersey 07753	\$20.00

CERTIFICATION OF FUNDS

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

MICHAEL J. BASCOM, CFO

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

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

**RESOLUTION NO. 129-2009
AMENDING 2009 BEACH FEES
TO INCLUDE DISABLED**

WHEREAS, the Borough Council of the Borough of Sea Bright had previously adopted Resolution No. 27-2009 establishing the beach fees for the calendar year 2009 and wish to amend that resolution.

NOW, THEREFORE, BE IT RESOLVED that the fees and charges of the Municipal Beach Authority for the year 2009 be amended to

included those persons with disabilities who produce a photo ID and Medicare card as follows:

DAILY BADGE (including weekends) per person	\$ 8.00
SENIOR (65+) <u>and DISABLED</u> SEASON BADGE per person	\$ 35.00
SEASON BADGE (per person) purchased between January 5, 2009 to March 2, 2009.	\$ 50.00
SEASON BADGE (per person)	\$100.00
CHILDREN (under 12)	FREE
BEACH PARKING	FREE

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

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

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

RESOLUTION NO. 133-2009
BOROUGH OF SEA BRIGHT

WHEREAS, Monmouth Sprinkler Co., Inc. posted a performance bond with the Borough of Sea Bright in the amount of \$1,500.00 for Street Opening Permit No. 14-2005 for irrigation work performed at East Church Street, East Surf Street, and East Ocean Avenue; and,

WHEREAS, upon review of the work performed Director of Public Works has found that the project have been completed and has recommended the release of the performance bond; and,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth and State of New Jersey that the irrigation performed at East Church Street, East Surf Street, and East Ocean Avenue is accepted and the Performance Guarantee posted by Monmouth Sprinkler Co., Inc. in the amount \$1,500.00 is hereby released.

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

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

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

BOROUGH OF SEA BRIGHT
RESOLUTION NO. 138-2009
AMENDING RESOLUTION NO. 105-2009

WHEREAS, the Finance Manager has indicated that the unused Planning Board escrow monies shall be refunded to:

Sea Bright Bond Bally, LLC . BL 30 Lot 15.02 \$290.13
1401 Broad Street
Clifton, NJ 07013

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize the unused Planning Board escrow monies be refunded.

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

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

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

**RESOLUTION NO. 142-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for additional Police personnel pursuant to a letter received from Chief William Moore.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following persons be appointed and receive the hourly rate of pay as specified below effective June 5, 2009:

DISPATCHER	HOURLY RATE
Mark T. Morris Jr. 800 Prospect Avenue Union Beach, NJ 07735	\$8.00
William E. Fabian 63 Horseshoe Court Tinton Falls, NJ 07753	\$8.00

CERTIFICATION OF FUNDS

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

MICHAEL J. BASCOM, CFO

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

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

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

**RESOLUTION NO. 134-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, authorization is hereby given to the Sea Bright Beach Patrol to schedule the following program and charge the fees as noted:

Junior Lifeguard Program

Session One: Two Weeks at \$75.00 per child
Dates: July 6th to July 10th and July 13th to July 17th.
Time: 9 to 10:30 a.m.
Session Two: Two Weeks at \$75.00 per child
Dates: July 20th to July 24th and July 27th to July 31st.
Time: 9 to 10:30 a.m.

Depending on interest another session may be added in August.

NOW, THEREFORE, BE IT RESOLVED that the above mentioned program and fees are hereby authorized and monies will be deposited in the Beach Trust account.

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

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

7. OLD BUSINESS:

Councilman Keeler opened the meeting to the public at 8:19 p.m concerning the NJDOT grant application. Second by Councilwoman Long and adopted upon unanimous voice vote.

Tom Largey of 1 Beach Way said that there are huge holes on the street where he lives.

Tony Lenge said said that the potholes are huge and dangerous.

Sue Siers of Normandie said that her street is equally dangerous as Beach Way regarding huge dangerous potholes.

Bob Christie said that he is tired of the town ignoring the problems that the residents of Normandie and Beach Way have been facing with deteriorating streets and repairing streets that do not need it.

Nancy DeScenza of 498 Ocean Avenue said her driveway is on Normandie Place. She has fallen twice and received severe injuries because of the huge potholes.

Dave DeScenza of 498 Ocean Avenue said that only last night he went into a pothole while biking and that the town may be held liable when people get hurt.

Councilwoman Long made a motion to close the public hearing. Second by Councilman Murphy and adopted upon unanimous voice vote.

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

RESOLUTION NO. 135-2009
SUPPORTING THE BOROUGH OF SEA BRIGHT'S
APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
(NJDOT), MUNICIPAL AID PROGRAM,
FOR IMPROVEMENTS TO BEACH WAY AND NORMANDIE PLACE
REPAVING AND RECONSTRUCTION PROJECT AND OTHER ROADWAY & DRAINAGE
IMPROVEMENTS

WHEREAS, the New Jersey Department of Transportation, Municipal Aid Program, is offering funds for projects with Local Communities; and,

WHEREAS, the Borough of Sea Bright has chosen the Beachway and Normandie Repaving and Reconstruction Project and other roadway and drainage improvements to submit for this program for an estimated cost amount of \$350,000. The project will consist of Roadway Paving, Sidewalks and other needed municipal infrastructure improvements; 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 Local Aid Program funds for construction of Beachway and Normandie Place.

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

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

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

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

RESOLUTION NO. 139-2009
BOROUGH OF SEA BRIGHT

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of additional Professional Engineering Services for the Downtown Infrastructure Improvement Project involving a Tidelands Conveyance application for the bulkhead replacements at Beach and Center Streets in accordance with the engineering proposal prepared by David J. Hoder, P.E. of Maser Consulting dated May 13, 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 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 for the purpose stated in the above resolution.

MICHAEL J. BASCOM, C.F.O.

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

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

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

**RESOLUTION NO. 141-2009
BOROUGH OF SEA BRIGHT**

WHEREAS, Rutger's Institute of Marine and Coastal Sciences seeks permission from the Mayor and Council of the Borough of Sea Bright in a proposal prepared by Dr. Hugh Roarty, Director of Operations Center dated May 27, 2009 for the permanent placement of oceanographic equipment, which measures ocean currents and wave heights to be located at the southeast corner of the recycling center. The equipment will be housed in an eight foot by six foot shed and the installation of the shed's electrical service will be the sole responsibility of the aforementioned institution.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby support this research project and grant permission to Rutger's Institute of Marine and Coastal Sciences for the permanent installation and maintenance of the 13 MHz CODAR Sea Sonde System.

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

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

8. NEW BUSINESS:

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

**RESOLUTION NO. 132-2009
 BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need for a **Seasonal Beach Cleaner** (hourly) within the Borough of Sea Bright.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following person be appointed and receive the rate of pay as specified below:

Andrew Barret Murphy **Beach Cleaner**
 Salary \$12.00 (HOURLY) Effective 5-30-2009 thru 10-15-09

Catherine Denise Felder **Beach Bathroom Attendant**
 Salary \$8.50 (HOURLY) Effective 5-30-2009 thru 10-15-2009

CERTIFICATION OF FUNDS

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

MICHAEL J. BASCOM, CFO

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

Ayes: Bills, Keeler, LoBiondo, Long,
 Nays: None
 Abstain: Murphy
 Absent: Kelly

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

RESOLUTION NO. 136-2009
2009 SALARY RESOLUTION

FOR FULL TIME AND PART TIME STATUTORY EMPLOYEES

NAME	TITLE/POSITION	2009 SALARY
Anfuso, Timothy	Tax Assessor (P/T)	\$ 21,797.47
Bahrle, David	Director - DPW	\$ 78,344.32
Bascom, Michael	Chief Financial Officer (P/T)	\$ 23,781.78
Branagan, Suzanne	Administrative Assistant	\$ 34,425.70
Clark, Doug	Superintendent of Borough Maintenance/Recycling co-ord	\$ 60,508.29
Debevec, Ana	Finance Manager	\$ 47,622.21
DiBerardino, Karen	Admin. Asst, Const. Dept Sec & Tech Asst.	\$ 43,137.54

Jacobs, Khristie	Clerk-Dispatcher	\$ 55,532.64
John Jones	Public Works Maintenance Person	\$31,200.00
Loray, Robert	Public Works Maintenance Person	\$ 55,111.88
Moore, William	Chief of Police	\$106,838.86
Smeltzer, Maryann M.	Boro Clerk/Registrar Official Assessment Searcher	\$ 73,822.78
Spahr, Patricia, M.	Tax Collector Sewer Collector Official Tax Searcher Secretary-Board of Health	\$ 70,860.32
Yingling, Charles K.	Public Works Maintenance Person	\$ 28,462.96

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 Councilwoman Long and approved upon the following roll call vote:

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

C. Councilwoman Bills introduced and offered the following Resolution for adoption: effective January 1, 2009

RESOLUTION NO. 137-2009

2009 SALARY RESOLUTION FOR PERMANENT PART-TIME, SEASONAL AND HOURLY EMPLOYEES

NAME	TITLE/POSITION	2009 SALARY
Andriola, Patricia	Library/Clerk (P/T)	\$ 8.85
Aurilio, Pattilee	Deputy Court Administrator (P/T)	\$ 14.35
Aurilio, Pattilee	Acting Court Admin. (P/T)	\$ 20.00
Branagan, Suzanne	Planning Board Secretary	\$ 8,280.00
Del Re, Nelda	Bookkeeper/Fiscal Officer (P/T)	\$ 24.86
Foley, Thomas	Mun Court Judge (P/T)	\$27,859.36

Gatto, Margaret	Court Assistant (Hourly) Court Day - Per Day	\$ 12.26 \$ 100.00
Haege, Thomas	FireOfficial//Marshall (P/T) Fire Subcode Off//Insp (P/T) Housing Inspector (P/T)	\$ 9,363.79 \$ 6,885.14 \$ 6,624.00
Hopping, Albert	Plumbing Subcode Official (P/T)	\$ 6,885.14
Jones, John	DPW Maintenance P/T	\$ 15.00
Mack, William	Water Safety Dir/Beach Front Operations Manager	\$21,310.82
Morris, Kathy	Recreation Administrator (P/T)	\$ 6,885.14
Normile, Michael	Maintenance/Janitor (P/T)	\$ 9.33
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)	\$ 9.96
Sheedy, Kathleen	Municipal Prosecutor (P/T)	\$13,500.00
Smeltzer, Maryann	Administrator	\$10,000.00
Smith, Thomas J. III	Public Defender (P/T)	\$ 4,870.35
Tangolics, Mary	Zoning Officer (P/T)	\$ 6,885.14
Tangolics, Mary	Planner Retainer Planner (Hourly) P/T	\$ 1,755.72 \$ 65.00 p/h
Walsh, Joan	Library/Cultural Arts Director (P/T)	\$ 19.51
Wheeler, Edward	Construction Official (P/T)	\$13,919.44
Wheeler, Edward	Electrical Subcode Official (P/T)	\$ 6,885.14
Errickson, Kenneth	Special II	\$ 10.35
Huegel, Richard	Special II	\$ 11.08
Latham, Ralph	Special I	\$ 8.28
Leimburg, Kelly	Special I	\$ 8.28
Morgan, Travis	Special I	\$ 10.35
Yingling, Tammy	Crossing Guard/Alternate	\$ 8.71
Errickson, Kenneth	Dispatcher	\$ 8.28
Huegel, Richard	Dispatcher	\$ 8.87
Latham, Ralph	Dispatcher	\$ 8.28

1343-33-002-008	Something Fishy Restaurant Inc. 140 Ocean Avenue
1343-33-004-003	Driftwood Inn, Inc. t/a Driftwood-By-The-Sea 1473 Ocean Avenue
1343-33-005-003	Harry's Lobster House Corp. t/a Harry's Lobster House 1124 Ocean Avenue
1343-33-007-003	Donovans Reef Inc. t/a Dovovans Reef 1171 Ocean Avenue
1343-33-008-003	Superstar Enterprises t/a Ocean Avenue Grill The Cove 1250 Ocean Avenue
1343-33-012-006	Stephen N. Grulich, Inc. t/a Ichabod's 1 East Church Street
1343-33-018-007	Watersedge, Inc. t/a Merri-Makers at Waters Edge 1465 Ocean Avenue

Alcoholic Beverage Licensee Retail Tax Clearance Certificate pursuant to Chapter 161, Laws of NJ 1995 has been granted by the Division of Taxation to the within named.

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

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

9. CORRESPONDENCE AND COMMUNICATIONS:

A. Court Administrator's April report.

B. Sewerage System Operation & Maintenance April 2009 report.

C. Sewerage System Operation & Maintenance March 2009 report.

D. March 18, 2009 Minutes of Monmouth County Regional Health Commission

E. Planning Board Minutes March 24, 2009

F. Director of Public Works March 2009 report.

G. March 24, 2009 Planning Board minutes.

H. Letter from Riverview Medical Center requesting donation of beach badges for the Booker Cancer Center's gift basket.

Councilwoman Long made a motion to donate two beach passes to Riverview Medical Center. Second by Councilman Murphy and adopted upon the following roll call vote:

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

I. Director of Public Works April 2009 report.

10. MAYOR FERNANDES - REPORT AND COMMUNICATIONS. U.S. Army Corp of Engineers and DOT representatives met informally with property owners adjacent to the bulkhead from Osborne Place to Rumson Road.

Executive County Superintendent Carole Morris will speak at Shore Regional High School on Wednesday, June 3rd at 7 p.m. to discuss the school consolidation process.

Beginning June 8th, there will be a temporary closure of Route 36 southbound lane with alternating traffic on the northbound lane from 7 a.m. to 3:30 p.m., Monday through Thursday and to noon on Friday for one week.

The Beach Committee needs volunteers to paint the Lifeguard Headquarters from June 9 through June 11th from 8:30 a.m. to dusk.

Mayor Fernandes wished Sea Bright's Borough Administrator Maryann Smeltzer a Happy Birthday.

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

12. Councilman Keeler introduced the following resolution at 8:27 p.m.

**RESOLUTION NO. 143-2009
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 personnel issues 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 Councilman Murphy and adopted upon the following roll call vote:

Ayes: Bills, Keeler, LoBiondo, Long, Murphy

Nays: None

Abstain: None

Absent: Kelly

Councilman Keeler introduced a motion to resume regular order of business at 9:05 p.m. Second by Councilman Murphy and approved upon by unanimous vote.

13. Police Department - Standard Operating Procedures

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

RESOLUTION NO. 130A-2009 BOROUGH OF SEA BRIGHT

BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following Promotion Policy be adopted for the Sea Bright Police Department, Standard Operation Procedures, File Category 34.1.3. This revised Promotion Policy amends Resolution No. 189-2008 which was previously adopted on December 16, 2008:

I. PURPOSE:

The purpose of this Standard Operating Procedure (SOP) is to formally state the Sea Bright Police Departments Promotion Policy and Process.

II. POLICY:

Promotion is the evaluation and selection of an officer for advancement from one rank classification to another within the hierarchy of the Sea Bright Police Department (SBPD)

In carrying out this responsibility, the SBPD will adhere to the procedures/processes presented below. These procedures/processes have been developed to help identify those officers who possess and display the ability for assuming greater responsibilities, combined with the necessary skills and knowledge to perform competently at a higher organizational level.

This policy is established for the positions of Corporal, Sergeant, Lieutenant, Captain, and Deputy Chief.

Candidates seeking promotion to the rank of Chief of Police must meet the eligibility requirements as set by the Mayor and Council when that promotion opportunity is announced. See Resolution No. 130B-2009 adopted June 2, 2009.

Note: The final decision on the promotion of all personnel will be made by the Mayor and Council based on general qualifications, the promotion criteria presented in this SOP, the recommendation of the Chief of Police and the results/conclusions drawn from the Mayor and Council's interviews with the candidates.

Note: Since promotions are not a regular/yearly event within a small department, prior to initiating a promotion process, the Chief of Police, Administrator, and the Police/Public Safety Committee will review

this SOP to ensure that all provisions are in compliance with current rulings, policies, and practices especially with regard to non-discrimination and job relatedness questions.

III. PROCEDURE/PROCESS

1. Posting/Announcement:

The Department will notify, in writing, all eligible officers of any promotion opportunity, and the deadline for submitting a letter of intent to participate in the selection process.

2. Eligibility Criteria:

A. Candidates seeking promotion to the rank of **Corporal** must meet the following eligibility requirements:

1. Three (3) years of full time service with the Sea Bright Police by the effective date of the promotion.

2. Completion of one (1) year of college (32 credits). Note: All full time officers hired prior to January 1, 2009 are exempt from the educational requirement clause.

B. Candidates seeking promotion to the rank of **Sergeant** must meet the following eligibility requirements:

1. Five (5) years of full time service with the Sea Bright Police by the effective date of the promotion.

2. Attained at least an Associates Degree from an accredited college.

Note: All full time officers hired prior to January 1, 2009 are exempt from the educational requirement clause.

C. Candidates seeking promotion to the rank of **Lieutenant** must meet the following eligibility requirements:

1. Seven (7) years of full time service with the Sea Bright Police by the effective date of the promotion.

2. Attained the rank of Corporal or above and have been in that position for a minimum of one (1) year.

3. Attained at least a Bachelors Degree from an accredited college.

Note: All full time officers hired prior to January 1, 2009 are exempt from the educational requirement clause.

D. Candidates seeking promotion to the rank of **Captain** must meet the following eligibility requirements:

1. Nine (9) years of full time service with the Sea Bright Police by the effective date of the promotion.

2. Attained the rank of Sergeant or above and have been in that position for a minimum of two (2) years.

3. Attained at least a Bachelors Degree from an accredited college.

Note: All full time officers hired prior to January 1, 2009 are exempt from the educational requirement clause.

E. Candidates seeking promotion to the rank of **Deputy Chief of Police** must meet the following eligibility requirements:

1. Nine (9) years of full time service with the Sea Bright Police by the effective date of the promotion.

2. Attained the rank of Sergeant or above and have been in that position for a minimum of two (2) years.

3. Attained at least a Bachelors Degree from an accredited college.

Note: All full time officers hired prior to January 1, 2009 are exempt from the educational requirement clause.

F. Candidates seeking promotion to the rank of Chief of Police must meet the eligibility requirements as set by the Mayor and Council when that promotion opportunity is announced. See Resolution No. 130B-2009 adopted on June 2, 2009.

G. All promotions covered under this policy shall be made from within the membership of the Sea Bright Police Department.

H. To be considered for a given promotion, officers must notify the Chief of Police, in writing, of their intention to participate in the formal promotional process. This letter of intent must be submitted to the Police Chief prior to the posted deadline (usually at least thirty (30) days before the date of the written and/or oral examination.)

Note: Candidates who otherwise would be eligible to participate in the given promotion process, will lose their eligibility if they fail to submit the letter of intent prior to the posted deadline.

3. Promotion Criteria:

Note: Each candidate being considered for promotion will go through the same testing/evaluation procedure.

In addition to the qualifications set forth in other sections of this policy, the following factors are to be considered in the evaluation and recommendation of candidates for promotion:

- a. Oral Examination
And/Or
- b. Written Examination
- c. Job Performance
- d. Length of Service
- e. Medical and Psychological Examinations
- f. Chief of Police Recommendation
- g. Interview/Evaluation by Mayor and Council

A. Oral Examination.

- The examination board will consist of members from the New Jersey Association of the Chiefs of Police or the International Association of Chiefs of Police.
- The questions for the oral examination shall be kept confidential by the examination committee. No member of the Sea Bright Police Department shall be permitted access to the questions, including the Chief of Police.
- Contents of Examination. The questions will be prepared by the board conducting the examinations. The questions will be relevant to the position being sought and shall cover relevant court cases, job knowledge, supervisory knowledge, and situational problems. All candidates for the same position/rank will be asked the same questions. All candidates will receive written notification of what topics will be covered on the examination in a reasonable amount of time prior to the examination. All candidates will receive the information on the same date in their department mailbox and will be notified via phone that the information has been distributed.
- Scoring. The members of the examination board will score the candidates using their scoring system. Any candidate that fails the oral examination or has a score equivalent to 69% or less will be disqualified from the promotional process. A perfect score will be 100% or the equivalent.

- Announcement of examination. Notice of the approximate or actual examination date will be posted a minimum of four weeks prior to the examination. Any eligible police personnel on leave or vacation at the time of the posting shall be notified by phone or/and mail.

B. Written Examination.

- A written examination administered by the New Jersey Association of Chiefs of Police or the International Association of Chiefs of Police may be in lieu of the oral examination.
- The questions for the written examination shall be kept confidential by the examination committee. No member of the Sea Bright Police Department shall be permitted access to the questions, including the Chief of Police.
- Contents of Examination. The questions will be prepared by the board conducting the examinations. The questions will be relevant to the position being sought and shall cover relevant court cases, job knowledge, supervisory knowledge, and situational problems. All candidates for the same position/rank will be asked the same questions. All candidates will receive written notification of what topics will be covered on the examination in a reasonable amount of time prior to the examination. All candidates will receive the information on the same date in their department mailbox and will be notified via phone that the information has been distributed.
- Scoring. The members of the examination board will score the candidates using their scoring system. Any candidate that fails the oral examination or has a score equivalent to 69% or less will be disqualified from the promotional process. A perfect score will be 100% or the equivalent.
- Announcement of examination. Notice of the approximate or actual examination date will be posted a minimum of four weeks prior to the examination. Any eligible police personnel on leave or vacation at the time of the posting shall be notified by phone or/and mail.

C. Job Performance.

- Using the Department's employee evaluation process, and the Department's personnel files, the Chief of Police will evaluate and grade the job performance of each candidate for promotion.

- The maximum score a candidate can attain for Job Performance is one hundred thirty eight (138) points.
- Specific performance factors to be considered in the evaluation include, but are not limited to: Communication Skills (verbal/written), Commendations and Awards, Disciplinary Infractions, Absenteeism, Adherence to Established Policy (Sea Bright Personnel Manual, Department Standard Operating Procedures, PBA Local #48 Contract), Professional Schooling, Attitude, Initiative Appearance.

Note: The higher an officer's rank, the more responsibility the officer will have for the overall performance of the entire Department. Hence, a candidate's contribution to the creation and/or implementation of improved policies/procedures within the Department will be of particular interest and value in making a promotion recommendation.

D. Length of Service.

- One half ($\frac{1}{2}$) point shall be awarded to a candidate for each full year of service with the Sea Bright Police Department as a full time sworn law enforcement officer. No credit shall be given for years of service in any prior task or job.
- The maximum points/score a candidate can attain for Length of Service is twenty (20) points.

E. Medical and Psychological Examinations.

- All candidates for promotion must pass a complete medical examination performed by the Borough Physician.
- All candidates for promotion must pass a psychological examination. The purpose of this examination is to evaluate a candidate's intellectual and psychological status; ability to supervise and relate to others; ability to make prudent decisions in a timely manner especially in high stress situations; overall level of maturity.

F. Recommendation of Chief of Police:

- The Chief of Police will submit a letter of recommendation to the Borough Administrator who will then forward to the Police/Public Safety Committee and then to the Mayor and Council.

- The letter of recommendation from the Chief of Police will be based on the results of promotion criteria and on the Chief's own evaluation.

Note: When a promotion to a senior rank (Lieutenant, Captain, Deputy Chief) is under consideration, the Police Chief's recommendation will make specific reference to:

1) Examples of a candidate's display of leadership within the Department and/or Community.

2) The candidate's potential for providing effective leadership of the entire Department.

G. Evaluation by Mayor and Council:

- The Mayor and Council, or a designated committee thereof, will interview all candidates for promotion.

Note: When deciding on a promotion to a senior rank (Lieutenant, Captain, Deputy Chief), the Mayor and Council will make a specific inquiry into, and an evaluation of:

1) Examples of the candidate's display of leadership within the Department and/or Community.

2) The candidate's potential for providing effective leadership of the entire Department

- The final decision on the promotion(s) of personnel will be made by the Mayor and Council based on qualifications, the promotion process/criteria in this standard operating procedure, the recommendation from the Chief of Police and the results/conclusion drawn from their interviews with the candidates.

H. Additional Information on Scoring:

- The Chief of Police will create a ranked list of all the candidates for a given promotion by tabulating each candidate's score from the oral and/or written examination; the performance evaluation; and the length of service calculation. The Chief's ranked list will be forwarded to the Borough Administrator and the Police/Public Safety Committee for review prior to being forwarded to the Mayor and Council.
- In the event that the Mayor and Council conclude that two candidates are equal in all respects, Statute 40A:14-122.6 shall be used to

- determine the relative ranking of the two candidates. Should both candidates also be residents, the candidate with the highest seniority will be placed first on the recommended list forwarded to the Appropriate Authority.

Note: Seniority will be determined by either the current official Department rank of each candidate (Sergeant, Lieutenant, Captain, Deputy Chief), or, if both candidates hold the same Department rank by relative length of service with the Department.

- Scores on any promotional examinations will be valid for one (1) year from the date on which they are received by the Department.
- In the event that a vacancy occurs within one (1) year that the scores are valid, the Chief of Police will create a new ranked list of all candidates using the scoring data already on file, plus the scoring data of any candidate who did not participate in the previous promotion process. A copy of which shall be supplied by the Chief of Police to the Borough Administrator.
- All promotional materials and scores will be maintained in a secured file in the office of the Chief of Police.
- After review by the Borough Administrator and Police/Public Safety Committee, the results of the testing/evaluation process will be forwarded to the Mayor and Council.
- All officers who participate in the promotion process will be allowed to review their test scores and evaluations within fourteen (14) days following the posting of the official results.
- In carrying out this responsibility for the selection of officers for promotion, the Mayor and Council shall among other things consider and evaluate each eligible candidate in the following areas:
 1. oral and/or written test results
 2. longevity
 3. education and certifications
 4. awards and commendations
 5. annual/semi-annual performance evaluation results

6. recommendations from Police Chief
7. communication skills
8. community involvement activities
9. administrative abilities
10. leadership abilities
11. Mayor and Council interview/evaluation results

4. Decision By Mayor and Council.

The Mayor and Council will select the candidate for each promotion.

5. Probationary Period:

An officer promoted to a higher rank shall serve a probationary period of one (1) year from the date of the appointment.

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

Ayes: Bills, Keeler, LoBiondo, Long

Nays: None

Abstain: Murphy

Absent: Kelly

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

**RESOLUTION NO. 130B-2009
STANDARD OPERATING PROCEDURE
POLICE CHIEF PROMOTION POLICY**

BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the following Promotion Policy be adopted for the Sea Bright Police Department, Standard Operation Procedures.

This promotional opportunity shall be posted, in a prominent place within the Police Department.

I. PURPOSE:

The purpose of this Standard Operating Procedure (SOP) is to formally state the Sea Bright Police Department's Promotion Policy and Process.

II. POLICY:

Promotion is the evaluation and selection of an officer for advancement from one rank classification to another within the hierarchy of the Sea Bright Police Department (SBPD)

In carrying out this responsibility, the SBPD will adhere to the procedures/processes presented below. These procedures/processes have been developed to help identify those officers who possess and display the ability for assuming greater responsibilities, combined with the

necessary skills and knowledge to perform competently at a higher organizational level.

This policy is established for the position of Chief of Police.

Note: The final decision on the promotion of all personnel will be made by the Mayor and Council based on general qualifications, the promotion criteria presented in this SOP, the recommendation of the Chief of Police and the results/conclusions drawn from the Mayor and Council's interviews with the candidates.

Note: Since promotions are not a regular/yearly event within a small department, prior to initiating a promotion process, the Chief of Police, Administrator, and the Police/Public Safety Committee will review this SOP to ensure that all provisions are in compliance with current rulings, policies, and practices especially with regard to non-discrimination and job relatedness questions

III. PROCEDURE/PROCESS

1. Posting/Announcement:

Pursuant to the authority of the Mayor and Council of the Borough of Sea Bright to establish the position of the Police Chief for the Sea Bright Police Department, once the Mayor and Council of the Borough of Sea Bright have certified by resolution that the position of Chief of Police is or will be vacant and is to be filled, a notice shall be posted in a prominent place on the bulletin board in Police Headquarters and the Mayor and Council shall implement the procedures contained herein below for the selection of a successor Chief of Police.

2. Eligibility Criteria:

A. Candidates seeking promotion to the rank of Police Chief must meet the following eligibility requirements:

1. Nine (9) years of full time service with the Sea Bright Police by the effective date of the promotion.
2. Attained the rank of Sergeant or above for at least two (2) years.
3. Attained at least a Bachelors Degree from an accredited college or university.

Note: All full time officers hired prior to January 1, 2009 are exempt from the education requirement clause.

B. All promotions covered under this policy shall be made from the membership of the Sea Bright Police Department.

C. To be considered for a given promotion, officers must notify the Chief of Police, in writing, of their intention to participate in the formal promotional process. This letter of intent must be submitted to the Police Chief prior to the posted deadline (usually at least thirty (30) days before the date of the written and/or oral examination.)

Note: Candidates who otherwise would be eligible to participate in the given promotion process, will lose their eligibility if they fail to submit the letter of intent prior to the posted deadline.

3. Promotion Criteria:

Note: Each candidate being considered for promotion will go through the same testing/evaluation procedure.

In addition to the qualifications set forth in other sections of this policy, the following factors are to be considered in the evaluation and recommendation of candidates for promotion:

- a. Oral Examination
And/Or
- b. Written Examination
- c. Job Performance
- d. Length of Service
- e. Medical and Psychological Examinations
- f. Chief of Police Recommendation
- g. Interview/Evaluation by Mayor and Council

A. Oral Examination.

- The examination board will consist of members from the New Jersey Association of the Chiefs of Police or the International Association of Chiefs of Police.
- The questions for the oral examination shall be kept confidential by the examination committee. No member of the Sea Bright Police Department shall be permitted access to the questions, including the Chief of Police.
- Contents of Examination. The questions will be prepared by the board conducting the examinations. The questions will be relevant to the position being sought and shall cover relevant court cases, job knowledge, supervisory knowledge, and situational problems. All candidates for the same position/rank will be asked the same questions. All candidates will receive written notification of what topics will be covered on the examination in a reasonable amount of time prior to the examination. All

- candidates will receive the information on the same date in their department mailbox and will be notified via phone that the information has been distributed.
- Scoring. The members of the examination board will score the candidates using their scoring system. Any candidate that fails the oral examination or has a score equivalent to 69% or less will be disqualified from the promotional process. A perfect score will be 100% or the equivalent.
- Announcement of examination. Notice of the approximate or actual examination date will be posted a minimum of four weeks prior to the examination. Any eligible police personnel on leave or vacation at the time of the posting shall be notified by phone or/and mail.

B. Written Examination.

- A written examination administered by the New Jersey Association of Chiefs of Police or the International Association of Chiefs of Police may be in lieu of the oral examination.
- The questions for the written examination shall be kept confidential by the examination committee. No member of the Sea Bright Police Department shall be permitted access to the questions, including the Chief of Police.
- Contents of Examination. The questions will be prepared by the board conducting the examinations. The questions will be relevant to the position being sought and shall cover relevant court cases, job knowledge, supervisory knowledge, and situational problems. All candidates for the same position/rank will be asked the same questions. All candidates will receive written notification of what topics will be covered on the examination in a reasonable amount of time prior to the examination. All candidates will receive the information on the same date in their department mailbox and will be notified via phone that the information has been distributed.
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- Announcement of examination. Notice of the approximate or actual examination date will be posted a minimum of four weeks prior to the examination. Any eligible police personnel on leave or vacation at the time of the posting shall be notified by phone or/and mail.

C. Job Performance.

- Using the Department's employee evaluation process, and the Department's personnel files, the Chief of Police will evaluate and grade the job performance of each candidate for promotion.
- The maximum score a candidate can attain for Job Performance is one hundred thirty eight (138) points.
- Specific performance factors to be considered in the evaluation include, but are not limited to: Communication Skills (verbal/written), Commendations and Awards, Disciplinary Infractions, Absenteeism, Adherence to Established Policy (Sea Bright Personnel Manual, Department Standard Operating Procedures, PBA Local #48 Contract), Professional Schooling, Attitude, Initiative Appearance.

Note: The higher an officer's rank, the more responsibility the officer will have for the overall performance of the entire Department. Hence, a candidate's contribution to the creation and/or implementation of improved policies/procedures within the Department will be of particular interest and value in making a promotion recommendation.

D. Length of Service.

- One half ($\frac{1}{2}$) point shall be awarded to a candidate for each full year of service with the Sea Bright Police Department as a full time sworn law enforcement officer. No credit shall be given for years of service in any prior task or job.
- The maximum points/score a candidate can attain for Length of Service is twenty (20) points.

E. Medical and Psychological Examinations.

- All candidates for promotion to the rank of Police Chief must pass a complete medical examination performed by the Borough Physician.

- All candidates for promotion to the rank of Police Chief must successfully complete a psychological examination conducted by a psychiatrist or psychologist or by a professional psychological service organization appointed by the Mayor and Council of the Borough of Sea Bright.

Psychological testing will be conducted for objective suitability traits and attributions. Testing shall relate to motivation, intelligence, team compatibility, endurance, social judgment, stress tolerance, self control and emotional stability. Candidates shall be evaluated for supervisory potential, ability to analyze the management role, as well as leadership and attitudes towards directing and disciplining former peers.

The test shall be scored on a pass/fail basis as to suitability and the examiner shall provide the Borough Administrator with an evaluation report concerning the candidates. The Borough Administrator will forward same to the Police/Public Safety Committee for review and recommendation to the Mayor and Council.

F. Recommendation of Chief of Police:

- The Chief of Police will submit a letter of recommendation to the Borough Administrator who will then forward to the Police/Public Safety Committee and then to the Mayor and Council.
- The letter of recommendation from the Chief of Police will be based on the results of promotion criteria and on the Chief's own evaluation.

Note: The chief's recommendation will make particular reference to:

- 1) Examples of a candidate's display of leadership within the Department and/or Community.
- 2) The candidate's potential for providing effective leadership of the entire Department.

G. Evaluation by Mayor and Council:

- The Mayor and Council will interview all candidates for promotion.

Note: When deciding on a promotion to the rank of Chief of Police, the Mayor and Council will make a specific inquiry into, and an evaluation of:

1) Examples of the candidate's display of leadership within the Department and/or Community.

2) The candidate's potential for providing effective leadership of the entire Department

- The final decision on the promotion of personnel will be made by the Mayor and Council based on qualifications, the promotion process/criteria in this standard operating procedure, the recommendation from the Chief of Police and the results/conclusion drawn from their interviews with the candidates.

H. Additional Information on Scoring:

- The Chief of Police will create a ranked list of all the candidates for the position of Police Chief by tabulating each candidate's score from the oral and/or written examination; the performance evaluation; and the length of service calculation. The Chief's ranked list will be forwarded to the Borough Administrator and the Police/Public Safety Committee for review prior to being forwarded to the Mayor and Council.
- In the event that the Mayor and Council conclude that two candidates are equal in all respects, Statute 40A:14-122.6 shall be used to determine the relative ranking of the two candidates. Should both candidates also be residents, the candidate with the highest seniority will be placed first on the recommended list forwarded to the Appropriate Authority.

Note: Seniority will be determined by either the current official Department rank of each candidate (Sergeant, Lieutenant, Captain, Deputy Chief), or, if both candidates hold the same Department rank by relative length of service with the Department.

- Scores on any promotional examinations will be valid for one (1) year from the date on which they are received by the Department.
- In the event that a vacancy occurs within one (1) year that the scores are valid, the Chief of Police will create a new ranked list of all candidates using the scoring data already on file, plus the scoring data of any candidate who did not participate in the previous promotion process. A copy of which shall be

- supplied by the Chief of Police to the Borough Administrator.
- All promotional materials and scores will be maintained in a secured file in the office of the Chief of Police or the Appropriate Authority.
- After review by the Borough Administrator and Police/Public Safety Committee, the results of the testing/evaluation process will be forwarded to the Mayor and Council.
- All officers who participate in the promotion process will be allowed to review their test scores and evaluations within fourteen (14) days following the posting of the official results.
- In carrying out this responsibility for the selection of Police Chief, the Mayor and Council shall consider and evaluate among other things each eligible candidate in the following areas:
 1. oral and/or written test results
 2. longevity
 3. education and certifications
 4. awards and commendations
 5. annual/semi-annual performance evaluation results
 6. recommendations from Police Chief
 7. communication skills
 8. community involvement activities
 9. administrative abilities
 10. leadership abilities
 11. Mayor and Council interview/evaluation results

4. Decision by Mayor and Council.

The Mayor and Council will select the candidate to the rank of Police Chief from among all eligible candidates.

The selection will be made by secret ballot of the Governing Body. A majority vote will prevail. There will be no veto power.

5. Probationary Period.

An officer promoted to the rank of Police Chief shall serve a probationary period of one (1) year from the date of the appointment.

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

Ayes: Bills, Keeler, LoBiondo, Long

Nays: None

Abstain: Murphy

Absent: Kelly

14. ADJOURNMENT:

There being no further business before the Governing Body.
Councilman Keeler made a motion to adjourn the meeting at 9:08
P.M. Second by Councilwoman Long and approved upon unanimous
voice vote.

Respectfully Submitted,

Suzanne Branagan
Administrative Assistant