

7:30 P.M.

**AGENDA FOR MAYOR AND COUNCIL MEETING  
BOROUGH OF SEA BRIGHT  
August 4, 2009**

- 1. PLEDGE OF ALLEGIANCE.
- 2. OPENING 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:**

BILLS\_\_\_\_ KEELER\_\_\_\_ KELLY\_\_\_\_ LOBIONDO\_\_\_\_ LONG\_\_\_\_ MURPHY \_\_\_\_  
 MAYOR FERNANDES\_\_\_\_ ATTORNEY OXLEY\_\_\_\_  
 CHIEF FINANCIAL OFFICER BASCOM\_\_\_\_ BOROUGH ENGINEER HODER\_\_\_\_  
 POLICE CHIEF MOORE\_\_\_\_

**4. AWARD OF COMMENDATION TO WILLIAM KELLY**

**5.**

**A.**

**ORDINANCE NO.15-2009**

**ORDINANCE AUTHORIZING THE GUARANTY BY THE BOROUGH OF SEA BRIGHT, NEW JERSEY OF PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2009 (SHORE REGIONAL SCHOOL DISTRICT PROJECT), OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY**

Introduced and approved on July 7, 2009.

**A.** Motion to approve the Ordinance on Second Reading and open the Public Hearing.

Motion:\_\_\_\_\_Second:\_\_\_\_\_

Bills\_\_; Keeler\_\_; Kelly\_\_; LoBiondo\_\_; Long \_\_\_\_; Murphy \_\_.

**B.** Does anyone in the audience wish to be heard?

**C.** Motion to close the Public Hearing (voice vote).

**D.** Motion to approve the Ordinance on its Third and Final Reading and advertise it according to law.

Motion:\_\_\_\_\_Second:\_\_\_\_\_

Bills\_\_; Keeler\_\_; Kelly\_\_; LoBiondo\_\_; Long \_\_\_\_; Murphy \_\_.

B.

**ORDINANCE NO.17-2009**  
**ORDINANCE AMENDING NOISE ORDINANCE 10-2009**  
**BY THE BOROUGH OF SEA BRIGHT, NEW JERSEY**

Introduced and approved on July 7, 2009.

A. Motion to approve the Ordinance on Second Reading and open the Public Hearing.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

B. Does anyone in the audience wish to be heard?

C. Motion to close the Public Hearing (voice vote).

D. Motion to approve the Ordinance on its Third and Final Reading and advertise it according to law.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

C.

**ORDINANCE NO. 18-2009**  
**AN ORDINANCE AMENDING CHAPTER 130 LAND USE**  
**ARTICLE XI SIGNS**  
**OF THE CODE OF SEA BRIGHT**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ to approve the ordinance on First Reading. Second Reading/Public Hearing to be held on September 1, 2009.

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

D.

**ORDINANCE NO.19-2009**  
**AN ORDINANCE REPLACING**  
**CHAPTER 115 FLOOD DAMAGE PREVENTION**  
**OF THE CODE OF SEA BRIGHT**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ to approve the ordinance on First Reading. Second Reading/Public Hearing to be held on September 1, 2009.

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

E.

**ORDINANCE NO. 20-2009**  
**AN ORDINANCE AMENDING**  
**CHAPTER 130 LAND USE**  
**SECTION 130-47 FLOOD DAMAGE PREVENTION**  
**OF THE CODE OF SEA BRIGHT**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ to approve the ordinance on First Reading. Second Reading/Public Hearing to be held on September 1, 2009.

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

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

**A. Resolution No. 173-2009** Bill Resolution.

**B. Council Meeting Minutes**

1. June 2, 2009 Closed Session Meeting
2. June 16, 2009 Council Meeting
3. June 16, 2009 Closed Session Meeting
4. June 25, 2009 Smart Growth Workshop
5. July 7, 2009 Council Meeting
6. July 7, 2009 Closed Session Meeting

**C. Resolution No. 174-2009** authorizing the approval of sewer adjustments.

**D. Resolution No. 175-2009** extending grace period for 3<sup>rd</sup> quarter taxes.

**E. Resolution No. 176-2009** hiring beach personnel.

**F. Resolution No. 177-2009** authorizing Library book sale, bake sale and fundraiser.

**G. Resolution No. 178-2009** refund of plot plan escrow to David DeSio.

**H. Resolution No. 180-2009** memorializing beach badge #184 replacement.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

**7. OLD BUSINESS:**

**A. Resolution No. 184A-2009** revising Resolution No. 130A-2009 of the Police Promotion Policy.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

**B. Resolution No. 184B-2009** revising Resolution no. 130B-2009 of the Police Chief Promotion Policy.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

**C. DISCUSSION** - Mayor Fernandes - River Dredging Project.

**D. DISCUSSION** - Mayor Fernandes - Proposed Bulkhead Project.

**8. NEW BUSINESS**

**A.** Request from Brahma Yoga to conduct yoga classes on Municipal Beach.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

**B.** Request from Felecia Stratton to conduct skimboarding lessons on Municipal Beach.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

**C. Resolution No.179-2009** award of contract for Grant Consultant.

Motion:\_\_\_\_\_Second:\_\_\_\_\_

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

**D. Resolution No. 182-2009** authorizing temporary portable business signs.

Motion:\_\_\_\_\_Second:\_\_\_\_\_

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

**E.** Request from Carrie Marxen to conduct her fitness program on the Municipal Beach.

Motion:\_\_\_\_\_Second:\_\_\_\_\_

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

**E. Resolution No. 181-2009** Corrective Action Plan.

Motion:\_\_\_\_\_Second:\_\_\_\_\_

Vote:

Bills\_\_ ; Keeler\_\_ ; Kelly\_\_ ; LoBiondo\_\_ ; Long \_\_\_\_ ; Murphy \_\_.

**12. CORRESPONDENCE AND COMMUNICATIONS:**

- A. Library Director June 2009 report.
- B. Chief of Police June 2009 report.
- C. Acting Court Administrator May 2009 report.
- D. Acting Court Administrator June 2009 report.
- E. Board of Public Utilities cable television renewal.
- F. Construction Department June 2009 Monthly report.
- G. Design Ideas Group July 9, 2009 letter regarding Beachfront architectural designs.
- H. DOT July 21, 2009 letter concerning Drawbridge Operations.

**12. COMMITTEE REPORTS:**

- A. **Beach/Education/Environment:** Councilwoman Long
- B. **Public Works/Building Department/Public Relations:**  
Councilman LoBiondo
- C. **Police/Emergency Management/Insurance/Court:**  
Councilman Keeler
- D. **Finance/Grants/Fire:**  
Councilman Murphy
- E. **Personnel/Administration/Cultural Arts/Recreation:**  
Councilwoman Bills
- F. **Smart Growth/Flood Mitigation/Beautification:**  
Councilman Kelly

**13. MAYOR FERNANDES - REPORT AND COMMUNICATIONS.**

**14. REMARKS FROM THE AUDIENCE:**

**15. EXECUTIVE SESSION: Resolution No.183-2009**

Motion:\_\_\_\_\_Second:\_\_\_\_\_ (voice vote).

**16. ADJOURNMENT:**

Motion to Adjourn: \_\_\_\_\_ Second: \_\_\_\_\_

Time: \_\_\_\_\_ P.M.